

**CITY OF MASON
REGULAR CITY COUNCIL MEETING
MINUTES OF DECEMBER 17, 2018**

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

Present: Councilmembers: Brown, Droscha, Ferris, Madden, Vogel, Waltz, Whipple
Absent: None
Also present: Deborah S. Stuart, City Administrator, Sarah J. Jarvis, City Clerk

AMENDED AGENDA

MOTION by Droscha, second by Brown,
to amend the Agenda as presented with an addition to the Bill Amount in C1, renumbering of Resolutions in D1 and D2 and the removal of D3.

MOTION APPROVED UNANIMOUSLY

PUBLIC COMMENT

None

CONSENT CALENDAR

MOTION by Brown, second by Droscha,
to approve the Consent Calendar as presented.

- A. Minutes:
 - 1. Approve Minutes of Regular Council Meeting December 3, 2018
- B. Correspondence:
 - 1. Receipt of City Attorney's Report Dated December 13, 2018
 - 2. Receipt of Resignation of Jettie Feintuch from Planning Commission
 - 3. Receipt of Resignation of Chris Greenshields from Planning Commission
- C. Financials:
 - 1. Approve Bills in the Amount of \$509,058.19
 - 2. Receipt of Monthly Revenue and Expenditure Report for Period Ending November 30, 2018
 - 3. Approve Motor Vehicle Pool Purchase of a 2019 International 7400 Cab and Chassis in the Amount of \$87,680 (CIP: 2017-MVP10)
- D. Resolutions:
 - 1. Resolution 2018-27: Establish City Council Meeting Dates

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2018-27**

ESTABLISHMENT OF CITY COUNCIL MEETING DATES

December 17, 2018

WHEREAS, PA 267 of 1976, (the "Open Meetings Act") requires any meeting of a public body shall not be held unless public notice is given as outlined in the Act; and

WHEREAS, the City of Mason Charter section 6.1 requires that the City Council shall provide by resolution for the time and place

of its regular meetings and shall hold at least two regular meetings each month.

NOW, THEREFORE, BE IT RESOLVED, that regular City Council meetings are to be held on the first and third Mondays of each month at 7:30 p.m. in City Hall, 201 West Ash Street, Mason, Michigan; and

BE IT FURTHER RESOLVED, that the City Council may, by majority vote, change the date, time and/or place of a particular regular meeting to avoid a conflict with a City Holiday, an Election, or for any other purpose as specified by City Council in the motion to change the date, time and/or place of the regular meeting, and that a public notice stating the new date, time, and/or place of the regular meeting will be posted by the City Clerk in accordance with the Open Meetings Act.

2. Resolution 2018-28: Approve Mayoral Appointments of Kassie Rhodes to the Downtown Development Authority and John Sabbadin to the Planning Commission.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2018-28**

MAYORAL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

December 17, 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:

Board/Commission	Appointments/Reappointments	Term End
Downtown District Authority	Kassie Rhodes, Dart Bank Representative	2020
Planning Commission	John Sabbadin	2021

MOTION APPROVED UNANIMOUSLY

UNFINISHED BUSINESS

A. Ordinance 223: Second Reading and Adoption of Ordinance 223 to Amend Chapter 10 by Adding Article III “Marihuana Establishments” and Section 10-70, Prohibition of Marihuana Establishments”

MOTION by Brown, second by Ferris,
to Read and Adopt Ordinance 223 to Amend Chapter 10 by Adding Article III “Marihuana Establishments” and Section 10-70, Prohibition of Marihuana Establishments”

Droscha asked several questions regarding the regulations related to establishing Marihuana Establishments. Stuart explained that at this time these regulations have not been established and by not adopting this Ordinance we are in essence “opting in” and if someone were to purchase property for the intent of running a marihuana business and the City then decided to “opt out” the City then would be facing potential lawsuits. Stuart stated that she had consulted with the City Attorney and the MML and is recommending adopting this ordinance to protect the City from potential lawsuits.

MOTION by Droscha, second by Vogel,
to defer action on Ordinance 223 until the next meeting.

Yes (2) Droscha, Vogel

No (5) Brown, Ferris, Madden, Waltz, Whipple

MOTION FAILED

Yes (6) Brown, Droscha, Ferris, Madden, Waltz, Whipple

No (1) Vogel

MAIN MOTION APPROVED

B. Approve Updated Purchase Agreement (Lot Change) for Temple Street Property and Authorize the City Representatives to Make Minor Modifications and to Execute the Document

MOTION by Droscha, second by Brown,
to Approve Updated Purchase Agreement (Lot Change) for Temple Street Property and Authorize the City Representatives to Make Minor Modifications and to Execute the Document.

MOTION APPROVED UNANIMOUSLY

NEW BUSINESS

A. To Approve the City Council Meeting Schedule for 2019 by approving the meeting dates for September 2019 to the 2nd and 4th Monday's which would be September 9, 2019 and September 23, 2019

MOTION by Brown, second by Ferris
to approve the City Council Meeting Schedule for 2019 by approving the meeting dates for September 2019 to the 2nd and 4th Mondays which would be September 9, 2019 and September 23, 2019

MOTION APPROVED UNANIMOUSLY

COUNCILMEMBER REPORTS

- Vogel reported that the Historical District Commission met on Monday, December 17 where they approved a Certificate of Appropriateness for wall sign to be located above the storefront at 330 S. Jefferson Street from Christopher Buck of Modern Woodmen of America. Vogel reported that Doug Klein has been appointed as a new member of the HDC.
- Ferris was happy to hear that the City of Mason was awarded a grant from the DNR-Forestry Division for \$9,500 for a Tree Evaluation.
- Ferris also reminded everyone that purchasing a City Legacy Tree is a great holiday gift.
- Droscha reported that the Planning Commission met on December 11, 2018 where they approved the final site plan from Brian Brady of Red Oak Holdings, LLC at 154 W. Maple Street. Droscha reported that Mitch Perrault and Scott Shattuck have been appointed to the Planning Commission.
- Mayor Whipple presented Councilmember Waltz with a plaque acknowledging his years of service on the Mason City Council and thanked him for all his dedication and hard work.

- Waltz thanked the council for plaque. Waltz also thanked the citizens of Mason for electing him to serve on the City Council and Waltz also thanked his wife for supporting him during all the years of serving on various City Commissions and the City Council.
- Brown thanked Waltz for his year of service and said it has been a pleasure serving with him.

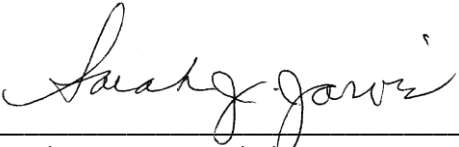
ADMINISTRATORS REPORT

Stuart reported that many of the proposed lame duck legislation is geared towards taking away local control. Some of these are the Tree Trimming Bill/Vegetation Bill which could have an effect on site plans. Pet Shop Bill which would take the control from the local jurisdiction to allow pet shops. Fireworks which would reduce the number of days fireworks are allowed and the times of day. Recreation Marijuana. Water Fee Bill which would require a fee that would then be paid to the State into a water infrastructure fund that is distributed throughout the state. Internet Sales Tax that would go to a Brownfield Fund instead of the local jurisdiction. Personal Property changes. Veterans Exemptions in regards to property tax. She is actively following these issues.

ADJOURN SINE DIE – 2017/18 COUNCIL

MOTION by Brown, second by Droscha,
to have the 2017/2018 City Council adjourn sine die at 8:15 p.m., allowing for the City Manager to reconvene the 2017/2018 City Council if warranted prior to January 1, 2019.

MOTION APPROVED UNANIMOUSLY



Sarah J. Jarvis, City Clerk