

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

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: Councilmember: None
Also present: Deborah S. Stuart, City Administrator
Deborah J. Cwiertniewicz, City Clerk

ANNOUNCEMENTS

- Mason Area Chamber of Commerce (MACC) Business-to-Business Expo – March 8, 2017
- March 9, 2017 – 152nd Birthday of Mason

PEOPLE FROM THE FLOOR

None.

PUBLIC HEARING

Proposed Brownfield Plan for K3 Property, LLC (Klavons) at 318 W. Kipp Road

Stuart informed Council regarding the plans for K3 Property, LLC (Klavons) to build a pizzeria business on approximately 2.18 acres located at 318 West Kipp Road (formerly known as Smalley's Auto Service). The site has been vacant for over a year and has been determined "functionally obsolete" due to the fact the site is not competitive with surrounding property based on the lack of utilities. The property does not have access to public water, storm or sanitary sewer.

The application for the creation of a Brownfield Plan through the Ingham County Brownfield Redevelopment Authority has been accepted, and a Brownfield Plan has been developed for Council's consideration to address eligible infrastructure costs of this project. Approval of the plan will allow final consideration by the Ingham County Commission.

Mayor Whipple opened the public hearing at 7:36 p.m. to receive comments regarding

Chad Rogers, Klavon's, Representative spoke regarding the design process as well as the Brownfield process.

Whipple closed the public hearing at 7:39 p.m. as there were no further comments.

Resolution 2017-06 – Approve Ingham County Brownfield Redevelopment Authority Plan for K3 Property, LLC

MOTION by Droscha, second by Ferris,
to consider Resolution No. 2017-06 read.
MOTION APPROVED UNANIMOUSLY

Resolution No. 2017-06 was introduced by Ferris, seconded by Droscha.

**APPROVE INGHAM COUNTY BROWNFIELD REDEVELOPMENT
AUTHORITY PLAN FOR K3 PROPERTY, LLC
Mach 6, 2017**

WHEREAS, K3 Properties, LLC (Klavon's) is planning to build a new, \$2.5 million pizzeria that is anticipated to create 108 FTE jobs at 318 W. Kipp Road;

WHEREAS, the lack of public utilities to that site has made redevelopment difficult and not cost effective;

WHEREAS, 318 W. Kipp Road (Parcel # 33-19-10-08-476-012) has been determined Functionally Obsolete and the adjacent and contiguous vacant properties (Parcel # 33-19-10-08-476-010) are both considered eligible for the Brownfield Program;

WHEREAS, they have identified eligible Brownfield costs for reimbursement through a Brownfield Plan totaling \$234,213;

WHEREAS, the Mason City Council believes that providing utilities will spur growth beyond this parcel and is willing to incur the costs up front to be paid back over time through the Plan;

WHEREAS, on February 10, 2017, the Ingham County Brownfield Redevelopment Authority approved the Brownfield Plan for the proposed project;

WHEREAS, on March 6, 2017, the Mason City Council held a public hearing to allow all persons to comment on the proposed Ingham County Brownfield Plan.

BE IT HEREBY RESOLVED, by the Mason City Council that the City of Mason accepts and approves the proposed Klavon's Brownfield Plan as established by the Ingham County Brownfield Redevelopment Authority for the reimbursement of eligible costs toward the proposed Klavon's Project located in Mason, Michigan.

BE IT FURTHER RESOLVED, the Mason City Council authorizes a budget amendment contingent on the approval by the Ingham County Board of Commissioners to amend the budget up to \$234,213 to allow for the infrastructure expenditure out of the Water and Sewer Fund.

BE IT FURTHER RESOLVED, the Mason City Council authorizes the City Administrator to execute any related documents to implement this action.

RESOLUTION APPROVED

CONSENT AGENDA

It was the consensus of Council to move Consent Agenda Item No. 7(C) Motion – Approve Traffic Control Order (TCO) Designating Steele Street as a School Loading Zone to Regular Business, Agenda Item 8(D), and move Item No. 7(F) – Resolution 2017-07 – Approve Use of Right-of-Way for Bad Brewing Beer Festivals on June 3 and September 16, 2017 to Regular Business, Agenda Item 8(E), moving agenda items accordingly.

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

- A. Motion – Approve Regular Council Meeting Minutes for February 20, 2017
- B. Motion – Approve Bills in the Amount of \$88,643.85
- C. Motion – Approve Street and Parking Lot Closures for Mason State Bank 5K Run on May 5, 2017
- D. Motion – Approve Street and Parking Lot Closures for Bad Brewing June 3 and September 16, 2017 Beer Festivals
- E. Resolution 2017-08 – Approve Use of Right-of-Way for Bad Brewing 5th Year Anniversary Event on July 22, 2017

**CITY OF MASON
CITY COUNCIL RESOLUTION 2017-08
APPROVE USE OF RIGHT-OF-WAY FOR BAD BREWING
5TH YEAR ANNIVERSARY EVENT ON JULY 22, 2017
March 6, 2017**

WHEREAS, the City of Mason promotes special events that provide the community with entertainment and refreshment for their enjoyment;

WHEREAS, Bad Brewing Company, has applied to hold an outdoor event on July 22, 2017, to celebrate their 5th Year Anniversary;

WHEREAS, Bad Brewing Company is requesting to close the alley between Keans and Bad Brewing from Jefferson Street to the back of Kean to hold an outdoor Bad Brewing 5th Year Anniversary Event on July 22, 2017, from 8:00 pm - 11:00 pm.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mason that permission is hereby granted for Bad Brewing Company to utilize the City of Mason right-of-way by closing the alley between Keans and Bad Brewing from Jefferson Street to the back of Keans to hold an outdoor Bad Brewing 5th Year Anniversary Event on July 22, 2017, from 8:00 pm - 11:00 pm.

MOTION APPROVED

REGULAR BUSINESS

Resolution 2017-09 – Approve Release of Funds and Award Bid to Mauldon Construction for Local Street and Sidewalk Improvements

MOTION by Droscha, second by Brown,
to consider Resolution No. 2017-09 read.

MOTION APPROVED

Resolution No. 2017-09 was introduced by Ferris, seconded by Droscha.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2017-09
APPROVE RELEASE OF FUNDS AND AWARD BID TO MAULDON
CONSTRUCTION FOR LOCAL STREET AND SIDEWALK IMPROVEMENTS
MARCH 6, 2017**

WHEREAS, the City of Mason went out for public bids for the 2017 reconstruction project which included the rehabilitation of East Elm Street, including installing a new water main, and installing new sidewalks on West Columbia Street from the west City limits to Corbin Street;

WHEREAS, bids were received and publicly opened on February 23, 2017;

WHEREAS, the low bidder is Mauldon Construction with a bid of \$430,382.50.

BE IT HEREBY RESOLVED, that the Mason City Council approves the Release of Funds and Award Bid to Mauldon Construction for Local Street and Sidewalk Improvements Program and authorize the City Administrator to execute any related documents.

RESOLUTION APPROVED

Resolution 2017-10 – Approve Release of Funds and Award Bid to Express Tree Service for Tree Trimming and Removal Project

MOTION by Brown, second by Droscha,
to consider Resolution No. 2017-10 read.

MOTION APPROVED

Resolution No. 2017-10 was introduced by Ferris, seconded by Droscha.

**CITY OF MASON
CITY COUNCIL RESOLUTION NO. 2017-10
APPROVE RELEASE OF FUNDS AND AWARD BID TO EXPRESS
TREE SERVICE FOR TREE TRIMMING AND REMOVAL PROJECT
MARCH 6, 2017**

WHEREAS, the City of Mason went out for public bids for the 2017 Contracted Tree Trimming and Removal Project;

WHEREAS, bids were received and publicly opened on February 23, 2017;

WHEREAS, the lowest qualified bidder is Express Tree Service with a bid of \$18,185;

WHEREAS, Express Tree Service agreed to provide comparable costs in the case of emergency tree trimming and removal.

BE IT HEREBY RESOLVED, that the Mason City Council approves the Release of Funds and Award Bid to Express Tree Service for the 2017 Contracted Tree Trimming and Removal Project and authorize the City Administrator to execute any related documents.

BE IT FURTHER RESOLVED, that the Mason City Council authorizes the City Administrator to select Express Tree Service without an additional bidding process if the City Administrator determines an emergency tree removal or trimming to be necessary.

RESOLUTION APPROVED

Ordinance – Introduction and First Reading of Proposed Changes to Recreational Burning Permit Ordinance

Stuart informed Council that most recreation burn permits are renewed annually for the same location and address. The revenue collected does not offset the cost of staff time nor provide a service that improves safety for residents. In an effort to improve the efficiency and service to residents, staff recommended amending the ordinance by removing the need to purchase a permit for recreational burning and updating various sections of the Ordinance to bring them in accordance with current policies and procedures. Also, the prohibition of burning yard waste, leaves and trash has been added. Stuart stated that residents who have paid for 2017 Burn Permits will be reimbursed.

MOTION by Droscha, second by Ferris,
to introduce the Recreational Burning Permit Ordinance and consider it read for
the first time.

MOTION APPROVED

Motion – Approve Traffic Control Order (TCO) Designating Steele Street as a School Loading Zone

Stuart informed Council regarding the proposed Traffic Control Order (TCO) to designate Steele Street between Oak and Elm streets as a school loading zone. It was discussed that currently there is a temporary order in effect. Discussion ensued whether it may be necessary to confirm details of the order.

MOTION by Droscha, second by Ferris,
to approve TCO No. 79-2016 designating Steele Street as a School Loading Zone.

MOTION by Droscha, second by Ferris,
to defer approval of TCO No. 79-2016 until the next regular meeting of the
City Council.
MOTION APPROVED

**Resolution No. 2017-07 – Approve Use of Right-of-Way for Bad Brewing Beer Festivals on
June 3 and September 16, 2017**

MOTION by Brown, second by Ferris,
to consider Resolution No. 2017-07 read.
MOTION APPROVED

Ferris stated that she asked to remove Resolution No. 2017-07 from the consent agenda to discuss whether staff had considered that Down Home Days is held on September 16 as well. Both events have street closures, being Maple Street between Jefferson and Barnes streets and Jefferson Street between the alley beside Keans Store and Oak Street. A brief discussion ensued noting that there is no apparent complication and that it had been reviewed by staff.

Resolution No. 2017-07 was introduced by Ferris, seconded by Droscha.

**CITY OF MASON
CITY COUNCIL RESOLUTION 2017-07
APPROVE USE OF RIGHT-OF-WAY FOR BAD BREWING
BEER FESTIVALS ON JUNE 3 AND SEPTEMBER 16, 2017
March 6, 2017**

WHEREAS, the City of Mason promotes special events that provide the community with entertainment and refreshment for their enjoyment;

WHEREAS, Bad Brewing Company, has applied to hold two outdoor beer festivals, June 3 and September 16, 2017; and

WHEREAS, Bad Brewing Company is requesting to close a portion of Jefferson Street between Oak and Ash streets, for the hours 11:00 a.m. – 12 midnight.

THEREFORE, BE IT RESOLVED by the City Council of the City of Mason that permission is hereby granted for Bad Brewing Company to utilize the City of Mason right-of-way by closing Jefferson Street from 421 S. Jefferson to Oak Street and the alley from Jefferson to the back of Bad Brewing to hold two outdoor beer festivals on June 3 and September 16, 2017, from 11:00 a.m. - 12:00 midnight.

RESOLUTION APPROVED

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

CORRESPONDENCE

Distributed.

LIAISON REPORTS

No reports at this time.

COUNCILMEMBER REPORTS

Brown informed Council that he attended the State of Ingham County address on March 1, 2017. He offered meeting handouts to Councilmembers.

ADMINISTRATOR'S REPORT

Stuart informed Council on items of City business as follows:

- Capital Conference – March 21-22: Council Members were encouraged to attend to connect with other local officials and to receive pertinent information on programs/issues Michigan communities are facing.
- The Budget Process is moving forward. The Capital Improvement Plan will be presented to the Planning Commission. Proposed Budget information will be provided in the next two weeks. Proposed dates will be forwarded for confirming the Council Budget Meeting.

ADJOURNMENT

The meeting adjourned at 8:15 p.m.

Deborah J. Cwierniewicz, City Clerk

Russell W. Whipple, Mayor