

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

Clark called the meeting to order at 7:38 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Clark led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple
Absent: Councilmembers: Bruno
Also present: Martin Colburn, City Administrator
Kathy Revels, Finance Director/Treasurer
John Stressman, Police Chief
Chris Colligan, Building Official
Dennis McGinty, City Attorney
Deborah Cwiertniewicz, Deputy City Clerk

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

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

APPROVAL OF BILLS

MOTION by Coady, second by Whipple,
to approve the payment of bills in the amount of \$74,732.92 as submitted.
MOTION APPROVED UNANIMOUSLY

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Hearing of Apportionment – Special Assessment Project 2006-1 – Street and Sidewalk

Clark opened and closed the public hearing at 7:40 p.m. as there were no objections.

REGULAR BUSINESS

Special Assessment Resolution No. 5, Project 2006-1 – 2006 Street and Sidewalk

Special Assessment Resolution No. 5, Project 2006-1 was introduced by Coady and seconded by Naeyaert.

**CITY OF MASON
2006 STREET AND SIDEWALK SPECIAL ASSESSMENT RESOLUTION NO. 5
PROJECT 2006-1
March 20, 2006**

WHEREAS, pursuant to due notice to all interested parties, this City Council did meet on Monday, March 20, 2006, in the City Hall, 201 West Ash Street, Mason, Michigan, for the purpose of reviewing the special assessment roll and hearing any objections thereto for Street and Sidewalk Special Assessment District - 2006-1; and

WHEREAS, at the time and place designated for said meeting, the meeting was duly called to order and the opening of the hearing for objections to the special assessment roll, prepared by the City

Assessor and on file with the City Clerk, was announced, said roll assessing the cost of certain street and sidewalk improvements against the benefiting properties; and

WHEREAS, objections were heard or filed in writing with the City Clerk and the following adjustment or corrections, if any, were made:

; and

WHEREAS, the City Council now desires to confirm the special assessment roll attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED THAT:

3. The City Council hereby designates the special assessment district as the "Street and Sidewalk Special Assessment District - 2006-1."

4. The special assessment roll as prepared and reported to the City Council by the City Assessor shall be designated as the "Special Assessment Roll, Street and Sidewalk Special Assessment District 2006-1" in the final amount of **\$14,299.97**, and is hereby adopted and confirmed, and the City Clerk is hereby directed to endorse thereon this date of confirmation.

5. The special assessment roll shall be divided into three (3) equal annual installments. The first installment shall be due on July 1, 2006, and the two (2) subsequent installments shall be due on July 1 of the succeeding years thereafter. Special assessments may be paid in full on or before August 31, 2006, without interest. Thereafter, installments of the special assessment roll shall bear interest at the rate of six and a quarter percent (6.25%) per annum, commencing on September 1, 2006, payable annually on the due date of each installment after the first installment. If any installment is not paid when due then the same shall be deemed to be delinquent and there shall be collected thereon in addition to the interest above provided, a penalty at the rate of one percent (1%) for each month or fraction thereof that the same remains unpaid before being reported for reassessment upon the City tax roll. In the event the City Council determines that it is in the best interest of the district and the City at large to issue bonds pledging the receipts of said special assessment roll and the full faith and credit of the City; then and in that event, the interest on the unpaid installments shall be adjusted to not more than one percent (1%) greater than the average interest rate at which the bonds were sold. Said interest shall be payable annually on each installment due date.

6. Any of the unpaid balance due on the special assessment roll may be paid in full on any installment date, together with interest due to said payment date.

7. The assessments made in said special assessment roll are hereby ordered and directed to be collected. The City Clerk shall deliver the special assessment roll to the City Finance Director/Treasurer with the proper warrant attached, commanding the City Finance Director/Treasurer to collect the assessments therein in accordance with the directions of the City Council with respect thereto, and the City Finance Director/Treasurer is authorized and directed to collect the amounts assessed as they become due pursuant to the terms of this resolution and the provisions of the applicable statutes of the State of Michigan.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

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

No (0)

Absent (1) Bruno

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, March 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

Ordinance No. 148 – Second Reading – Property Maintenance

MOTION by Whipple, second by Naeyaert,
To consider Ordinance No. 148 read for the second time.

MOTION APPROVED UNANIMOUSLY

Ordinance No. 148 was introduced by Whipple and seconded by Coady.

**CITY OF MASON
ORDINANCE NO. 148**

AN ORDINANCE TO AMEND SECTION 1-2 - DEFINITIONS - OF CHAPTER 1 OF THE MASON CITY CODE TO AMEND AND ADD DEFINITIONS RELATED TO A PROPERTY MAINTENANCE CODE; TO AMEND SECTION 2-142 OF ARTICLE IV OF CHAPTER 2 TO ADD PROPERTY MAINTENANCE TO THE POWERS AND DUTIES OF THE BUILDING OFFICIAL; TO AMEND CHAPTER 6 - BUILDING AND ZONING REGULATIONS BY ADDING A NEW ARTICLE IV - PROPERTY MAINTENANCE CODE; AND BY AMENDING SECTION 86-32 OF ARTICLE II - NOXIOUS WEEDS OF CHAPTER 86 OF THE MASON CITY CODE.

THE CITY OF MASON ORDAINS:

Section 1-2. Definitions of Chapter 1 of the Mason City Code is hereby amended to amend certain definitions therein and to insert new definitions, which amended and added definitions shall read as follows:

Sec. 1-2. Definitions.

Abandoned vehicle means, a vehicle which has remained on private property for a period of 48 continuous hours without the consent of the owner or occupant of the property, or a vehicle which has remained on public or private property for a period of 48 continuous hours after a police agency or other governmental agency has affixed a written notice to the vehicle.

Bathroom is a room containing plumbing fixtures including a toilet, bathtub or shower, or any other combination thereof.

Bedroom is any room or space used or intended to be used for sleeping purposes.

Exterior Property is the open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination means the control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

Garbage is the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Guard is a building component or a system of building components located at or near the open sides

of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Housekeeping Unit is a room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet; lavatory and bathtub or shower.

Imminent Danger means, a condition which could cause serious or life-threatening injury or death at any time.

Infestation is the presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Let for occupancy or *let* is to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Occupancy means, the purpose for which a building or portion thereof is utilized or occupied.

Occupant is any individual living or sleeping in a building, or having possession of a space within a building.

Openable area is that part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Operator is any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner as applied to property, is any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian or conservator of the estate of any such person, and the personal representative of the estate of such person and includes any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or part of such property. With respect to special assessments, however, the owner shall be considered to be the person appearing on the assessment roll for the purpose of giving notice and billing.

Premises is a lot, plot or parcel of land, easement or public way, including any structures thereon.

Tenant is a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Ventilation is the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Workmanlike means, executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

Yard is an open space on the same lot with a structure.

THE CITY OF MASON FURTHER ORDAINS:

Section 2-142 of Division 2 of Article IV of Chapter 2 of the Mason City Code is hereby amended to read as follows:

Sec. 2-142. Powers and duties of building and zoning officials.

(a) The building official shall administer and enforce the provisions of the Michigan Building Code as promulgated by rule of the State Construction Code Commission pursuant to Section 4 of Public Act

No. 230 of 1972 (MCL 125.1504), and the city assumes responsibility for administration and enforcement of Act 230, pursuant to Section 9 of the Act (MCL 125.1509), throughout the corporate limits of the city. The building inspector shall also administer and enforce the provisions of chapter 6, article II (building code board of appeals), and article IV - property maintenance.

(b) The zoning and development director, or designee, shall administer the provisions of the following ordinances and shall have all the powers and duties enumerated in such ordinances, except such duties as may be specifically delegated in any of the ordinances listed below to the city engineer or other particular department or official.

- (1) Chapter 6, article III (dangerous buildings);
- (2) Chapter 22 (environment);
- (3) Chapter 30 (floods);
- (4) Chapter 31 (historic preservation)
- (5) Chapter 58 (signs)
- (6) Chapter 74 (subdivisions and other divisions of land);
- (7) Chapter 86, article II (noxious weeds)
- (8) Chapter 94 (zoning);

The zoning and development director shall also be impressed with those functions as may be specifically assigned to him by any other ordinances adopted by the city. The zoning and development director may appoint such officers, inspectors and assistants, and other employees as shall be authorized by the city administrator.

THE CITY OF MASON FURTHER ORDAINS that a new Article IV - Property Maintenance Code - is hereby added to Chapter 6 of the Mason City Code, which added article shall read as follows:

ARTICLE IV - PROPERTY MAINTENANCE

DIVISION 1. INTENT AND PURPOSE

Sec. 6-100. Scope.

The provisions of this article shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

Sec. 6-101. Responsibility.

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, house keeping unit or premises which they occupy and control.

Sec. 6-102. Vacant Structures and Land.

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Sec. 6-103 - 6-120. Reserved.

DIVISION 2. EXTERIOR PROPERTY AREAS

Sec. 6-121. Sanitation.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

Sec. 6-122. Sidewalks and driveways.

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from all hazardous conditions other than a natural accumulation of ice and snow.

Sec. 6-123. Rodent Harborage.

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

Sec. 6-124 B 6-140. Reserved.

DIVISION 3. EXTERIOR STRUCTURE

Sec. 6-141. General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Sec. 6-142. Protective treatment.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. All exterior wood surfaces, other than naturally decay-resistant wood, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Sec. 6-143. Premises identification.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inches (12.7 mm).

Sec. 6-144. Structural members, foundation walls, and exterior walls.

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Sec. 6-145. Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Sec. 6-146. Decorative features, overhand extensions.

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in safe condition. All overhand extensions

including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

Sec. 6-147. Stairways, decks, porches and balconies.

Every exterior stairway, ramp, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

Sec. 6-148. Chimneys and towers.

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

Sec. 6-149. Handrails and guards.

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

Sec. 6-150. Window, skylight and door frames.

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. All glazing materials shall be maintained free from cracks and holes. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

Sec. 6-151. Insect screens.

During the period from May 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Sec. 6-152. Doors.

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.

Sec. 6-153. Basement hatchways.

Every basement hatchway shall be maintained to prevent entrance of rodents, rain and surface drainage water.

Sec. 6-154. Guards for basement windows.

Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

Sec. 6-155. Building security.

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

Sec. 6-156 – 6-160. Reserved.

DIVISION 4. RENTAL UNITS

Sec. 6-161. Doors; rental units.

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt shall be operated only by the turn of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer=s specifications and maintained in good working order. All deadbolt locks required by this section shall be readily openable from the inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

Sec. 6-162. Windows; rental units.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

Sec. 6-163. Basement hatchways; rental units.

Basement hatchways that provide access to a dwelling unit, rooming unit or house keeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

Sec. 6-164 - 6-180. Reserved.

DIVISION 5. EXTERMINATION

Sec. 6-181. Infestation.

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

Sec. 6-182. Owner.

The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

Sec. 6-183. Single Occupant.

The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

Sec. 6-184. Multiple-occupant.

The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

Sec. 6-185. Occupant.

The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defect in the structure , the owner shall be responsible for extermination.

Sec. 6-186c6-190. Reserved.

DIVISION 6. APPEALS

Sec. 6-191. Application for Appeal.

Any person directly affected by a decision of the code official or a notice or order issued under this maintenance code shall have the right to appeal to the Mason building code board of appeals pursuant to the rules and procedures established by the board pursuant to division II of this chapter provided that a written application for appeal is filed within twenty (20) days of the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

THE CITY OF MASON FURTHER ORDAINS that section 86-32 of Article II - Noxious Weeds - of Chapter 86 of the Mason City Code is hereby amended to read as follows:

Sec. 86-32. Minimum requirements; presumptions; exceptions.

The owner, occupant or agent having possession or control of any lot or property within the city shall, at a minimum, remove, cut or trim all noxious weeds, grass or deleterious or unhealthy growth, to an average height of not more than six inches at all times of the year. If any person complies with this minimum cutting requirement, such person shall be presumed to be in compliance with this article unless the city can demonstrate beyond a reasonable doubt that the remaining growth constitutes a health hazard or nuisance in fact. Nothing in this article shall apply to weeds in lots or parcels of land devoted to nature parkways under the jurisdiction of the city, flower gardens, plots of shrubbery, vegetable gardens or to land zoned for agricultural use.

The foregoing Ordinance was moved for adoption by Council Member Whipple and seconded by Mayor Pro Tem Coady with a vote thereon being: YES (6) NO (0) ABSENT (1) , at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the 20th day of March, 2006.

Ordinance 148 declared adopted this 20th day of March, 2006.

Leon Clark, Mayor

Martin A. Colburn, City Clerk

ORDINANCE APPROVED UNANIMOUSLY

Resolution No. 2006-09 – Change Authorization for the Standard Streetlighting Contract between the City and Consumers Energy Company

Resolution No. 2006-09 was introduced by Naeyaert and seconded by Coady.

Resolution No. 2006-10 – Resolution to Accept a Bid for 2006 Local Street Improvement Program

A brief discussion ensued regarding the inclusion of constructing angle parking along Oak Street between Jefferson and Park Streets. Resolution No. 2006-10 was introduced by Coady and seconded by Naeyaert.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2006- 10
RESOLUTION TO ACCEPT A BID FOR
2006 LOCAL STREET IMPROVEMENT PROGRAM
MARCH 20, 2006**

WHEREAS, the City of Mason conducted a public competitive bid process for the 2006 Local Street Improvement Program; and

WHEREAS, bids were received, publicly opened and read aloud on March 7, 2006; and

WHEREAS, the city engineer has reviewed the bids submitted and has made a recommendation of the Notice of Award for the Contract;

NOW THEREFORE BE IT RESOLVED, that the Mason City Council does hereby approve the award of the Contract for the 2006 Local Street Improvement Program to Aggregate Industries-Mason Division in the amount of Five hundred sixty-one thousand, one-hundred fifty-nine dollars and 57 cents (\$ 561,159.57).

BE IT FURTHER RESOLVED, that the Mason City Council does hereby direct the City Administrator to execute the Notice of Award for the Contract.

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

No (0)

Absent (1) Bruno

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, March 20, 2006 the original of which is part of the City Council minutes.

Martin A. Colburn, City Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Resolution No. 2006-11 – A Resolution Requesting that the City become a Participating Municipality in the Capital Area District Library Agreement

Discussion was held to make changes to the proposed Resolution No. 2006-11. Resolution No. 2006-11 was introduced by Coady and seconded by Naeyaert.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2006-11
A RESOLUTION REQUESTING THAT THE CITY BECOME A PARTICIPATING MUNICIPALITY
IN THE
CAPITAL AREA DISTRICT LIBRARY AGREEMENT**

WHEREAS, the County of Ingham and the City of Lansing entered into an agreement, dated March 10, 1997, establishing the Capital Area District Library pursuant to the District Library Establishment Act, 1989 PA 24, MCL 397.171, *et seq*; and

WHEREAS, Paragraph 10 of the District Library Agreement provided an option for other municipalities to become a “Participating Municipality”; and

WHEREAS, the City of Williamston, the Charter Township of Meridian, and the Charter Township of Delhi have followed the contractual procedures to become Participating Municipalities; and

WHEREAS, the people of the city of Mason support a branch library facility within the city of Mason through local general property tax revenues and expenditures in addition to the district-wide library tax and should, therefore, become a Participating Municipality in the District Library so that it may better represent the rights and interests of the citizens and taxpayers of the city in connection with its Library; and

WHEREAS, the County of Ingham, the City of Lansing, and the Capital Area District Library Board have historically approved amending the District Library Agreement to provide such municipalities with "participating municipality" status; and

WHEREAS, the City of Mason wishes to propose, in accordance with Section 25 of Act 24, that the "Participating Municipalities" and the Capital Area District Library Board consider amending the District Library Agreement to enlarge the Capital Area District Library Board by one member; and

WHEREAS, the City of Mason proposes that a new formula for appointments to the District Board be created that is more equitably representative of those communities which support a district library facility in their community.

NOW, THEREFORE, in consideration of the foregoing, IT IS HEREBY RESOLVED that the City of Mason become a Participating Municipality in the District Library Agreement for the Capital Area District Library and that the District Library Agreement be amended as follows:

Paragraph 1 of the District Library Agreement be amended to read as follows:

1. **DISTRICT LIBRARY ESTABLISHED: POWERS**

Subject to the provisions in paragraph 2 below, the County and the City of Lansing establish a District Library pursuant to the Act, to be known as "The Capital Area District Library" (hereinafter "District Library"), having all of the powers granted to district libraries by the Act. Effective upon the execution of this District Library Agreement Amendment, "Participating Municipalities" shall include the County of Ingham, the City of Lansing, the City of Williamston, the City of Mason, the Charter Township of Meridian, and the Charter Township of Delhi, and each shall have all rights to under the Act and District Library Agreement provided for the Participating Municipalities.

Paragraph 19 of the District Library Agreement be amended to read as follows:

19. **NOTICES AND ADDRESSES**

All notices required to be given under this Agreement shall be given by certified or registered mail, addressed to the proper party to the following addresses, or at such other address as may be subsequently given pursuant to this Paragraph and shall be deemed given when deposited in the U.S. Mail, postage prepaid.

IF TO THE CITY OF LANSING: Mayor
City of Lansing
9th Floor, City Hall
Lansing, MI 48933

IF TO THE COUNTY OF INGHAM: Chairperson
Ingham County Board of
Commissioners
P.O. Box 319
Mason, MI 48854

IF TO THE CHARTER TOWNSHIP
OF DELH: Township Supervisor
2074 Aurelius Road:
Holt, MI 48842-6320

IF TO THE CHARTER TOWNSHIP
OF MERIDIAN: Township Supervisor
5151 Marsh Road
Okemos, MI 48864-1198

IF TO THE CITY OF WILLIAMSTON: Mayor
161 E. Grand River Avenue
Williamston, MI 48895

IF TO THE CITY OF MASON: Mayor
201 West Ash Street
Mason, MI 48854

BE IT FURTHER RESOLVED that the City of Mason requests that Paragraph 4 of the District Library Agreement be amended to increase the membership of the Board to eight (8) members and provide that the additional member be appointed on a rotating basis by those Participating Municipalities other than Ingham County and the City of Lansing which support a branch library facility within their jurisdiction.

BE IT IS FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Mason an amended District Library Agreement as approved by the current constituent municipalities and the District Library Board which will add the City of Mason as an additional Participating Municipality and provide for increased membership as described herein.

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

No (0)

Absent (1) Bruno

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, March 20, 2006 the original of which is part of the City Council minutes.

Martin A. Colburn, Clerk
City of Mason
Ingham County, Michigan

RESOLUTION APPROVED UNANIMOUSLY

Traffic Control Order No. 01-2006

Stressman stated that TCO No. 01-2006 rescinds TCO No. 10-2005, by adding a designated center left turn only lane.

MOTION by Naeyaert, second by Whipple,
to approve Traffic Control Order No. 01-2006.

MOTION APPROVED UNANIMOUSLY

Request – Street Closure - Memorial Day Parade

MOTION by Whipple, second by Naeyaert,
To approve the parade permit for the Memorial Day parade submitted by the American Legion Post 148 for street closures.

MOTION APPROVED UNANIMOUSLY

Request – Mason Lion Club

MOTION by Whipple, second by Coady,
To approve Mason Lions Club request to use the city right-of-way for the White Cane Drive, Friday, April 28 and Saturday, April 29.

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

None.

NEW BUSINESS

Johnson requested to be excused from the April 3, 2006 meeting.

MOTION by Whipple, second by Naeyaert,
To excuse Councilmember Johnson from the April 3, 2006 meeting.
MOTION APPROVED UNANIMOUSLY

Clark commended the City Administrator for his efforts with Ingham County regarding their perceived problem with the transfer of property between the Fair Board and adjacent property owners for the extension of Temple Street.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

- ♦ Whipple informed the Council regarding Cable Commission business.
- ♦ Johnson informed the Council that he and Councilmember Whipple have a meeting scheduled with MCAB.
- ♦ Clark informed the Council regarding DDA business.

ADMINISTRATOR'S REPORT

Colburn informed the Council regarding current city business. Whipple commented regarding the CADL Board meeting he attended. He spoke regarding a discussion that was held by the CADL Board proposing to sell a bond to build a library facility in Lansing as well as selling a bond to fund capital improvements to libraries throughout the district.

PEOPLE FROM THE FLOOR

Colburn introduced Christi Bleck, a new reporter for the Ingham County Community News that will be covering the City of Mason.

ADJOURNMENT

Being there was no further business the meeting adjourned at 9:28 p.m.

Martin A. Colburn, City Clerk

Leon Clark, Mayor