

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF FEBRUARY 20, 2006**

Clark called the meeting to order at 7:37 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Bruno led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple
Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director/Treasurer
Bill Potter, City Engineer
Phil Birdsall, DDA Director
Dennis McGinty, City Attorney
Deborah Cwiertniewicz, Deputy City Clerk

APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: February 6, 2006

The Minutes of February 6, 2006 were approved as submitted.

APPROVAL OF BILLS

MOTION by Naeyaert, second by Coady,
to approve the payment of bills in the amount of \$177,679.31 as submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

REGULAR BUSINESS

**Resolution No. 2006-05 – Tax Sharing Agreement between the City of Mason
Downtown Development Authority and the County of Ingham**

Resolution No. 2006-05 was introduced by Bruno and seconded by Mulvany during the February 6, 2006 meeting and subsequently, it was deferred to the February 20, 2006 meeting. Revels spoke regarding the Staff Agenda Report she submitted.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2006-05
TAX SHARING AGREEMENT BETWEEN THE CITY OF MASON DOWNTOWN DEVELOPMENT
AUTHORITY AND THE COUNTY OF INGHAM
February 20, 2006**

WHEREAS, the DDA is a Downtown Development Authority incorporated pursuant to PA 1975 No. 197 (MCL 125.1651 *et. Seq.*) (the "Act"); and

WHEREAS, the DDA is permitted by the Act to capture certain tax revenue from various taxing jurisdictions which are authorized to levy taxes on the property within the downtown district ("Development Area"); and

WHEREAS, the County is a taxing jurisdiction whose tax revenue has been partially captured by the DDA as provided in the Act; and

WHEREAS, the DDA is specifically authorized, pursuant to section 14 of the Act "...to enter into agreements with the taxing jurisdictions and the governing body of a municipality in which the Development area is located to share a portion of the captured assessed value of the district"; and

WHEREAS, in accordance with that section the parties desire to enter into this Tax Sharing Agreement; **that** it is mutually agreed as follows:

1. Downtown Development and Tax Increment Financing Plan. The DDA Development Plan and Tax Increment Financing Plan included here is hereby acknowledged and agreed by the County to be the Plan and downtown district to which this Agreement pertains, and that the activities and projects described herein are eligible for funding in whole or in part by the taxes and revenue resulting for the assessed valuation and tax revenue captured by the DDA.

2. This agreement will allow the capture of County property taxes from the expanded portion of the DDA as it was amended in 2004. Per the 2004 amended map of the Mason DDA district, and using an assumed annual increase in taxable value of 4%, the total possible capture of County taxes for the expanded area of the DDA district is estimated to be \$144,447 over a twenty year agreement period. This agreement provides for the capture of a maximum amount of \$144,447 of County tax revenue for a maximum of 20 years beginning with tax year 2005 and ending no later than in tax year 2025.

3. Per this agreement, capture of County tax revenue may only occur if it is used to fund part or all of the public infrastructure projects directly related to the economic growth within the Mason Downtown Development District that are listed here:

a. Ingham Court: Improvements to the Ingham Court Alley and the abutting alley to include lighting, landscaping, dumpster screening, signage, burying and/or moving overhead utilities, and the possible addition of an archway and/or public furniture such as benches and planters.

b. Cobblestone Village: Addition of antique style lights on Lansing Street, cobblestone or decorative materials sidewalks, and way finding signage in and adjacent to the Cobblestone Village area also known as the "antiques district."

c. Alleyway Improvements: Upgrade and repair of alleys in the DDA district other than the Ingham Court Alley.

4. Annually, any excess collections of County tax revenue will be returned to the County Treasurer. In the case that tax revenue is generated faster than anticipated due to growth within the district exceeding initial projections, the additional revenues may be used to decrease or call any bonds or other debt obligations related to the above approved projects provided that the total amount of County tax captured does not exceed the \$144,447 total possible capture.

The parties acknowledge and agree that the DDA and the City of Mason Council may from time to time amend the Plan as they deem appropriate pursuant to the Act; provided that no such amendment shall have the effect of modifying the provisions of this agreement relating to tax sharing, length of agreement, or general project described without the prior expressed consent of the County.

NOW THEREFORE, BE IT FURTHER RESOLVED, that this agreement is made as of the 6th day of February, 2006, by and between the City of Mason Downtown Development Authority whose address is 201 W. Ash, P.O. box 370, City Hall, Mason MI and THE COUNTY OF INGHAM whose address is Courthouse, Mason, MI 48854 ("the County") and acknowledged and agreed to by the City of Mason, whose address is 201 W. Ash Street, Mason, Michigan 48854.

YES (7) Bruno, Coady, Johnson, Mulvany, Naeyaert, Whipple, Clark

NO (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held Monday, February 20, 2006 the original of which is part of the City Council minutes.

Martin A. Colburn, Clerk
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2006-07 – Amendment to 2005 Rayner Creek Sanitary District Special Assessment Roll

Resolution No. 2006-07 was introduced by Bruno and seconded by Whipple.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2006-07
AMENDMENT TO 2005 RAYNER CREEK SANITARY DISTRICT
SPECIAL ASSESSMENT ROLL
February 20, 2006**

WHEREAS, the City Council of the City of Mason did confirm the Rayner Creek Sanitary District Special Assessment Roll on April 18, 2005; and

WHEREAS, Arthur & Alice Jewett and Dennis Anderson, owners of the East Ash Street property, were assessed \$188,785.45 for the Rayner Creek Sanitary District on the Special Assessment Roll; and

WHEREAS, the property number 33-19-10-09-400-004 for East Ash Street will be increased by \$24,453.70 for 458 feet of additional 8-inch sanitary which was installed per the owner's request; and

WHEREAS, the Director of Public Works and Wolverine Engineering has verified the cost and installation of the additional 458 feet of sanitary as requested; and

WHEREAS, the total of the assessment roll was \$852,310.67;

NOW, THEREFORE BE IT RESOLVED, that the City Council does hereby amend the assessment roll to increase Arthur & Alice Jewett and Dennis Anderson special assessment from \$188,785.45 to \$213,239.15, and the total of the assessment roll is increased from \$852,310.67 to \$876,764.37; and

FURTHER, the Finance Director/Treasurer is hereby directed to make the proper adjustments for Arthur & Alice Jewett and Dennis Anderson.

YES (7) Bruno, Coady, Johnson, Mulvany, Naeyaert, Whipple, Clark
NO (0)

CLERK'S CERTIFICATION: I hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the City Council at its regular meeting held on Monday, February 20, 2006, the original of which is part of the City Council minutes.

Martin Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Motion - Ingham Court Improvements

Clark stated that Birdsall informed the Downtown Development Authority (DDA) regarding Council's opinion and concerns relating to the proposed improvements for Ingham Court. The DDA charged the executive committee with presenting a recommended direction for the project. A lengthy discussion ensued.

MOTION by Whipple, second by Bruno,
to approve the Ingham Court design as described in the February 17, 2006,
Engineer's Opinion of Probable Cost, in the amount \$192,392.50.

A brief discussion ensued.

MOTION by Whipple, second by Bruno,
to amend the main motion to delete the brick soldier course on both sides
of the side walk, add brick at the bump-outs on the Jefferson Street side
of the alley, and a brick crosswalk across the alley to make it consistent
with the downtown streetscape design.

Yes (2) Bruno, Whipple

No (5) Clark, Coady, Johnson, Mulvany, Naeyaert

MOTION FAILED

VOTE ON THE MAIN MOTION:

Yes (6) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert

No (1) Whipple

MOTION APPROVED

Quote – Equip Police Cruiser #87

Colburn spoke regarding the quotes submitted for outfitting the new police cruiser and the recommendations submitted by DPW Director Dean and DPW Superintendent Baker.

MOTION by Bruno, second by Coady,
to accept the quotations submitted by Alert to equip the new police car in the
amount of \$7,843.43.

MOTION APPROVED UNANIMOUSLY

Request – Mason Area Chamber of Commerce Annual Events

MACC Executive Director Doug Klein addressed the Council regarding his submitted request for equipment, staffing, and various street closures.

MOTION by Coady, second by Whipple,
to approve the requests as outlined in the letter from Doug Klein and the MACC
of February 2, 2006 for equipment, staffing, and various street closures.

MOTION APPROVED UNANIMOUSLY

Request – Rename Hayes Park to Palmer Park

Bruno informed the Council regarding the research he collected relating to how and why West Park was renamed Hayes Park. He suggested establishing a policy for naming parks through a committee. It was the consensus of the Council that the Mayor, Mayor Pro Tem, and City Administrator would meet and provide suggestions at the June 5th meeting regarding the request to rename Hayes Park to Palmer Park.

Request for Excused Absence – Mayor Pro Tem Coady and Council Member Bruno

Mayor Pro Tem Coady and Councilmember Bruno submitted requests for excused absences.

MOTION by Whipple, second by Johnson,
to excuse Mayor Pro Tem Coady from the March 6th City Council Meeting and
Councilmember Bruno from the March 6th & 20th City Council Meetings.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

Coady informed Council that she had handouts from the first Public Officials Conference conducted by the Michigan State Police Emergency Management Division in cooperation with Ingham County Emergency Management that she attended February 1, 2006.

NEW BUSINESS

Whipple stated that he forwarded his comments, as well as those received from Councilmembers, to the Director of CADL regarding its Strategic Plan. He then received and forwarded the electronic response, including a draft resolution by the CADL Board, to the Council. It was discussed that CADL has not comprehended the request for equitable funding to help those communities that provide facilities, which has been presented and stated to them in various means. CADL may have its millage renewal on the Primary 2006 ballot. It was further discussed that the city may need to plan its own library. It was the consensus of the Council to have the city attorney submit a report at the next meeting regarding the process to create a library authority. McGinty stated that he would also address how the representation might be changed.

Naeyaert informed the Council that she and Colburn attended an economic development meeting, sponsored by the Institute of Public Policy and Social Research at MSU.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

- ♦ Coady informed the Council regarding Planning Commission business.
- ♦ Clark Informed the Council regarding Downtown Development Authority business.

ADMINISTRATOR'S REPORT

Colburn informed the Council regarding current city business.

PEOPLE FROM THE FLOOR

Rebecca Cornish of 521 S. Barnes Street thanked the Council for their consideration regarding her request to rename Hayes Park to Palmer Park. After reading the diaries and journals left by her mother, she acknowledged the ongoing grief her mother felt because their family's name was not recognized for the property they lost when the State constructed US-127. Ms. Cornish would like to have the park renamed for her mother and father, as well as for the Palmer family. She added that the Palmer family would pay for a new sign.

ADJOURNMENT

Being there was no further business the meeting adjourned at 9:13 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor