AGENDA - CITY COUNCIL MEETING  
December 3, 2018  
Mason City Hall, Council Chambers, 7:30 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE AND INVOCATION

4. PEOPLE FROM THE FLOOR

5. CONSENT CALENDAR
   A. Minutes:
      1. Approve Minutes of Regular Council Meeting November 26, 2018
      2. Approve Minutes of Closed Session Council Meeting November 26, 2018 (to be distributed at meeting)
   B. Correspondence: Receipt of City Attorney’s Report Dated November 29, 2018
   C. Financials: Approve Bills in the Amount of $70,105.58
   E. Resolutions:
      1. Resolution 2018-23: Approve Mayoral Appointments to City Boards and Commissions
      2. Resolution 2018-24: Approve City Council Appointments to City Boards and Commissions

6. UNFINISHED BUSINESS
   A. Ordinance 222: Second Reading and Adoption of Ordinance 222 To Amend Division 2 Of Chapter 2 By Amending Its Title And Amending Section 2-81, Creation Of Office, To Designate The City Administrator As City Manager And To Substitute The Term “City Manager” For “City Administrator” In Multiple Sections
   C. Resolution 2018-26: Approve Revised Rules of Order for the City Council and for City Boards and Commissions

7. NEW BUSINESS
   A. Ordinance 223: First Reading and Introduction of Ordinance 222 to Amend Chapter 10 by Adding Article III. “Marihuana Establishments” and Section 10-70, “Prohibition of Marihuana Establishments”

8. COUNCILMEMBER’S REPORTS
   A. League Legislative Committee Information- Brown
   B. City Council Meeting Schedules- Whipple

9. ADMINISTRATOR’S REPORT (11/30/18)

10. ADJOURNMENT
Mayor Whipple called the meeting to order at 7:30 p.m. in the Council Chambers at 201 W. Ash Street, Mason, Michigan. Droscha led the Pledge of Allegiance and offered the invocation.

Present: Councilmembers: Brown, Droscha, Ferris, Madden, Waltz, Whipple
Absent: Vogel
Also present: Deborah S. Stuart, City Administrator, Sarah J. Jarvis, City Clerk, Thomas Hitch, City Attorney

PUBLIC COMMENT
None

PRESENTATION
William I. Tucker IV, from Stevens, Kirinovic & Tucker P.C. presented the City of Mason Fiscal Year 2017-2018 Audit.

MOTION by Brown, second by Droscha,
to accept receipt of the City of Mason 2017-2018 Audit

Yes (6) Brown, Droscha, Ferris, Madden, Waltz, Whipple
No (0)
Absent (1) Vogel

MOTION APPROVED

CONSENT CALENDAR
MOTION by Droscha, second by Waltz,
to approve the Consent Calendar as presented.

A. Approve Minutes:
   1. Regular Council Meeting November 12, 2018,
B. Financial/Budget:
   1. Approve Bills in the Amount of $231,351.18
   2. Receipt of Monthly Revenue and Expenditure Report for Period Ending October 31, 2018
   3. Authorize Contract with I.T. Right to Outsource IT Services in the Amount of $20,000 for a One-Year Period and Authorize Staff to Renew the Contract Annually for a Period of Up to Five Years.

Yes (6) Brown, Droscha, Ferris, Madden, Waltz, Whipple
No (0)
Absent (1) Vogel

MOTION APPROVED
UNFINISHED BUSINESS
None

NEW BUSINESS

Ordinance 222: First Reading of Ordinance 222 to Amend Division 2 of Chapter 2 By Amending Its Title and Amending Section 2-81, Creation of Office, To Designate The City Administrator as City Manager and to Substitute the Term “City Manager” for “City Administrator” in Multiple Sections.

MOTION by Brown, second by Droscha,
to introduce and read for the first time Ordinance 222: First Reading of Ordinance 222 to Amend Division 2 of Chapter 2 By Amending Its Title and Amending Section 2-81, Creation of Office, To Designate The City Administrator as City Manager and to Substitute the Term “City Manager” for “City Administrator” in Multiple Sections.

Yes (6)   Brown, Droscha, Ferris, Madden, Waltz, Whipple
No (0)
Absent (1) Vogel

MOTION APPROVED

COUNCILMEMBER REPORTS
• Ferris reminded everyone that a good gift in honor or memory of someone is a donation towards a tree that is matched by the City. More information can be obtained at the Customer Service Desk here at City Hall.

LAISON REPORTS
Administrator’s Report (11/20/2018) - Stuart reminded everyone about the Ribbon cutting ceremony for Hayhoe River Walk Trail and Dart Foundation Trailhead to take place on November 28, 2018 at 11:00 a.m.

City Attorney’s Report (11/20/2018) – Hitch acknowledged the City Mayor’s work and time it took to review and recommend changes for changing the title of City Administrator to City Manager

CLOSED SESSION

MOTION by Brown, second by Droscha,
to adjourn to Closed Session with the City Attorney on Pending Litigation.

Yes (6)   Brown, Droscha, Ferris, Madden, Waltz, Whipple
No (0)
Absent (1) Vogel

MOTION APPROVED BY ROLL CALL VOTE

Meeting adjourned to closed session at 7:55 p.m.

Mayor Whipple reconvened the Open Meeting at 8:22 p.m.
MOTION by Brown, second by Droscha, to have the City Attorney proceed in the manner as discussed in closed session.

Yes (6) Brown, Droscha, Ferris, Madden, Waltz, Whipple
No (0)
Absent (1) Vogel

MOTION APPROVED

ADJOURN
The meeting adjourned at 8:23 p.m.

__________________________________
Sarah J. Jarvis, City Clerk
MEMORANDUM

TO: Mason City Council
FROM: Thomas M. Hitch, City Attorney
RE: CITY ATTORNEY REPORT
DATE: November 29, 2018

The following is my report to the City Council on issues in which our office has been engaged:

1. **Vevay Township v City of Mason.** I have reached out to the attorney for the Township but he has not responded. I will keep the Council apprized.

2. **City Manager Contract and Revisions to City Code.** In working with the Mayor, we have revised the formal contract for the City Manager. We have eliminated paragraphs that no longer apply, and have revised the format to make it easier to amend salary, without amending the full contract each year.

TMH:ddy
<table>
<thead>
<tr>
<th>Vendor Code</th>
<th>Vendor Name</th>
<th>Invoice Description</th>
<th>GL Number</th>
<th>GL Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>08297</td>
<td>FREDRICKSON SUPPLY</td>
<td>SAFETY EQUIPMENT FOR LEAF VAC</td>
<td>4243</td>
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<tr>
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<td></td>
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<td></td>
<td></td>
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<td>661-901.00-970.00 5 USER SYSTEM CASE</td>
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<td>GRANGER</td>
<td>NOVEMBER 2018 2347 REFUSE CUSTOMERS - NOVEMBER 2018</td>
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<td>101-528.00-818.00 NOV 18 REFUSE CUSTOMERS - 2347</td>
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<td>$ 30,604.88</td>
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<td>JULY-SEPTEMBER BUILDING INSPECTION SERVICES</td>
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<td>MML WORKERS COMPENSATION FUND</td>
<td>3RD QTR. 18/19 WC CONTRIB.</td>
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<td>2800205 101-850.00-724.00 3RD QTR. 18/19 WC CONTRIB.</td>
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<td>WOLVERINE ENGINEERS INC</td>
<td>PROJ #17-0020, HAYHOE RIVERWALK - HOWELL RD EXT.</td>
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<td>20180772 401-000.00-985.010 PROJ #17-0020, PROJ #17-0020, HAYHOE RIVERWALK - HOWELL</td>
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<td><strong>$ 9,582.30</strong></td>
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<tr>
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<td><strong>TOTAL - ALL VENDORS:</strong></td>
<td><strong>$ 70,105.58</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I hereby certify that I have reviewed the above bills and expenditures and to the best of my knowledge and belief, they cover expenditures of the City services and materials and are within current budget appropriations.

Deborah Stuart
AGENDA ITEM
Approve Use of Public Right-of-Way for the Bad Brewing Company L.L.C. 3rd Annual Bourbon Beer Fest Party on January 26, 2019

RECOMMENDED ACTION
Approve Use of Public Right-of-Way for the Bad Brewing Company L.L.C. 3rd Annual Bourbon Beer Fest Party on January 26, 2019

HISTORY
Bad Brewing has submitted a Special Events Application for their 3rd Annual Bourbon Beer Fest Party on Saturday, January 26, 2019. They are requesting an alley closure from 9:00 am until 10:00 pm as defined on the attached map. The request is the alley between Kean’s and the Brewery (Jefferson to the back of the Brewery)

Staff reviewed the application and has no objection to the requested closures. There is no estimated cost to the City for this event.

SUMMARY
Authority: 94-192 (6) a. Any temporary use of public streets or public property shall be permitted only by the prior approval of the City Council.

Urgency: Need approval at this meeting for the event to move forward as planned.

Relation to Other Actions: This action will be the only one necessary.

FISCAL IMPACT
Current Budget: None, all costs will be charged to applicant.
Future Budgets: None

ADDITIONAL MATERIAL
Event Map
AGENDA ITEM
Resolution 2018-23: Approve Mayoral Appointments to City Boards and Commissions
Resolution 2018-24: Approve City Council Appointments to City Boards and Commissions

RECOMMENDED ACTION
Approve Resolution 2018-23 and Resolution 2018-24

HISTORY
The Mayoral and City Council appointing resolutions represent annual appointments to City Boards and Commissions. The table below indicates a summary of the appointments and current vacancies the Mayor is working to fill:

<table>
<thead>
<tr>
<th>Board or Commission</th>
<th>Appointment (Reappointment)</th>
<th>Authority</th>
<th>Terms Expire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Ethics</td>
<td>Margo Burrage</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Board of Review</td>
<td>Amanda Fisher</td>
<td>Council</td>
<td>2021</td>
</tr>
<tr>
<td>Building Code/Sign Board</td>
<td>Available Vacancy</td>
<td>Mayor</td>
<td>2020</td>
</tr>
<tr>
<td>Building Code/Sign Board</td>
<td>Gordon Wilson</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Building Code/Sign Board</td>
<td>Available Vacancy</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Cemetery Board</td>
<td>Elaine Ferris</td>
<td>Council</td>
<td>2021</td>
</tr>
<tr>
<td>Downtown Development Authority</td>
<td>Available Vacancy</td>
<td>Mayor</td>
<td>2020</td>
</tr>
<tr>
<td>Downtown Development Authority</td>
<td>Brent Forsberg</td>
<td>Mayor</td>
<td>2022</td>
</tr>
<tr>
<td>Downtown Development Authority</td>
<td>Kendra Patterson</td>
<td>Mayor</td>
<td>2022</td>
</tr>
<tr>
<td>Downtown Development Authority</td>
<td>Mary Kelsey</td>
<td>Mayor</td>
<td>2022</td>
</tr>
<tr>
<td>Historic District</td>
<td>Doug Klein</td>
<td>Mayor</td>
<td>2020</td>
</tr>
<tr>
<td>Historic District</td>
<td>Rebecca Clinton</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Historic District</td>
<td>Chad Linsley</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>Mitch Perrault</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>Scott Shattuck</td>
<td>Mayor</td>
<td>2021</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>Available Vacancy (Alt)</td>
<td>Council</td>
<td>2021</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>Amanda Fisher</td>
<td>Council</td>
<td>2021</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>Gordon Wilson</td>
<td>Council</td>
<td>2021</td>
</tr>
</tbody>
</table>

SUMMARY
Authority: Numerous section of the City Charter and Code of Ordinances.

Urgency: The Boards and Commissions ideally will start with full membership by January 1.

Relation to Other Actions: None

FISCAL IMPACT
Current/Future Budget: None

ADDITIONAL MATERIAL
Resolution 2018-23
Resolution 2018-24
CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2018-23

MAYORAL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

December 3, 2018

BE IT HEREBY RESOLVED, that the Mayor, with approval from the City Council, does hereby make the following appointments/reappointments to the specified boards and commissions of the City with the following terms:

<table>
<thead>
<tr>
<th>Board/Commission</th>
<th>Appointments/Reappointments</th>
<th>Term End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Ethics</td>
<td>Margo Burrage</td>
<td>2021</td>
</tr>
<tr>
<td>Building Code &amp; Sign Board of Appeals</td>
<td>Gordon Wilson</td>
<td>2021</td>
</tr>
<tr>
<td>Downtown Development Authority</td>
<td>Brent Forsberg</td>
<td>2022</td>
</tr>
<tr>
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<td>Kendra Patterson</td>
<td>2022</td>
</tr>
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<td>Downtown Development Authority</td>
<td>Mary Kelsey</td>
<td>2022</td>
</tr>
<tr>
<td>Historic District Commission</td>
<td>Doug Klein</td>
<td>2020</td>
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<td>2021</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>Mitch Perrault</td>
<td>2021</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>Scott Shattuck</td>
<td>2021</td>
</tr>
</tbody>
</table>

Yes (   )
No (   )

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, December 3, 2018, the original of which is part of the City Council minutes.

_____________________________________
Sarah Jarvis, City Clerk
City of Mason, Ingham County
CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2018-24  
CITY COUNCIL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS  
December 3, 2018  

BE IT HEREBY RESOLVED, that the City Council does hereby make the following appointments/reappointments to the specified boards and commissions of the City with the following terms:

<table>
<thead>
<tr>
<th>Board/Commission</th>
<th>Appointments/Reappointments</th>
<th>Term End</th>
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</thead>
<tbody>
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</tr>
<tr>
<td>Cemetery Board</td>
<td>Elaine Ferris</td>
<td>2021</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>Amanda Fisher</td>
<td>2021</td>
</tr>
<tr>
<td>Zoning Board of Appeals</td>
<td>Gordon Wilson</td>
<td>2021</td>
</tr>
</tbody>
</table>

Yes (   )  
No (   )

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, December 3, 2018, the original of which is part of the City Council minutes.

________________________________________  
Sarah Jarvis, City Clerk  
City of Mason, Ingham County
AGENDA ITEM
Second Reading and Adoption of Ordinance 222 To Amend Division 2 Of Chapter 2 By Amending Its Title And Amending Section 2-81, Creation Of Office, To Designate The City Administrator As City Manager And To Substitute The Term “City Manager” For “City Administrator” In Multiple Sections

RECOMMENDED ACTION
Second Reading and Adoption of Ordinance 222

HISTORY
During the evaluation of the City Administrator, the Administrator expressed concern over the current title of the position. She noted that many do not know what the title means and what her role is in Mason. A City Administrator role is most common in Mayor-Council form of governments. A more common title for a Manager-Council form of government is the title of City Manager. The Mayor and Council agreed to work with the City Attorney to see if a change to the title was possible without a charter amendment. The proposed Ordinance is the result of those conversations and is the proposal from the City Attorney.

The City Council conducted the first reading of Ordinance 222 at the November 26, 2018 meeting. If adopted this ordinance shall become effective 20 days after adoption and upon publication.

SUMMARY
Authority: Mason Charter Sec. 7.4 (Related Excerpt):
(1) ordinances may be enacted, amended, or repealed by the affirmative vote of not less than four Councilmen,
(2) no ordinance shall be finally enacted by the Council until after publication of the proceedings, or summary thereof, of the meeting at which it was introduced, and
(3) the effective date of all ordinances shall be prescribed therein, but the effective date shall not be earlier than twenty days after the enactment nor before publication thereof.

Urgency: None

Relation to Other Actions: None

FISCAL IMPACT
Current/ Future Budget: None

ADDITIONAL MATERIAL
Proposed Ordinance 222
**AGENDA ITEM**
Resolution 2018-25: Adopt Second Restated Employment Contract between Deborah S. Stuart and the City Council of the City of Mason

**RECOMMENDED ACTION**
Approve Resolution 2018-25

**HISTORY**
The first contract with City Manager Stuart, dated January 1, 2016, included salary and benefits commensurate with the fact that she did not have any city management experience at that time. In addition, Manager Stuart requested that her salary remain unchanged over the past two years even though the other non-union employees of the city received a cost of living increase of 2% in those years. Consistent with the performance evaluation process, a resolution (Resolution 2018-20) was approved by Council. Mayor Whipple and Mayor Pro Tem Brown met with Manager Stuart to discuss changes to the employment contract. For reference, the current contract includes a base annual salary of $91,000 plus an additional $6,000 annually as a vehicle allowance, resulting in a total direct compensation of $97,000.

It is the recommendation of the Mayor and Mayor Pro Tem that Manager Stuart should receive the cost of living increases to her base salary that was previously approved for other non-union city employees, and to continue receiving such cost of living increases without further Council action. Going forward, the Manager, Mayor and Mayor Pro Tem all agree that the vehicle allowance should be eliminated and that the allowance amount should be rolled into the base salary.

The Mayor and Mayor Pro Tem are also in agreement that, although Manager Stuart began her city management career without direct experience, she has clearly demonstrated over the past three years that she is as adept at the job as any other Manager of a similar City and that she is a valuable resource to, and ambassador for, the City. Therefore, the Mayor and Mayor Pro Tem recommend that the City Manager receive a market based increase in salary of 2% (to bring her salary more in line with other city managers of similar sized cities) plus an additional merit based increase in salary of 3% (in recognition of her exemplary performance). The 2%+2%+2%+3% increases result (approximately) in the annual salary amount of $105,768 in the contract being presented for consideration.

For reference, included in this SAR, is data from the MML salary survey for cities and villages with a population range of 6,000 to 9,500. This data shows that the proposed salary would result in Manager Stuart being near the middle of the range of salaries for managers in similarly sized cities that included in the survey.

Additional changes in the proposed contract include:

- Increase in the benefit amount of life insurance provided by the city to $250,000, which is estimated to cost the city an additional $212 annually.
- Clarification of the “General Expenses” section to reflect elimination of the vehicle allowance.
- Clarification of the “Disability Insurance” section.
- Alteration of the contract format to move salary and benefits to an appendix of the contract. This is expected to streamline consideration of contract changes in the future.
- Changing the title of the position from City Administrator to City Manager.
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<tr>
<th>MUNICIPALITY</th>
<th>COUNTY</th>
<th>POPULATION</th>
<th>TOTAL SALARY</th>
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<td>Macomb</td>
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<td>Dickinson</td>
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</tr>
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</tr>
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<td>Saline</td>
<td>Washtenaw</td>
<td>8,810</td>
<td>$128,009</td>
</tr>
<tr>
<td>Saint Joseph</td>
<td>Berrien</td>
<td>8,365</td>
<td>$128,778</td>
</tr>
<tr>
<td>Greenville</td>
<td>Montcalm</td>
<td>8,481</td>
<td>$131,207</td>
</tr>
</tbody>
</table>

**SUMMARY**

**Authority:** City Ordinance Section 2.88: “The city administrator shall receive such compensation as the council shall fix by ordinance or resolution.”

**Urgency:** None

**Relation to Other Actions:** None

**FISCAL IMPACT**

**Current Budget:** No budget amendment is required due to Administration reducing from a full-time Executive Assistant to a part-time.

**Future Budget:** Future cost of living adjustments will be incorporated with the budget process.

**ADDITIONAL MATERIAL**

Resolution 2018-25
Proposed Contract
CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2018-25

TO ADOPT SECOND RESTATEMENT EMPLOYMENT CONTRACT BETWEEN DEBORAH S. STUART
AND THE CITY COUNCIL OF THE CITY OF MASON

December 3, 2018

WHEREAS, pursuant to Chapter 4 of the Charter of the City of Mason and Chapter 2 of the Code of
Ordinances of the City of Mason, the City Council has retained Deborah S. Stuart as its City Manager
(formerly known as City Administrator) since January 1, 2016; and

WHEREAS, there have been amendments to and a restatement of said contract since its inception; and

WHEREAS, the City Council desires to enter into a Second Restated Employment Contract between
Deborah S. Stuart and the City Council of the City of Mason in order to update its form and officially
recognize the title of City Manager, which contract shall be effective January 1, 2019;

NOW, THEREFORE, upon motion duly made by Council Member __________, and seconded by Council
Member _________________, the Council hereby adopts the Second Restated Employment Contract
Between Deborah S. Stuart and the City Council of the City of Mason, which contract shall be effective,
upon due execution on January 1, 2019.

Yes ( )
No ( )

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, December 3, 2018, the original of which
is part of the City Council minutes.

_____________________________
Sarah Jarvis, City Clerk
City of Mason, Ingham County
SECOND RESTATED EMPLOYMENT CONTRACT BETWEEN
DEBORAH S. STUART
AND
THE CITY COUNCIL OF THE CITY OF MASON

WHEREAS, pursuant to Chapter 4 of the Charter of the City of Mason and Chapter 2 of the Code of
Ordinances of the City of Mason, the City Council of the City of Mason ("the Council") has the responsibility
to retain a City Manager to perform certain duties as set forth in the Charter and Code of Ordinances of
the City; and

WHEREAS, the Council wishes to retain Ms. Deborah S. Stuart as City Manager (the "Manager") and Ms.
Stuart has determined that she wishes to accept said appointment upon the terms and conditions
hereinafter set forth;

NOW, THEREFORE, THE COUNCIL AND THE MANAGER COVENANT AND AGREE AS FOLLOWS:

1. Duties. The Manager agrees to perform all the functions and duties of the office of City Manager
   as specified in the Charter and Code of Ordinances of the City of Mason, and to perform whatever
   legally permissible and proper additional functions and duties which the Council assigns. The
   Manager agrees that all duties and functions shall be performed in a diligent, responsible, and
   equitable manner in accordance with the City Charter, Mason City Code, and policies established by
   the Council. The Manager shall have the highest regard for ethics in general and shall adhere to the
   ICMA Code of Ethics for City Managers.

2. Hours of Work. It is understood that the Manager must devote substantial time outside normal
   business hours. The City Manager shall establish an appropriate work schedule given that
   understanding. Said schedule shall be appropriate to the needs of the City of Mason and for the
   Manager to faithfully perform her assigned duties and responsibilities.

3. Outside Employment/Financial Interests. The Manager shall not acquire any beneficial ownership
   in any business or organization which supplies goods or services to the City without first disclosing
   such acquisition to the City, as such acquisition may create a legal or ethical conflict of interest.
   The Manager's foremost responsibility shall be to the City of Mason. As such, the Manager shall
   work any and all hours necessary to meet her obligations as the Manager; however, the Manager
   may teach a course or consult on a limited basis for another employer. The Manager shall notify
   the City Council prior to agreeing to outside employment. If said outside employment creates a
   conflict of interest, the Manager shall not perform said particular outside employment.

4. Tenure/Termination. Notwithstanding any other provisions of this contract, the Manager agrees to
   serve at the pleasure of the Council, and agrees that this contract may be terminated, without
   cause, by either party upon the following:

   a. Termination: Only after a Mason City Council meeting in a public, open session with a
      majority in favor of termination.

   b. Resignation: The Manager shall give at least 30 days' notice to the Mason City Council
      prior to separation.
5. Term of Contract. This contract shall commence on January 1, 2019, upon the Manager filing her oath of office, and shall continue thereafter for an indefinite term until termination, amendment, or renegotiation at the pleasure of the Council.

6. Evaluation. The Manager shall have an annual performance evaluation in accordance with the process and guidelines set forth in the adopted resolution by Council.

7. Severability. All agreements and covenants contained in this contract are severable, and in the event any of them are held invalid by any court, the remaining portions of this contract shall remain in full force and effect.

8. Indemnification. The City will indemnify the Manager from any civil judgments against said Manager as long as said judgment arises from duties performed as a City of Mason employee.

9. Salary and Benefits. The salary and benefits provided to the Manager shall be as prescribed in Appendix A of this contract.

The Council and the Manager, by their authorized signatures, hereby agree to be bound by the covenants, agreements, and prohibitions set forth above, and in Appendix A attached.

IN WITNESS WHEREOF, the City of Mason has caused this contract to be executed by Mayor Russell W. Whipple and City Manager Deborah S. Stuart, and duly attested by the City Clerk Sarah Jarvis.

Dated:_________________   ____________________________________________

DEBORAH S. STUART, Personally

CITY OF MASON

Dated:_________________   By___________________________________________

RUSSELL W. WHIPPLE, Mayor

Attest:

_____________________________________________

Sarah Jarvis, City Clerk
This appendix to the Second Restated Employment Contract Between Deborah S. Stuart and the City Council of the City of Mason sets the salary and other related benefits which the parties have agreed to.

The salary and benefits are as follows:

1. **Salary.** The Council agrees to pay the Administrator a salary of One Hundred Five Thousand Seven Hundred Sixty Eight Dollars ($105,768) per year in bi-weekly increments.
   
   a. The Council agrees to increase the Manager’s salary by an amount consistent with any cost of living increase approved by Council for City department heads.

   b. The Council agrees to review the Manager's salary on a yearly basis for consideration of a merit-based salary increase to be determined at the discretion of Council.

2. **General Expenses.** Upon submission, the Manager will be reimbursed for reasonable job expenses incurred in the conduct of City business, such as travel, luncheons, dinners, and the like, in accordance with established policies of the City with the exception that the Manager will be reimbursed for mileage incurred while using a personal vehicle for city related business only when such travel for a specific activity exceeds 100 miles round trip.

3. **Professional Development.** The Manager agrees to maintain her professional memberships, and continue participation in, national, state, and local organizations such as the Michigan Municipal League and the ICMA. The City agrees to budget and pay for the following: ICMA membership dues, ICMA annual conference, MML annual conference, MML legislative conference, Michigan Local Government and Manager’s meetings. The Manager agrees that she shall not be reimbursed attendance and membership costs in an amount in excess of the annual budget appropriation for such activity.

4. **Work Items.** The City will provide a reasonably-priced laptop computer, cell phone and service to be used for City business.

5. **Employee Benefits.** Except as otherwise provided in this Contract, the Council agrees to provide the Manager all employee benefits provided to other non-union City employees in accordance with the published City of Mason Personnel Rules, except as modified below:
   
   a. **Vacation:** Four weeks per year.

   b. **Disability Insurance:** The Manager will be provided with a long-term disability income insurance policy equivalent to that provided to City department heads. The entire premium will be paid by the City.

   c. **Retirement:**
i. MERS (Michigan Employee Retirement System). The Manager will, upon employment, be a plan participant under municipal retirement the plan in effect (currently C-1, F55-15, FAC-5) for non-union employees, except that 100% of the contributions will be paid by the City on behalf of the Manager. There is a 10-year vesting requirement for said retirement and the Manager will not receive any of said retirement if not vested upon severance of employment.

ii. The City will also contribute an amount equal to three percent (3%) of the Manager’s salary to the ICMA-RC 457 Plan and match up to an additional three percent (3%) of the Manager’s contributions to this plan. The sum total of the City’s contributions shall not exceed six percent (6%) of the Manager’s salary within a single calendar year.

d. Overtime Pay: No overtime compensation will be paid or accrued.

e. Life Insurance Coverage: The City shall purchase a term life insurance policy with a death benefit amount of $250,000. The policy shall designate the Manager as the person insured and designate beneficiaries at the discretion of the Manager. The City shall pay the policy premium in full and maintain the policy for the term of this contract.

f. Pay for Sick Leave:

   i. 12 days, plus

   ii. 1 day per month after 13 months’ service.


   a. In the event that this contract is terminated by the Council without cause, the Council agrees to provide the Manager with severance pay in an amount equal to the Manager’s salary applicable at the time less deductions required by law, for a period of six (6) months following the effective date of termination. The severance pay shall be paid in bi-weekly installments, but shall terminate on the death of the Manager.

   b. Upon severance, and upon meeting the conditions of the City's Personnel Rules for non-union employees, the Manager will receive those benefits as provided therein, except that she will additionally receive in cash an amount equal to 50% of the monthly health insurance premiums for families for the same term as severance pay as provided in subsection (a) above.
AGENDA ITEM
Resolution 2018-26: Rules of Order for the City Council and for City Boards and Commissions

RECOMMENDED ACTION
Approve Resolution 2018-25

HISTORY
On March 20, 2017 the current Rules of Order were adopted by Resolution 2017-13. This amendment is intended only to replace the term City Administrator with City Manager throughout the document.

SUMMARY
Authority: Chapter 6 of Mason’s Ordinances, Chapter 6 references the conduct at meetings and that the Council is responsible to for ensuring orderly conduct of meetings.

Urgency: None

Relation to Other Actions: None

FISCAL IMPACT
Current/ Future Budget: None

ADDITIONAL MATERIAL
Resolution 2018-26
CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2018-26  
RULES OF ORDER FOR THE CITY COUNCIL AND  
FOR CITY BOARDS AND COMMISSIONS  
December 3, 2018

WHEREAS, the process of government in the City of Mason includes the activity of a City Council as well as numerous Boards and Commissions sanctioned by the City Council, each of which can play a significant role in the conduct of the affairs of the City; and

WHEREAS, the citizens of the City of Mason are best served by a City Council as well as by City Boards and Commissions that function smoothly with a firm basis for resolving questions of procedure that may arise; and

WHEREAS, the City Council and City Boards and Commissions must each conduct business with the greatest measure of protection for the people and City of Mason, as well as for the Council and each Board and Commission as a body, and

WHEREAS, the City Council and City Boards and Commissions must each conduct business with the greatest measure of protection and consideration of the rights of individual members and the rights of individual citizens, and

WHEREAS, the application of parliamentary law is the best method yet devised to enable the City Council and City Boards and Commissions to arrive at the general will on the maximum number of questions of varying complexity in a minimum amount of time and under the most diverse set of conditions, ranging from total harmony to impassioned division of opinion, with due regard for the opinion of each member and for the right of every citizen to address the Council, a Board or a Commission; and

WHEREAS, Rules of Order are the written rules of parliamentary law and are critical to ensure the most effective and efficient operation of any deliberative body; and

WHEREAS, the citizens of the City of Mason will be best served when the meetings of all public bodies are conducted according to similar procedures.

NOW, THEREFORE, BE IT RESOLVED, that these Rules of Order shall be the parliamentary law of the City Council and all City Boards and Commissions of the City of Mason, and shall nullify and replace any other previously approved Rules of Order; and

BE IT FURTHER RESOLVED, that these Rules of Order shall be consistently applied and actively enforced at all times in relation to the orderly transaction of business in meetings, and in relation to the duties of officers in the conduct of meetings, of the City Council, as well as all City Boards and Commissions, and shall take effect at the first meeting following approval of this resolution.
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, December 3, 2018, the original of which is part of the meeting minutes.

Sarah Jarvis, City Clerk
City of Mason
Ingham County, Michigan
RULES OF ORDER FOR THE CITY COUNCIL AND
FOR CITY BOARDS AND COMMISSIONS

City Council Resolution No. 2018-24
City of Mason, Michigan

1) ORDER OF BUSINESS

a) City Council: At each regular meeting of the City Council the business to be considered shall be taken up, when applicable, for consideration and disposition in the following order:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance and Invocation
4. Oath of Office
5. Election of Mayor and Mayor Pro Tem
6. Public Comment
7. Presentations
8. Consent Calendar
9. Public Hearings
10. Unfinished Business
11. New Business
12. Council Member Reports
13. Manager’s Report
14. Adjourn (Adjourn Sine Die)

b) City Boards and Commissions: At each regular meeting of a City Board or Commission the business to be considered shall be taken up, when applicable, for consideration and disposition in the following order:

1. Call to Order
2. Roll Call
3. Oath of Office
4. Election of Leadership
5. Public Comment
6. Presentations
7. Approval of Minutes (if no Consent Calendar)
8. Correspondence (if no Consent Calendar)
9. Consent Calendar
10. Public Hearings
11. Unfinished Business
12. New Business
13. Liaison Report
14. Adjourn
2) MANAGEMENT OF THE ORDER OF BUSINESS. Any item of business to be considered shall be appropriately filed with the City Manager, or assigned secretary to the board/commission, by noon on the Wednesday preceding the subject meeting. Requests by members of the body and the City Manager/secretary shall be automatically included in the Order of Business if filed in a timely manner. The City Manager/secretary shall send a complete Order of Business with supporting materials to each member by close of business on the last business day of the week preceding the subject meeting. Each item submitted for inclusion in the Order of Business shall include sufficient explanation to indicate intent. Any issue introduced at a meeting that does not appear on the Order of Business may be deferred for inclusion on the Order of Business of a subsequent meeting upon the request of any one member of the body, except that said issue may be added to the current Order of Business if so approved by a majority vote of the members present.

3) PUBLIC COMMENT

a) It is the intent of these Rules to encourage public comment and participation by interested persons that is constructive, informative, and factual in a manner conducive to the conduct of an organized, efficient and professional business meeting. Public comment shall be allowed only during the Public Comment, Presentation and Public Hearing business items, or when permitted by the meeting Chair.

b) The Public Comment business item is intended to receive comment on any topic a member of the public would like to bring to the attention of the body. A member of the public who wants to speak to a specific Order of Business item may inform the Chair that they would like to reserve their comments to a specific item of interest. The Chair will make note of the request. Prior to the debate of the specific business item by the body, the Chair will call on the individual, who may speak regarding that business item in accordance with subsection (c).

c) All public comment shall be appropriate to the conduct of a public business meeting and, if applicable, the matter under consideration. Each person shall be allowed to speak for a maximum of three (3) minutes and the Chair may limit the number of times each person is allowed to speak. The limits on time and quantity for speaking may be extended at the discretion of the Chair.

d) Any person in attendance at a meeting shall comply with the direction of the Chair as to the appropriateness of their actions or comments. The Chair shall retain discretion to disallow or stop a person from speaking or to temporarily recess the meeting at any time to maintain the order of the meeting.

e) Any person that speaks before the body shall state for the record their name, residence address and group affiliation, if any.

4) PRESENTATIONS. Presentations will provide a venue in the Order of Business for brief presentations that do not require formal action.

5) PUBLIC HEARINGS. Business items requiring a public hearing shall be placed under the related Public Hearing item for immediate consideration following the public hearing.
6) **CONSENT CALENDAR.** A Consent Calendar may be used to allow the body to take action on numerous items at one time. Items in the Consent Calendar may include, but are not limited to, non-controversial matters such as approval of minutes, payment of bills, approval of simple motions, street closures, correspondence, etc. The body shall act upon all items listed in the Consent Calendar by a single vote without debate. Upon request by any member made prior to the vote on the Consent Calendar, an item in the Consent Calendar shall be removed from the Consent Calendar and placed in the Order of Business appropriately as determined by the Chair.

7) **MINUTES.** Meeting minutes requiring approval shall be distributed to each member with the Order of Business for the next regular meeting. There shall not be a reading of the minutes at the meeting. If the Order of Business includes a Consent Calendar, approval of the minutes shall be included in the Consent Calendar. If the minutes are removed from, or not part of, the Consent Calendar and a substantial correction, as determined by the Chair, is suggested by the Chair or a member, said correction shall be agreed to by a two-thirds vote of the members present. Corrections not determined to be substantial shall be considered agreed to by consensus unless any member challenges such determination, in which case said correction shall be treated as a substantial correction. Minutes shall be considered approved by consensus without a vote if no corrections are suggested or after all suggested corrections are agreed to as required.

8) **UNFINISHED BUSINESS.** Items considered under Unfinished Business are items or matters that have been previously addressed by the body but have not received final action.

9) **NEW BUSINESS.** Items considered under New Business are items or matters that may require immediate or future action by the body.

10) **COUNCIL MEMBER REPORTS.** A Council member may provide information regarding an event, a meeting or a conference that might be of interest to the City Council or local residents. A Council Member Report should not exceed three minutes. If the subject matter requires additional time the Council member may place the matter on the Order of Business of a subsequent meeting.

11) **CONDUCT OF BUSINESS**

   a) **Parliamentarian:** The meeting Chair shall serve as Parliamentarian unless that duty is assigned and accepted by another member. The application and enforcement of these rules is the responsibility of the Chair.

   b) **Reconsideration:** A motion to reconsider enables a majority to bring back for further consideration a motion that has been voted on previously. The motion to reconsider can be made only by a member voting on the prevailing side and is in order only until the adjournment of the next regular meeting following the meeting during which the motion to be reconsidered was acted upon.

   c) **Appeal to Chair:** Any decision of the Chair in applying or interpreting these Rules of Order may be appealed by a motion made at the time of the ruling being appealed and before any debate or business has intervened. The Chair shall be allowed to speak first to an appeal with each member allowed to speak once. The Chair may speak one last time after all members have been given an opportunity to speak. The question before the body on an appeal of the Chair shall be "Shall the decision of the Chair be sustained?" A majority or tie vote shall sustain the decision of the Chair.
d) **Abstain from Voting**: No member of the body shall vote on any question in which the member has a financial interest, other than the common public interest, or on any question concerning the conduct of the member, but, on all other questions, each member who is present shall vote unless excused by unanimous consent of the remaining members present.

e) **Considering a Motion**: A motion that does not receive a second shall not be considered to be in order.

## 12) ELECTION OF LEADERSHIP

a) **Election**: The Chair (Mayor), Vice-Chair (Mayor Pro Tem) and any other leadership of the body shall be elected pursuant to the applicable provisions of the City Charter or of the City Code if such provisions exist. Absent Charter or Code requirements, election shall be by majority vote of the members present during the first regular meeting of each calendar year.

b) **Absence**: In the absence or disability of the Chair and the Vice-Chair, the members present shall select by majority vote a member to be designated as Acting Chair to perform the duties of the Chair as necessary.

## 13) RULES OF ORDER

The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the City Council and all City Boards and Commissions in all applicable cases in which Robert’s Rules are consistent with these Rules of Order, the City Charter, City Code, and State Statute.

## 14) SUSPEND RULES

A request to suspend the Rules of Order shall be granted only by unanimous vote of the members present.
AGENDA ITEM
Ordinance 223: First Reading and Introduction of Ordinance 223 to Amend Chapter 10 by Adding Article III. “Marihuana Establishments” and Section 10-70, “Prohibition of Marihuana Establishments”

RECOMMENDED ACTION
First Reading and Introduction of Ordinance 223

HISTORY
Michigan and Mason voters passed the ballot initiative known as the "Michigan Regulation and Taxation of Marihuana Act" (MRTMA) to allow the limited use and possession of marihuana which becomes legal on December 6, 2018. Please see the attachment for more information on MRTMA and how it differs from Medical Marihuana.

The state legislature and Michigan's Department of Licensing and Regulatory Affairs (LARA) are responsible for determining when sales from commercial production may begin. We anticipate that will be no sooner than six months from now.

The local municipality is responsible for determining whether businesses will be allowed and/or where they will be located. Mason can either completely prohibit all license types or it can allow all and can limit the total number of each license type. It may not pick and choose what license types it authorizes. There are six license types under the proposal: grower, which allows 100 to 2,000 plants depending on the class-type, processor, secure transporter, retailer, which is different than a medical marijuana provisioning center, safety compliance facility, and a microbusiness.

Staff is recommending that Council prohibit marihuana businesses with Ordinance 223 within the City of Mason due to the lack of information regarding the following: requirements for licenses, revenue anticipated from these businesses, and the anticipated costs of city provided services. Once LARA has developed the requirements and a cost/benefit analysis has been complete, the council would have the ability to allow for these businesses at any time. This would also involve the Planning Commission determining the zoning districts and requirements for them.

SUMMARY
Authority: Mason Charter Sec. 7.4 (Related Excerpt): “(1) ordinances may be enacted, amended, or repealed by the affirmative vote of not less than four Councilmen.”

Urgency: Notifying property speculators of the City’s position at this time is critical to limiting risk to the City.

Relation to Other Actions: Second reading and adoption would be planned for the December 17th meeting.

FISCAL IMPACT
Current/ Future Budget: None

ADDITIONAL MATERIAL
Ordinance 223
MML Fact Sheet
CITY OF MASON
ORDINANCE NO. 223

AMEND CHAPTER 10 BY ADDING ARTICLE IV. “MARIHUANA ESTABLISHMENTS” AND SECTION 10-70, “PROHIBITION OF MARIHUANA ESTABLISHMENTS”

THE CITY OF MASON ORDAINS

To amend the Mason City Code by adding a new article and section that shall be designated as Article IV, Section 10-80 of Chapter 10, “Businesses” of the Code of Ordinances to read as follows:

Article IV. Marihuana Establishments

Sec. 10-80. Prohibition of Marihuana Establishments.

(A) Pursuant to the provisions of Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act (the “Act”), marihuana establishments, as defined by the Act, are completely prohibited within the boundaries of the City of Mason.

(B) Any applicant for a state or local license to establish a marihuana establishment, as defined by the Act, within the boundaries of the City shall be deemed to be not in compliance with this Ordinance or with the Code of Ordinances amended by this Ordinance.

(C) This section does not supersede rights and obligations with respect to the transportation of marihuana through the City to the extent provided by the Act, and does not supersede rights and obligations under the Michigan Medical Marihuana Act, the Medical Marihuana Licensing Act, 2016 PA 281, or any other law of the State of Michigan allowing for or regulating marihuana for medical use.

Effective Date. This ordinance shall become effective 20 days after adoption and upon publication.
The foregoing Ordinance was moved for adoption by Council Member ______________ and supported by Council Member ____________, with a vote thereon being: YES (    ) NO (    ), at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the _____ day of ___________, 2018.

Ordinance No. 223 declared adopted this _____ day of __________, 2018.

________________________________________
Russell Whipple, Mayor

________________________________________
Sarah J. Jarvis, City Clerk

_____________________
Thomas M. Hitch (P25558)
Mason City Attorney
601 Abbot Road, PO Box 2502
East Lansing, MI 48826-2502
Medical Marihuana Facilities Licensing Act (MMFLA) compared with Proposal 1—the Michigan Regulation and Taxation of Marihuana Act (MRTMA)

Votes required for future amendments:
- MMFLA (PA 281 of 2016) requires a simple majority of vote of the Legislature (56 House votes and 20 Senate votes).
- Proposed MRTMA will require a 3/4 vote of the Legislature (83 House votes and 29 Senate votes).

Local Control:
- MMFLA requires municipality to OPT IN.
- Proposed MRTMA requires a municipality to OPT OUT. Municipal decision to limit the number of marihuana establishments or opt out is subject to override by the voters of that municipality through initiative petition.
- MMFLA, a state operating license may not be issued to an applicant unless the municipality in which the proposed facility will be located in has adopted an ordinance authorizing that type of license.
  - If municipality does not allow, no marihuana facilities can be licensed/operate in that municipality.
  - If municipality adopts ordinance (opts in), then it may:
    - Authorize any specific or all license types
    - Limit the number of each license type
- Proposed MRTMA, a state operating license shall be issued to operate in every municipality unless a municipality enacts an ordinance to opt out.
  - Municipality can completely prohibit all license types or limit the types of establishments allowed and the total number of each license type.
  - If the municipal limit on licenses prevents the State from issuing a license to all qualifying applicants, the municipality, not the State, is required to select from the competing applicants using a competitive process intended to identify those who are best suited to operate in compliance with the Act.
- Nothing under the MMFLA nor the proposed MRTMA has direct effect on the Michigan Medical Marihuana Act (MMMA, Initiated Loom 1 of 2008; patient caregiver model).
- Proposed MRTMA broadens the prohibition on the separation of plant resin by butane extraction on residential premises under the MMMA to include methods using a substance with a flash point below 100 degrees Fahrenheit within the curtilage of a residence.
- Proposed MRTMA substantially increases the amount of marihuana that may be lawfully possessed from 2.5 ounces and 12 plants by a qualifying patient to 2.5 ounces on one’s person, 10 ounces secured in one’s residence, and no more than 12 plants at a time.
- While a municipality may regulate the time, place and manner of operation of marihuana establishments, the State must approve and issue a license to a proposed marihuana establishment that is not within an area exclusively zoned for residential use and is not within 1000 feet of a pre-existing K-12 public or private school. A municipality may reduce this distance by ordinance.

License Types:
- MMFLA has five license types:
  1. Grower
     - Class A – 500 plant limit
     - Class B – 1,000 plant limit
     - Class C – 1,500 plant limit

Michigan Municipal League  I  November 2018
2. Processor  
3. Secure transporter  
4. Provisioning center  
5. Safety compliance facility  

- Proposed MRTMA has six “marihuana establishment” license types:  
  1. Grower (plant limits are different than MMFLA)  
     - Class A – 100 plant limit  
     - Class B – 500 plant limit  
     - Class C – 2,000 plant limit  
  2. Processor  
  3. Secure transporter  
     - Provides for license, but nowhere in the language is there a requirement that marihuana must only be transported by a secure transporter.  
  4. Retailer  
     - MMFLA license is a provisioning center, not retailer.  
  5. Safety compliance facility  
  6. Microbusiness  
     - Person licensed to cultivate not more than 150 plants; process and package; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a safety compliance facility, but not to other marihuana establishments.  

- MRTMA also defines an “establishment” as, “any other type of marihuana-related business licensed” by the State, which would include licensed “marihuana facilities” under the MMFLA.  
- MMFLA prohibits a caregiver from grower, processor, or secure transporter license types.  
- Proposed MRTMA does not prohibit a caregiver from holding any of the six license types.  
- A person may be licensed under both the MMFLA as well as the proposed MRTMA.  

Unreasonably Impracticable:  
- MMFLA does not reference this term, found in proposed MRTMA.  
- Proposed MRTMA prohibits any administrative rule or municipal ordinance that subjects the licensee to unreasonable risk or requires such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the marihuana establishment.  
  - Any rule or ordinance could be legally challenged if a person considers it to require too much time, money, etc.  

Additional information:  
- Definitions of key statutory terms are not consistent between the MMFLA and the proposed MRTMA.  
- Grower license plant limits are not consistent between the MMFLA and the proposed MRTMA.  
- Application process is not consistent between the MMFLA and the proposed MRTMA.  
  - If the State does not begin accepting/processing MRTMA applications within one year of the effective date of the Act, applicants can submit an application to a municipality that has not opted out of the act. Municipalities shall issue a municipal license to applicant within 90 days. Municipal license has same force and effect as state license, but the municipal license holder is not subject to regulation or enforcement by the State during the municipal license term.  
- If proposed MRTMA passes, the MMFLA requirement that a three percent tax is imposed on each provisioning center’s gross retail receipts is no longer applicable. However, a 10 percent tax will be imposed on marihuana retailers on sales price of marihuana sold or otherwise transferred to anyone other than a marihuana establishment.  
- The percent of the municipal portion of the excise tax collected is reduced from 25 percent under the MMFLA to 15 percent under the MRTMA and is paid only after the State is compensated for its implementation, administration, and enforcement of the Act; and until 2022 or for at least two years, $20 million annually is provided to FDA-approved clinical trials researching the efficacy of marihuana in treating U.S. armed services veterans for medical conditions and suicide prevention.  
- If proposed MRTMA passes, it goes in to effect 10 days after the election is certified by the State Board of Canvassers.
Put Your Expertise to Work on a League Legislative Committee

Are you interested in the legislative process and how it impacts your community? The League offers all members a chance to engage on legislation by participating in one of our legislative policy committees for the 2019-2020 legislative term.

The **League’s Legislative Policy Committees** serve a critical role in our organization’s ability to advocate effectively on behalf of our member communities. The main focus of these committees is to review pending legislation and recommend policy positions to the League’s Board of Trustees. The committees provide League staff with access to local expertise and allow us to share your answers, opinions and concerns with Legislators and their staff expeditiously. Each issue committee has three to four meetings every calendar year in the League’s Lansing office. Along with these meetings, committee members receive regular updates and respond quickly to League staff inquiries.
on bills via a Listserv. Appointments are for two years, coinciding with each legislative session and are renewable.

For 2019-2020, the Legislative Policy Committees are:

- **Transportation, Infrastructure & Technology** – roads, all manner of public works, and telecommunications issues
- **Energy & Environment** – municipal electric utilities, emerging environmental contaminates, and natural resources issues
- **Municipal Administration & Permitting** – building/construction codes, FOIA/OMA, other local permitting regulations
- **Municipal Finance** – real and personal property taxes, debt and bonding, and the state budget/revenue sharing
- **Land Use & Economic Development** – planning/zoning, TIF/DDAs, and community & economic development tools
- **Municipal Services & Elections** – public safety, municipal employment/labor, government structure issues, elections

If you are interested in participating on one of the League’s Legislative Policy Committees, [click here](http://mml.activehosted.com/index.php?action=social&chash=d045c59a90d7587d8d671b...) to complete the committee interest survey. Please complete the survey by Friday, Dec. 14, 2018. As the League President, I have the privilege of making these appointments. Should you have questions about the committee process or the survey, contact Betsy DeRose at 517-908-0300 or bderose@mml.org.

Participating in one of our legislative committees is an excellent way to earn credits for the Elected Officials Academy. For each 2-year term of active participation, you’ll earn four credits toward your advocacy credit requirements. To ensure your EOA progress is accurately tracked, make sure to indicate your interest in earning credits for your service when completing the interest survey. More information on the Elected Officials Academy may be found at [mml.org/academy](http://mml.activehosted.com/index.php?action=social&chash=d045c59a90d7587d8d671b...).

Thank you for your commitment to local government and to the Michigan Municipal League. I look forward to working with you this coming year. Please be sure to join me at the Legislative Committee kick-off orientation in Lansing on Jan. 29, 2019. Details for this event will be sent once committee assignments have been finalized.

Sincerely,

Melanie Piana  
President, Michigan Municipal League  
Councilwoman, City of Ferndale

Email management
ACTIVE PRIVATE PROJECTS STATUS UPDATES

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>318 W. Kipp - Klavon’s</td>
<td>Building permit active for construction of new restaurant.</td>
</tr>
<tr>
<td>228 W. Kipp - Klavon’s</td>
<td></td>
</tr>
<tr>
<td>322 S. Jefferson - Klavon’s</td>
<td>Building permit active for interior renovations; restore second entrance doors on Jefferson St.; replace door and add concrete pad at alley entrance. The HDC approved a Certificate of Appropriateness for doors on 9/17/18.</td>
</tr>
<tr>
<td>Commercial Bank – Downtown Mason</td>
<td></td>
</tr>
<tr>
<td>402 S. Jefferson (former Baja Grill)</td>
<td>Planning Commission approved the Final Site Plan at a Special Meeting on Tuesday, September 25. HDC approved Certificate of Appropriateness for façade on 9/17/18. Bids were received on 10/5/18 and project is on track for grant authorization.</td>
</tr>
<tr>
<td>201 W. Ash City Hall</td>
<td>The T-Mobile contract to co-locate on the radio tower has been signed and a building permit has been issued. Anticipate installation of equipment to begin this winter.</td>
</tr>
<tr>
<td>Pending Subdivisions: Enclave at Rayner Ponds (19 lots, 1 park) and Rayner Ponds – Phase 4 (16 lots)</td>
<td>Subdivisions require three stages of approval before site plan approval and building permits can be issued – Tentative Preliminary Plat/Final Preliminary Plat/Final Plat. Current stage for both: The City has approved a Tentative Preliminary Plat for both projects (Stage 1) and is waiting to receive an application for Final Preliminary Plat (Stage 2). Staff anticipates the applicant will submit a Final Preliminary Plat for Rayner Ponds – Phase 4 in December.</td>
</tr>
<tr>
<td>154 W. Maple (former shoe store)</td>
<td>An application has been submitted for Final Site Plan Review and will be on the December 11 agenda of the Planning Commission. Staff is working with the applicant to develop a demolition/construction schedule and maintenance of traffic plan that will minimize impacts to traffic and businesses in the surrounding area.</td>
</tr>
<tr>
<td>600 Buhl St. Ingham Animal Shelter</td>
<td>Building permit active for new construction.</td>
</tr>
<tr>
<td>118 W Oak Former school administration building</td>
<td>Two applications received - one to re-zone the property to C1 Central Business District, the second for Final Site Plan approval for the use of the property as an entertainment venue with an escape room on the 2nd floor and arcade on the first floor. Staff is working with applicant to obtain complete information necessary for evaluating the proposal.</td>
</tr>
</tbody>
</table>

OPERATIONS AND COMMUNITY RELATIONS

- Department of Public Works will start early morning shift starting next week get an earlier start to plowing and salting of Mason’s streets.

Staffing Updates:

- Open Positions: Staff reviewing applications for the Assistant Finance Director position. Police Sergeant 2nd Interviews completed; staff making final selection. Equipment Operator (DPW) position posted internally until December 3rd. Utility Forman (POTW) position posted internally until December 5th.
## LARGE PUBLIC PROJECTS

<table>
<thead>
<tr>
<th>Project</th>
<th>Project Name/Description</th>
<th>Status</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STREETS, SIDEWALKS, BRIDGES (S)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2017-S6</td>
<td>South St - Northbrook to City Limits</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td>2017-S7</td>
<td>Avon Street - All</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td>2017-S8</td>
<td>Northbrook - South to Carom Circle</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td>2017-S9</td>
<td>S. Jefferson - Oak Street to Kipp Road</td>
<td>Project has been let through the MDOT system. Rieth Riley is low bidder.</td>
<td></td>
</tr>
<tr>
<td>2017-S10</td>
<td>Sidewalk Program - Summerwood</td>
<td>Documents prepared for a Jan advertisement and spring construction.</td>
<td></td>
</tr>
<tr>
<td>2018-S1</td>
<td>MDOT- Temple Street Safety Grant</td>
<td>Project is funded for FY19 (Oct. 1- Sept. 30). Package to be submitted to MDOT week of Sept 24.</td>
<td></td>
</tr>
<tr>
<td>2018-S32</td>
<td>Columbia - Cedar to US 127</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td></td>
<td>MDOT – South Street Bridge Repair</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td></td>
<td>MDOT – Cedar/Ash intersection</td>
<td>MDOT does not have a start date yet.</td>
<td></td>
</tr>
<tr>
<td><strong>UTILITIES: SANITARY SEWER, STORM WATER, AND WATER DISTRIBUTION (U)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018-U1</td>
<td>Utilities for Properties on Kipp Road</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td>2017-U3.2</td>
<td>Waste Water Treatment Plant Upgrades</td>
<td>Complete</td>
<td>Oct</td>
</tr>
<tr>
<td>2017-U3.3</td>
<td>Design of the New DPW Facility</td>
<td>After 2017-U3</td>
<td></td>
</tr>
<tr>
<td>2017-U6</td>
<td>Abandon Wells by Airport</td>
<td>Project on hold; filed FAA permit to do work – up to 45-day response period.</td>
<td></td>
</tr>
<tr>
<td>2017-U9</td>
<td>Northbrook - South to Carom Circle</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td>2017-U10</td>
<td>S. Jefferson - Oak St to Kipp Road</td>
<td>See 2017-S9</td>
<td></td>
</tr>
<tr>
<td>2017-U12</td>
<td>300,000 G Storage Tank Top Sealing</td>
<td>Delayed until next FY</td>
<td>N/A</td>
</tr>
<tr>
<td>2017-U13</td>
<td>Well No. 7 Rebuild</td>
<td>Well work is complete. The motor is on order.</td>
<td></td>
</tr>
<tr>
<td>2017-U15</td>
<td>Replace Two Fire Hydrants Behind Mason Plaza</td>
<td>Work scheduled for spring construction</td>
<td></td>
</tr>
<tr>
<td>2017-U16</td>
<td>Cathodic Protection for Ground Storage Tank</td>
<td>Planning stage.</td>
<td></td>
</tr>
<tr>
<td>2017-U17</td>
<td>High Service Pump No. 1 Rebuild</td>
<td>In progress</td>
<td></td>
</tr>
<tr>
<td>2017-U18</td>
<td>Replace Chlorine Analyzer</td>
<td>Complete</td>
<td>Aug</td>
</tr>
<tr>
<td>2018-U35</td>
<td>BS&amp;A Work Order Application</td>
<td>Award of project anticipated in December to coordinate with other projects involving BS&amp;A software.</td>
<td></td>
</tr>
<tr>
<td>2018-U36</td>
<td>Sewer Push Camera Replacement</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td>2018-U37</td>
<td>Log Jam Removal Sycamore Creek</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td><strong>PARKS/ CEMETERY/ FORESTRY/ NONMOTORIZED (P)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2017-P8</td>
<td>Laylin Park Improvements</td>
<td>Staff is evaluating final work priorities for the spring.</td>
<td></td>
</tr>
<tr>
<td>2018-P1</td>
<td>Howell Road - Hayhoe Riverwalk (Dart Trailhead)</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td>2018-P2</td>
<td>Howell Road - Hayhoe Riverwalk Trail Extension</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td>2018-P3</td>
<td>Planning: 5 yr Parks/Recreation Plan; Bond Park Improvements</td>
<td>In progress</td>
<td></td>
</tr>
<tr>
<td>2018-P5</td>
<td>City Tree Evaluation</td>
<td>Preparing Bids and grant application is submitted</td>
<td></td>
</tr>
</tbody>
</table>
### MOTOR VEHICLE POOL (MVP)

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Status</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-MVP6</td>
<td>1/2 Ton 2x4 Pickup Truck</td>
<td>Complete</td>
<td>Sep</td>
</tr>
<tr>
<td>2017-MVP7</td>
<td>Mower</td>
<td>Complete</td>
<td>Jul</td>
</tr>
<tr>
<td>2017-MVP8</td>
<td>Police Cars</td>
<td>On order</td>
<td></td>
</tr>
<tr>
<td>2017-MVP9</td>
<td>Large Items (Leaf Vacuum)</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td>2017-MVP10</td>
<td>5-yard Dump/Plow Trucks</td>
<td>Reviewing quotes</td>
<td></td>
</tr>
<tr>
<td>2017-MVP18</td>
<td>Command Vehicle</td>
<td>Complete</td>
<td>Oct</td>
</tr>
<tr>
<td>2017-MVP30</td>
<td>Front End Material Loader</td>
<td>Complete</td>
<td>Nov</td>
</tr>
</tbody>
</table>

### BUILDING, PROPERTY, EQUIPMENT (B)

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Status</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-B1</td>
<td>Library- Facility Evaluation</td>
<td>In progress. A community meeting was held on Thurs, Nov 8 to receive input.</td>
<td></td>
</tr>
<tr>
<td>2017-B3.1</td>
<td>Police: Portable Radios</td>
<td>Complete</td>
<td>Oct</td>
</tr>
<tr>
<td>2017-B4</td>
<td>City Hall Landscaping and Lighting</td>
<td>Phase 1 completed. Phase 2/3 scheduled for the spring as time and budget allows.</td>
<td></td>
</tr>
<tr>
<td>2017-B6</td>
<td>Fire: Fire Engine 809/Tower 808</td>
<td>Recommendation to City Council</td>
<td></td>
</tr>
<tr>
<td>2018-B4</td>
<td>IT: BS&amp;A Timesheet Program</td>
<td>Not started, connection issues with offsite facilities</td>
<td></td>
</tr>
<tr>
<td>2018-B4</td>
<td>IT: BS&amp;A Cemetery and HR Upgrade</td>
<td>Complete</td>
<td>Nov</td>
</tr>
<tr>
<td>2018-B6</td>
<td>IT: AV Room Technology Patch</td>
<td>Evaluation is complete; staff are reviewing</td>
<td></td>
</tr>
<tr>
<td>2018-B7</td>
<td>Planning: Cedar/127 Corridor (Transportation and Land Use)</td>
<td>Drafting scope/RFP</td>
<td></td>
</tr>
<tr>
<td>2018-B24</td>
<td>City Hall Rental Space Furniture Replacement</td>
<td>Not started, evaluation planned during winter</td>
<td></td>
</tr>
</tbody>
</table>