

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF FEBRUARY 6, 2017**

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, Vogel, Waltz, Whipple  
Absent: Councilmember: None  
Also present: Deborah S. Stuart, City Administrator  
Deborah J. Cwierniewicz, City Clerk

**ANNOUNCEMENTS**

- Winter taxes are due February 14, 2017.
- Mason Area Chamber of Commerce Award Dinner is Wednesday, February 8, 2017. Former Council Member, Barb Tornholm is an honoree.

**PEOPLE FROM THE FLOOR**

None.

**CONSENT AGENDA**

MOTION by Droscha, second by Brown,  
to approve the Consent Agenda as follows:

- A. Motion – Approve Regular Council Meeting Minutes for January 16, 2017
- B. Motion – Approve Bills in the Amount of \$ 362,617.98
- C. Resolution 2017-04 – Reconsider Appointment to Zoning Board of Appeals

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2017-04  
CITY COUNCIL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS  
February 4, 2017**

**BE IT HEREBY RESOLVED**, that the City Council of the City of Mason does hereby make the following appointments/reappointments to the specified boards and commissions of the City and that each term shall commence January 1, 2017 and expire on December 31 of the year noted:

Board of Review	Pete Curtis	2019
Building Authority	Mark Howe	2019
Cemetery Board	Scott Shattuck	2019
Local Development Finance Authority	Gary Naeyaert	2020
Utility Rate Study Committee	Lori Hagle	2019
Zoning Board of Appeals	Douglas Crips	2019
	Bob McCormick	2019
	Harry Spenny (Filling Unexpired Term)	2018
	Ward Harris (Alternate Member) (Filling Unexpired Term)	2018

**MOTION APPROVED**

**REGULAR BUSINESS**

**Resolution 2017-05 – Approval of the Memorandum of Understanding Between Delhi Township and the City of Mason for Fire Services Within Alaiedon Township**

MOTION by Brown, second by Droscha,  
to consider Resolution No. 2017-05 read.

**MOTION APPROVED**

Resolution No. 2017-05 was introduced by Droscha and seconded by Madden.

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2017-05  
APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN DELHI CHARTER  
TOWNSHIP AND THE CITY OF MASON FOR FIRE SERVICES WITHIN ALAIEDON TOWNSHIP  
February 6, 2017**

**WHEREAS**, the Delhi Township is contracted by Alaiedon Township to provide Fire Services for Alaiedon Township;

**WHEREAS**, the City of Mason has previously entered into a Memorandum of Understanding with Delhi Township to provide fire services as the primary responder to a portion of Alaiedon Township (Resolution: 2015-09);

**WHEREAS**, the City of Mason is committed to being a regional partner and working with the surrounding townships; and

**WHEREAS**, Delhi Township and the City of Mason desire to renew the agreement, with increased Standby fees, that is beneficial to all parties.

**NOW THEREFORE BE IT RESOLVED**, that the City Council approve the Memorandum of Understanding between Delhi Charter Township and the City of Mason for Fire Services within Alaiedon Township; and

**NOW THEREFORE BE IT FINALLY RESOLVED**, that the City Council authorize the City Administrator and the Fire Chief to execute the agreement on their behalf.

**RESOLUTION APPROVED**

**Ordinance – Second Reading and Adoption of Consumers Energy Company Gas Franchise Ordinance**

MOTION by Waltz, second by Droscha  
to consider the Consumers Energy Company Gas Franchise Ordinance  
read for the second time and adopted.

**MOTION APPROVED**

**CITY OF MASON  
ORDINANCE NO. 207  
CONSUMERS ENERGY COMPANY GAS FRANCHISE ORDINANCE**

AN ORDINANCE, GRANTING TO CONSUMERS ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, POWER AND AUTHORITY TO LAY, MAINTAIN AND OPERATE GAS MAINS, PIPES AND SERVICES ON, ALONG, ACROSS AND UNDER THE HIGHWAYS, STREETS, ALLEYS, BRIDGES, WATERWAYS, AND OTHER PUBLIC PLACES, AND TO DO A LOCAL GAS BUSINESS IN THE CITY OF MASON, INGHAM COUNTY, MICHIGAN, FOR A PERIOD OF THIRTY YEARS.

THE CITY OF MASON ORDAINS:

SECTION 1. GRANT, TERM. The CITY OF MASON, INGHAM COUNTY, MICHIGAN, hereby grants to the Consumers Energy Company, a Michigan corporation, its successors and assigns,

hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the CITY OF MASON, INGHAM COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

SECTION 4. HOLD HARMLESS. Said Grantee shall at all times keep and save the City free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the City on account of the permission herein given, said Grantee shall, upon notice, defend the City and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

SECTION 5. EXTENSIONS. Said Grantee shall construct and extend its gas distribution system within said City and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

SECTION 7. RATES. Said Grantee shall be entitled to charge the inhabitants of said City for gas furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas rates and rules regulating such service in said City, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said City, acting by its City Council, or by said Grantee.

SECTION 8. REVOCAION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

SECTION 9. MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said City.

SECTION 10. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of a gas ordinance adopted by the City Council on December 15, 1986 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas business in the CITY OF MASON, INGHAM COUNTY, MICHIGAN for a period of thirty years.

and amendments, if any, to such ordinance whereby a gas franchise was granted to Consumers Energy Company.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect upon the later of twenty days after enactment or publication thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the City Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said City and said Grantee.

We certify that the foregoing Franchise Ordinance was duly enacted by the City Council of the CITY OF MASON, INGHAM COUNTY, MICHIGAN, on the 16<sup>th</sup> day of February, 2017.

ORDINANCE APPROVED

## **UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

### **Discussion – Attempted Abduction**

Stuart stated that Councilmember Vogel requested an update on the attempted abduction that occurred January 1, 2017. She gave a brief overview of the incident. The incident was not released to the public sooner due to fact finding and determining whether it had occurred. It was released on January 10, 2017. In retrospect, a generic release could have been given. The investigation is ongoing and an individual has been arrested.

Whipple informed Council that the pledge of allegiance and invocation responsibility is rotated monthly alphabetically.

## **CORRESPONDENCE**

Distributed.

## **LIAISON REPORTS**

- Droscha informed Council regarding Planning Commission business.
- Vogel informed Council regarding Traffic Commission business.

## **COUNCILMEMBER REPORTS**

Ferris informed Council regarding the Ingham County Parks Commission meeting.

## **ADMINISTRATOR'S REPORT**

Stuart informed Council that she attended the City Manager's Conference. She shared key topics of discussion including challenges for attracting and retaining talent to local government positions. The Michigan Economic Development Corporation (MEDC) is releasing a new requirement that you begin the Redevelopment Ready Communities program for communities to be eligible funding after October of this year. Also, many communities are evaluating their ethics policies and how they are enforced. She gave an update of various projects including the construction of the Kelsey project and progress of working with Klavon's. She noted that the City Council will be considering a Brownfield Plan for that project within the next few months. Staff has been determined the best value will likely be received by auctioning our old fire truck, Tanker 807. The form of sale may not require consideration of Council because it will likely sell for less than \$10,000. However, if it should sell for more than \$10,000, Council approval of the sale method is required. She also reminded Council of the February 20, 2017 joint meeting with the Council and Planning Commission to review the Capital Improvement Plan.

MOTION by Droscha, second by Ferris,  
to preapprove the sale of Tanker 807 by auction.

MOTION APPROVED

## **ADJOURNMENT**

The meeting adjourned at 7:53 p.m.

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Deborah J. Cwierniewicz, City Clerk

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Russell W. Whipple, Mayor