

**CITY OF MASON  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JUNE 3, 2019**

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, Schaffer, Whipple  
Absent: Councilmembers: Vogel  
Also present: Deborah S. Stuart, City Manager, Sarah J. Jarvis, City Clerk

**PUBLIC COMMENT**

Scott Sommerville- 700 Acme Drive – Spoke on the regret that he has that the City of Mason is wasting money moving forward on the Kerns Road project.

Roger Lowery – 800 N. Cedar – Spoke that he is disgusted the money the City will spend on Kerns Road when he feels it is not needed.

Roberta Somerville – 700 Acme that by the City proceeding with the Special Assessment of Kerns Road will be the choice of either hiring an employee and/or firing an employee.

**CONSENT CALENDAR**

MOTION by Droscha, second by Schaffer,  
to approve the Consent Calendar as presented:

- A. Minutes:
  - 1. Approve Minutes of Regular Council Meeting May 20, 2019
- B. Correspondence:
  - 1. Receipt of City Attorney’s Report Dated May 30, 2019
  - 2. Receipt of Mason Auto Body Repair Letter Dated May 14, 2019 Regarding Kerns Road Special Assessment District.
  - 3. Receipt of Roger Howery’s Letter Dated May 18, 2019 Regarding Kerns Road Special Assessment District
- C. Financials:
  - 1. Approve Bills in the Amount of \$121,814.69
  - 2. Amend the Amount Previously Awarded to ArborPro, Inc. for the City Tree Evaluation (CIP 2018-P5) from \$10,115.00 to \$11,994.99
- D. Resolutions:
  - 1. Resolution 2019-15: Approve Use of Mayoral Appointment of John Vercher as a member of the Planning Commission

**CITY OF MASON  
CITY COUNCIL RESOLUTION NO. 2019-15**

**MAYORAL APPOINTMENTS TO CITY BOARDS AND COMMISSIONS**

**June 3, 2019**

**BE IT HEREBY RESOLVED**, that the Mayor, with confirmation by 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
Planning Commission	John Vercher	2019

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

No (0)

Absent (1) Vogel

MOTION APPROVED

**UNFINISHED BUSINESS**

**A. Kerns Road Special Assessment District**

1. Resolution 2019-16: Approve Resolution 3 for Project No. 2019-1 Kerns Road Special Assessment District.

MOTION by Brown, second by Droscha,  
to adopt Resolution 2019-16: Approve Resolution 3 for Project No. 2019-1 Kerns Road Special Assessment District

**CITY OF MASON  
CITY COUNCIL RESOLUTION 2019-16**

**RESOLUTION NO. 3 FOR PROJECT NO. 2019-1  
2019 KERNS ROAD IMPROVEMENTS SPECIAL ASSESSMENT**

**June 3, 2019**

**WHEREAS**, the City Council of the City of Mason, pursuant to the provisions of Chapter 66 of the City’s Code of Ordinances and the relevant provisions of the City Charter, did on Monday, the 4th day of February, 2019, adopt resolutions tentatively including excavation, bituminous paving, curb and gutter and related street drainage improvements, concrete driveway approaches and construction area restoration improvements (the “Project,” described below), and the establishment of a special assessment district therefore for the purpose of defraying all or a portion of the cost of the Project, which Project and special assessment district therefore are more specifically hereinafter described; and

**WHEREAS**, this City Council did meet in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan, on Monday, the 4th day of March, 2019, at 7:30 o’clock, p.m., the time, date and place set by the City Council to conduct a public hearing to hear any objections to the Project and to the proposed special assessment district therefore; and

**WHEREAS**, estimates of cost of said Project are on file with the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1) The City Council hereby determines to make the following described improvements:

Excavation, bituminous paving, curb and gutter and related street drainage improvements, concrete driveway approaches and construction area restoration improvements of the following properties and along and adjacent to the following streets: 700 Acme, 800 N Cedar, 845 Howell, V/L Kerns, 805 Kerns, 807 Kerns, 809 Kerns, 812 Kerns, 830 Kerns; and

2) The City Council hereby approves the plans and estimate of cost for the Project in the sum of \$758,266, and approves the additional estimated sum of \$136,486 to defray engineering, legal, financing (if applicable) and administrative costs. Of the estimated total cost of \$894,752, the City Council determines to assess \$352,677 of that amount against benefiting property owners in the City; and

3) The City Council determines that the special assessment district for the Project shall consist of the lots and parcels of land in the area of the City described in **Exhibit A**, attached hereto and incorporated herein by reference, and excluding all streets and other land deemed not benefited; and

4) The City Council hereby directs the City Assessor to make, and report to the City Council within thirty (30) days from the date of this resolution, a special assessment roll in which shall be described all of the parcels of land to be assessed as set forth with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amounts shall be such relative proportion of the whole sum to be levied against all parcels of land in the special assessment district as, on a front foot basis, the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district, all in accordance with Section 66-7 of the City's Code of Ordinances, and subject to review and modification by the City Council; and

5) When the City Assessor shall have completed the special assessment roll, he shall affix thereto his certificate, pursuant to Section 66-9 of the City's Code of Ordinances, stating that said roll was made pursuant to a resolution of the City Council, adopted on, June 3, 2019, for the purpose of paying that part of the cost which the City Council decided should be paid and borne by special assessment for the Project, that in making such assessment he has, as near as may be, and according to his best judgment, conformed in all things to the directions contained in the resolution of the City Council hereinbefore referred to, and the Charter of the City relating to such assessment, and the City Assessor shall then, within thirty (30) days from the date of this resolution, report the special assessment roll with his certificate attached thereto to the City Council; and

6) All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

Yes (4) Brown, Droscha, Madden, Whipple

No (2) Ferris, Schaffer

Absent (1) Vogel

#### MOTION APPROVED

## 2. Resolution 2019-17: Approve Resolution 4 for Project No. 2019-1 Kerns Road Special Assessment District

MOTION by Brown, second by Droscha,  
to adopt Resolution 2019-17: Approve Resolution 4 for Project No. 2019-1 Kerns Road Special Assessment District

#### CITY OF MASON CITY COUNCIL RESOLUTION 2019-17

#### RESOLUTION NO.4 FOR PROJECT NO. 2019-1 2019 KERNS ROAD IMPROVEMENTS SPECIAL ASSESSMENT

**WHEREAS**, by resolution adopted Monday, June 3, 2019, the City Council of the City of Mason determined to install and construct the more particularly hereinafter-described improvements (the "Project") and assess all or a portion of the cost thereof against the property deemed benefited by the Project, all in accordance with Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter; and

**WHEREAS**, the City Assessor has prepared and reported to the City Council a special assessment roll assessing all or a portion of the cost of the Project to the property benefited thereby with his certificate attached thereto pursuant to Section 66-9 of the City's Code of Ordinances; and

**WHEREAS**, the City Council desires to schedule a public hearing to review and hear objections to the special assessment roll.

#### **NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The special assessment roll shall be filed with the office of the City Clerk and shall be available for public examination during regular business hours on regular business days.
2. The City Council shall meet at 7:30 o'clock in the p.m., on Monday, the 17th day of June, 2019, in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of reviewing and hearing objections to the special assessment roll.

3. The City Clerk shall cause notice of the hearing and the filing of the special assessment roll to be given to all interested property owners as provided by Chapter 66 of the City's Code of Ordinances and the relevant provisions of the City Charter. The notice as published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
CITY OF MASON  
INGHAM COUNTY, MICHIGAN**

**NOTICE OF PUBLIC HEARING ON THE SPECIAL ASSESSMENT ROLL FOR THE  
2019 KERNS ROAD IMPROVEMENTS SPECIAL ASSESSMENT DISTRICT 2019-1**

**TO THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF MASON, INGHAM COUNTY, MICHIGAN**, the owners of the land described below within the 2019 Kerns Road Improvements Special Assessment District 2019-1, and any other interested persons:

**PLEASE TAKE NOTICE** that the City Assessor has reported to the City Council and filed in the office of the City Clerk for public examination a special assessment roll prepared by him, which roll includes all properties that are within the 2019 Kerns Road Improvements Special Assessment District 2019-1, and are benefited by the proposed improvement project generally described as follows:

The excavation, bituminous paving, curb and gutter and related street drainage improvements, concrete driveway approaches and construction area restoration improvements of the following properties and along and adjacent to the following streets: 700 Acme, 800 N Cedar, 845 Howell, V/L Kerns, 805 Kerns, 807 Kerns, 809 Kerns, 812 Kerns, 830 Kerns; and

The special assessment roll has been prepared for the purpose of assessing a portion of the costs of the acquisition and construction of the sidewalk improvement project and work incidental thereto within the special assessment district, as more particularly shown on the plans of the City's engineers, which are on file and available for public examination with the City Clerk at the City Hall, 201 West Ash Street, Mason, Michigan, within the City. The total estimated assessment there under is \$352,677.

**PLEASE TAKE FURTHER NOTICE** that the City Assessor has further reported that the assessment against each parcel of land within the special assessment district is such relative portion of the whole sum levied against all parcels of land in the special assessment district as the benefit to such parcel bears to the total benefit to all parcels of land in the district.

**PLEASE TAKE FURTHER NOTICE** that the City Council will meet on **Monday, the 17th day of June, 2019, at 7:30 o'clock**, p.m., in the City Council Chambers, City Hall, 201 West Ash Street, Mason, Michigan 48854, for the purpose of reviewing the proposed special assessment roll and hearing any objections thereto. The special assessment roll may be examined at the office of the City Clerk during regular business hours of regular business days until the time of the hearing and may further be examined at the hearing.

Appearance and protest at the hearing, in person or in writing, are required in order to appeal the action of the City Council in approving the special assessment roll, and/or the amount of an assessment, to the state tax tribunal. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment proceedings or may file his or her appearance and protest by letter and his or her personal appearance will not be required. The owner or any person having an interest in the real property who protests in person or in writing at the hearing may file a written appeal of a special assessment with the state tax tribunal within 35 days of the date the special assessment roll is confirmed by the City Council.

Further information regarding the 2019 Kerns Road Improvements special assessment project is available at the City Clerk's office, City Hall, 201 West Ash Street, Mason, Michigan 48854.

Dated: June 3, 2019

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Sarah Jarvis, City Clerk  
City of Mason  
Ingham County, Michigan

4 All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same are, hereby rescinded.

Yes (4) Brown, Droscha, Madden, Whipple  
No (2) Ferris, Schaffer  
Absent (1) Vogel

**MOTION APPROVED**

**NEW BUSINESS**

None

**COUNCILMEMBER REPORTS**

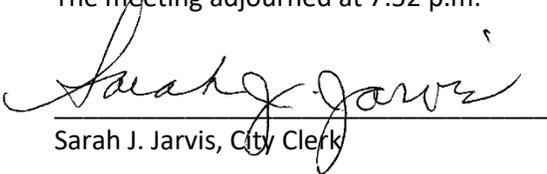
- Ferris reported there would be a Cemetery Board meeting on June 13<sup>th</sup> at 1:30 p.m.
- Mayor Whipple reported that Wolverine Engineering Services will be celebrating their 100<sup>th</sup> year anniversary on July 11, 2019.

**MANAGERS REPORT (5/31/2019)**

- Stuart reported on the Rayner Creek Project. The project is expected to be in the \$3 million-dollar range. At this time work will not be done at the Temple/Fairgrounds area. With upcoming Fairgrounds upgrades they feel that the drainage issues can be addressed. The project does include the dredging and improvement of Rayner Ponds. The City is likely to be responsible for 12 – 18% of the project cost plus the assessment portion of City owned properties.

**ADJOURNMENT**

The meeting adjourned at 7:52 p.m.



Sarah J. Jarvis, City Clerk