

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JUNE 19, 2006**

Clark called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Mulvany 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  
Joe Dean, Public Works Director  
John Stressman, Police Chief  
Dennis McGinty, City Attorney  
Deborah Cwierniewicz, Deputy City Clerk

**APPROVAL OF MINUTES - REGULAR COUNCIL MEETING: June 5, 2006**

The Minutes of June 5, 2006 were approved as submitted.

**APPROVAL OF BILLS**

MOTION by Whipple, second by Naeyaert,  
to approve the payment of bills in the amount of \$88,873.71 as submitted.  
**MOTION APPROVED UNANIMOUSLY**

**PEOPLE FROM THE FLOOR**

None.

**REGULAR BUSINESS**

**Resolution No. 2006-19 – Designate Authorizing Signatories**

Resolution No. 2006-19 was introduced by Mulvany and seconded by Bruno.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2006-19  
DESIGNATE AUTHORIZING SIGNATORIES  
June 19, 2006**

**RESOLVED**, that Mason State Bank and Dart National Bank, as designated depositories of the City of Mason, be, and it is hereby requested, authorized, and directed to honor checks, drafts, or other orders for the payment of money drawn in the City's name, including those payable to the individual order of any persons whose names appear thereon as signers thereof, when bearing or purporting to bear the facsimile signatures of the two following names: Martin A. Colburn, City Administrator; Kathy L. Revels, Finance Director/Treasurer, and the above banks shall be entitled to honor and charge the City of Mason for such checks, drafts, or other orders, regardless of by whom or by what means the actual or purported facsimile signatures thereon may have been affixed thereto, if such signature resembles the facsimile specimens duly certified to or filed with the above banks by the Clerk of the City of Mason.

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple  
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, June 19, 2006, the original of which is part of the Council's minutes.

\_\_\_\_\_  
Martin Colburn, City Clerk  
City of Mason  
Ingham County, Michigan

RESOLUTION APPROVED

**Resolution No. 2006-20 – Levy 1% Tax Administration Fee**

Resolution No. 2006-20 was introduced by Bruno and seconded by Mulvany.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2006-20  
LEVY 1% TAX ADMINISTRATION FEE  
June 19, 2006**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the City Treasurer is to levy a 1% tax administration fee on all county, school, intermediate school, state education, Capital Area District Library and Lansing Community College taxes levied on the July and December 2006 tax rolls of the City of Mason;

**FURTHER RESOLVED**, that the City Treasurer is hereby authorized to collect 4% penalty on any taxes that remain unpaid from the July tax roll after August 31, 2006 and 3% penalty from the December tax roll after February 14, 2007.

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple  
No (0)

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\_\_\_\_\_  
Martin Colburn, City Clerk  
City of Mason  
Ingham County, Michigan

RESOLUTION APPROVED

**Resolution No. 2006-21 – Return Miscellaneous Bills to the July 2006 Tax Roll**

Resolution No. 2006-21 was introduced by Mulvany and seconded by Bruno.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2006-21  
RETURN MISCELLANEOUS BILLS TO THE JULY 2006 TAX ROLL  
June 19, 2006**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the City Treasurer is hereby authorized to return the attached "Exhibit A" entitled Miscellaneous Bills, to the July 2006 Tax Roll.

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple  
No (0)

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

RESOLUTION APPROVED

**Resolution No. 2006-22 – Return Delinquent Water and Sewer Bills to the July 2006 Tax Roll**

Resolution No. 2006-22 was introduced by Bruno and seconded by Mulvany.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2006-22  
RETURN DELINQUENT WATER AND SEWER BILLS TO THE JULY 2006 TAX ROLL  
June 19, 2006**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the City Treasurer is hereby authorized to return the attached "Exhibit A" entitled Delinquent Water and Sewer Bills, to the July 2006 Tax Roll, pursuant to Mason City Code Section 82-246 (a).

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple  
No (0)

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\_\_\_\_\_  
Martin Colburn, City Clerk  
City of Mason  
Ingham County, Michigan

RESOLUTION APPROVED

**Resolution No. 2006-23 – Amend the 2005-2006 Fiscal Year Budget**

Resolution No. 2006-23 was introduced by Mulvany and seconded by Bruno.

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2006-23  
AMEND THE 2005-2006 FISCAL YEAR BUDGET  
June 19, 2006**

**BE IT HEREBY RESOLVED** by the City Council of the City of Mason that the 2005-2006 fiscal year Budget is hereby amended as per the attached "Exhibit A."

Yes (7) Bruno, Clark, Coady, Johnson, Mulvany, Naeyaert, Whipple  
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, June 19, 2006, the original of which is part of the Council's minutes.

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Martin Colburn, Clerk  
City of Mason  
Ingham County, Michigan

RESOLUTION APPROVED

**Discussion – Mason Code, Section 10-32(c) – Peddler's Permits**

Colburn explained that following a question regarding an ice cream truck soliciting in Mason, review of Sec. 10-32(c) of the Code was considered by staff and discussed with the city attorney.

Staff interpreted that only those peddlers, solicitors, or transient merchants "occupying" a location require City Council approval where the nature of the use or activity remains in place for the duration of their sales, exhibit, or solicitation. All others would be granted a permit administratively, subject to the conditions of Chapter 10 in Article II. McGinty spoke to the ordinance as it was intended and approved in 1996 and how it is drafted differently now that it has been codified. He stated that it was his opinion that the word "occupy" indicated holding a

fixed location and/or parking.

It was the consensus of Council that staff would continue to issue peddler permits, other than those engaging to occupy a street corner, public right-of-way or public place.

**Motion – Utility Water Rates Adjustment**

Clark restated the motion postponed from the June 5, 2006 meeting to the June 19, 2006 meeting as follows:

MOTION by Whipple, second by Naeyaert,  
to approve the increase to Capital Improvement Charge for Water and Sewer  
to \$1.13 as recommended by the Utility Rate Study Committee.

A brief discussion was held regarding the addition of \$500,000.00 for design of the water treatment plant as part of the capital improvement charge.

MOTION by Whipple, second by Bruno,  
to amend the main motion to increase the capital charge to \$1.87 .

Discussion ensued regarding the rationale for increasing the capital charge for water and sewer. Dean explained increases indicated on Exhibit (Table 1); the cost of business is causing the increases as well as GASBY 34 accounting procedures that require allocating costs from where they are used.

VOTE ON THE AMENDMENT:  
Yes (6) Bruno, Clark, Coady, Mulvany, Naeyaert, Whipple  
No (1) Johnson  
**AMENDMENT APPROVED**

MOTION by Whipple, second by Naeyaert,  
to approve the increase to the Capital Improvement Charge for Water and Sewer  
to \$1.87.  
**MOTION APPROVED UNANIMOUSLY**

**Report – Sump Pump Collection – Foxview Lane and Middlebury Lane**

Inspections were conducted for the 23 houses located on Foxview Lane and Middlebury Lane to determine whether installing sump pump connections to storm drains would be necessary. Staff determined that sump pump discharge locations were acceptable and recommended not installing storm sewers in this neighborhood. A brief discussion ensued.

MOTION by Whipple, second by Bruno,  
to remove the sump pump collectors from the Foxview Lane and Middlebury  
Lane street project.  
**MOTION APPROVED UNANIMOUSLY**

**Discussion - Water Survey Results**

Clark stated that a workshop was held prior to the regular meeting to review the water survey results. Whipple commented briefly regarding the high response to the survey. The survey

showed that 51% of the survey respondents chose HMO, 33% chose IE, and 16% had no preference (the numbers were rounded to whole numbers). It also showed that 87% rated keeping the cost of water and sewer services as low as possible.

MOTION by Whipple, second by Bruno,  
to amend the agenda by adding an action item after Item 7(I), to be 7 (I-1)  
Motion - Drinking Water Revolving Fund Plan.  
MOTION APPROVED UNANIMOUSLY

### **Motion - Drinking Water Revolving Plan**

MOTION by Whipple, second by Bruno,  
to direct staff to take action to revise the ~~\*[strike] Wolverine~~ Drinking Water Plan  
\*[insert] *prepared by Wolverine* to identify Centralized HMO as the selected  
treatment technology for the radium issue and to make associated changes to the  
plan to reflect the added public input of the survey, and the subsequent public  
hearing that will be required. Also, to direct staff to consider abandonment of the  
Curtis Street Well and the inclusion of the Howell Road Well as a standby basis  
only in the new water system when the Centralized HMO is completed.  
MOTION APPROVED UNANIMOUSLY

### **Discussion – Land Bank**

Colburn briefly commented regarding the two properties that the county foreclosed on. The county has offered them to the city prior to including them with other foreclosed properties in the county that will be auctioned through the Land Bank. He recommended allowing the county to auction them or to use them for public use.

### **UNFINISHED BUSINESS**

- Johnson asked about the process used by Landmark Appraisal for reappraisals in the city. It was requested to have a representative provide a report at the next regular meeting.

### **NEW BUSINESS**

- Coady informed Council that Relay for Life had a successful event.
- Naeyaert informed Council that the Angel House Run/Walk was held in Mason this year and was a successful event.

### **CORRESPONDENCE**

Distributed.

### **LIAISON REPORTS**

- Mulvany informed Council regarding Historic District Commission business.
- Coady informed Council regarding Planning Commission business.
- Clark informed Council regarding DDA business.

\*[correction by Council]

**ADMINISTRATOR'S REPORT**

Colburn informed the Council regarding current city business. Discussion ensued regarding the planned road trip that staff and Council will take this Friday to visit particular communities that have recently built city/township halls, police departments, and libraries.

**PEOPLE FROM THE FLOOR**

Gary Schwartz of 41 Harrogate Drive asked about the process for unpaid water bills and stated that he felt that the best option for Mason's water issue would be to connect with Lansing Board of Water and Light.

**ADJOURNMENT**

Being there was no further business the meeting adjourned at 9:11 p.m.

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Martin A. Colburn, City Clerk

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Leon Clark, Mayor