

July 18, 2017

**IMLAY CITY COMMISSION
150 N. Main Street
IMLAY CITY, MI 48444
REGULAR MEETING
July 18, 2017**

1. CALL TO ORDER

Mayor Barga called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Barga led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Walt Barga
Commissioner Amy Planck
Commissioner Marty Rankin
Commissioner Mike Romine

Commissioner Joi Kempf
Commissioner Al Ramirez
Commissioner Robert Tanis

Absent: None

Also Present: City Manager Tom Youatt; ; DPW Superintendent Ed Priehs; DDA Director Dana Walker; WWTP Superintendent Patrick Rankin; WWTP Operators Casey Linck and Rick Almberg; Doug Skylis of ROWE Professional Services Company; six members of the community; and one member of the media.

4. APPROVAL OF AGENDA

Moved by Romine, seconded by Kempf, to approve the agenda with the following additions: 8.C. Green Property Discussion, 8.D. Alley Improvement Agreement, and 8.E. Blueberry Festival Parking Discussion.

MOTION CARRIED UNANIMOUSLY

5. APPROVAL OF CONSENT AGENDA ITEMS

Motion by Rankin, seconded by Kempf, to approve the following Consent Agenda Items as presented:

A. Approval of Minutes - Regular Meeting – July 5, 2017

B. Payment of Bills - Payroll totaling \$74,911.42
Accounts Payable and Trust & Agency totaling \$160,775.39

ROLL CALL VOTE

Ayes: Rankin, Romine, Kempf, Ramirez, Tanis, Planck, Barga

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Nays: None

MOTION CARRIED 7 - YEAS; 0 - NAYS

6. CITIZENS FROM THE FLOOR

Alan Rosenbalm, Imlay City, addressed the Commission to present a two part parliamentary inquiry regarding how many commissioners are needed for a quorum and who would preside if both the Mayor and Mayor Pro Tem were absent.

City Manager Tom Youatt responded that four commissioners constitute a quorum and if both the Mayor and Mayor Pro Tem were absent, a majority of the commissioners present would vote to elect a chairperson for the meeting.

Barb Yockey and Frank Demske, Imlay City, addressed the Commission representing the Friends of the Polly Ann Trail and spoke in support of the City's proposed lighting project. Ms. Yockey noted that the "Friends" group is appreciative of the City's support of the Polly Ann Trail and discussed recent fundraising efforts for surface improvements from Imlay City to Dryden. Mr. Demske noted that parents would feel better about allowing their children to use the trail if it is lighted.

DDA Director Dana Walker addressed the Commission, noting that Barb Yockey and Frank Demske would be serving as announcers at Saturday's Blueberry Festival Parade. Ms. Walker invited the Commission and those in attendance to take part in the Blueberry Festival activities on Friday and Saturday.

WWTP Superintendent Patrick Rankin addressed the Commission to introduce the new WWTP Operators Casey Linck and Rick Almberg. Rankin noted that the WWTP is operating at full staff and training of new employees is going well.

7. OLD BUSINESS

A. ROWE Professional Services – Capac Road

City Manager Tom Youatt presented a proposal from ROWE Professional Services Company for design engineering services in the amount of \$19,875.00 and Construction Engineering Services in the amount of \$27,800.00 for the North Fairgrounds and Capac Roads Scrap Tire Grant Project. Youatt noted that ROWE Professional Services Company had prepared the successful grant application on behalf of the City and the grant amount is for \$155,000.00 or half of the estimated \$310,000.00 project. Youatt further noted that the \$47,675.00 proposal is approximately 15% of the total project cost, which is typical, and engineering is not an allowable grant expense.

Motion by Ramirez, seconded by Romine, to approve the proposal for Design and Construction Engineering from ROWE Professional Services Company for the North Fairgrounds and Capac Roads Scrap Tire Grant Project in the amount of \$47,675.00, as presented.

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ROLL CALL VOTE

Ayes: Romine, Kempf, Ramirez, Tanis, Planck, Rankin, Bargaen

Nays: None

MOTION CARRIED 7 - YEAS; 0 – NAYS

B. Polly Ann Lighting Proposal

City Manager Tom Youatt presented the Polly Ann Trail Lighting Project proposal from DTE Energy for the installation of twenty-two black fiberglass posts and twenty-two 60w LED light fixtures at a total cost of \$119,660.01, including a City contribution of \$99,725.37. Youatt noted that the installation of the decorative lighting will improve trail utilization and safety and announced a forthcoming \$10,000.00 donation from Pinnacle Foods towards the project. Youatt reported that the City's portion would come from fund balance within the General Fund.

Some discussion took place regarding the benefits of the trail. Mayor Bargaen recalled past accomplishments of paving the trail within the City and installing a trailhead, noting that this project serves to continue those good works.

Motion by Ramirez, seconded by Kempf, to approve the Polly Ann Trail Lighting Project proposal from DTE Energy for the installation of twenty-two black fiberglass posts and twenty-two 60w LED light fixtures at a total cost to the City of \$99,725.37.

ROLL CALL VOTE

Ayes: Kempf, Ramirez, Tanis, Planck, Rankin, Romine, Bargaen

Nays: None

MOTION CARRIED 7 - YEAS; 0 – NAYS

8. NEW BUSINESS

A. Plow Truck Bids

City Manager Tom Youatt presented the bids that were received for the DPW Dump Truck with accessories, noting bids from Tri County International Trucks at \$82,205.00 with a \$5,000.00 trade-in credit; and D & K Truck Company at \$74,961.00 with a \$12,000.00 trade-in credit for the truck chassis and bids from Knapheide Truck Equipment at \$96,583.00 (plus \$228.00 valve option); Shults Equipment at \$84,566.00; and Truck & Trailer Specialties, Inc. at \$77,531.00 (plus \$110.00 tape option) for equipping of the truck. Youatt noted the truck would replace a 1998 International and recommended the low bid from D & K Truck Company for the chassis and trade-in allowance, and Truck & Trailer Specialties, Inc. for the equipment plus the tape option. Youatt noted that the purchase had been planned as a three year installment purchase, but would instead be an advance to the Equipment Fund from the General Fund, saving interest and financing costs. Some discussion took place with DPW Superintendent Ed Priehs regarding truck accessories and usage history.

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Motion by Planck, seconded by Ramirez, to approve the purchase of a truck chassis from D & K Truck Company at a cost of \$74,961.00 with a \$12,000.00 trade-in allowance for a 1998 International and the purchase of Dump/Plow Truck equipment from Truck & Trailer Specialties, Inc. at a cost of \$77,531.00, plus \$110.00 for the tape option, with the purchase to be funded by an Advance from the General Fund to the Equipment Fund.

ROLL CALL VOTE

Ayes: Ramirez, Planck, Rankin, Romine, Kempf, Bargaen

Nays: Tanis

MOTION CARRIED 6 - YEAS; 1 – NAYS

B. Neopost IS-350 Mailing System Contract

City Manager Tom Youatt presented a 63 month lease agreement from Neopost for a new IS-350 Mailing System, noting that the City's current lease is coming due. Youatt reported that the City is currently paying \$47.95 per month and the cost of the new system would be \$49.95 per month, providing the City with better equipment at a minor cost.

Motion by Romine, seconded by Planck, to approve the 63 month lease agreement from Neopost for a new IS-350 Mailing System at a cost of \$49.95 per month.

ROLL CALL VOTE

Ayes: Rankin, Romine, Kempf, Ramirez, Tanis, Planck, Bargaen

Nays: None

MOTION CARRIED 7 - YEAS; 0 – NAYS

C. Green Property Discussion

Richard and David Nash addressed the Commission seeking concurrence on their business plan for development of the Green Property on N. Cedar, and seeking Commission approval for the City to apply to the DEQ for grants to cover Phase I and Phase II Baseline Environmental Assessments of the property. Richard Nash described the DEQ grant program available for site assessments, noting that the grant dollars are not available to private individuals, and proposing that the City apply for the funds with full reimbursement of costs by Nash. DDA Director Dana Walker described the DEQ Brownfield Redevelopment grant process for site assessments, stressing this is not a cleanup activity. Richard and David Nash then outlined their plans to develop a strip mall on the property and discussed their development experience.

Mayor Bargaen recommended moving forward by seeking legal counsel in regards to the request due to the risk of liability involved for the City.

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Motion by Rankin, seconded by Romine, to table the request from Richard and David Nash regarding City submittal of a DEQ grant for assessment of the Green Property on N. Cedar, to seek legal counsel on the matter.

MOTION CARRIED UNANIMOUSLY

D. Alley Improvement Agreement

City Manager Tom Youatt presented a proposed agreement with resident Lawrence Peterson of 120 Titus Street for improvements to the City alley adjacent to his property. Youatt explained the unique situation involved and the desire of Mr. Peterson to cement a portion of the City's alley. Youatt noted that the proposed agreement serves to protect the City while allowing for the resident to improve the alley, and it has undergone legal review.

Motion by Ramirez, seconded by Romine, to approve the Alley Improvement Agreement between the City of Imlay City and Lawrence Peterson of 120 Titus Street, and authorize City Manager Tom Youatt to sign the same.

ROLL CALL VOTE

Ayes: Tanis, Planck, Rankin, Romine, Kempf, Ramirez, Bargaen

Nays: None

MOTION CARRIED 7 - YEAS; 0 – NAYS

E. Blueberry Festival Parking Discussion

Commissioner Romine addressed the Commission to discuss scenarios for downtown parking during the Blueberry Festival. Commissioner Romine indicated that he had been contacted by downtown business owners urging a resolution for common parking issues and he would like to get ideas from the Commission. Commissioner Romine offered a validated parking system as a potential resolution, whereby patrons would pay \$10.00 each for a parking spot that would be fully refunded if validated by a paid receipt from a downtown business. Commissioner Romine also offered the idea of 2-hour parking but noted the extensive policing required. Much discussion ensued among the Commission regarding the history of the parking issues and the appropriate time to address them. Commissioner Romine urged the consideration of a trial validation system for twenty parking spaces off Depot Drive, the costs and labor of which he would underwrite. City Manager Tom Youatt stated that the taxpayers had paid for the parking spaces, which are public property and should remain accessible. Commissioner Romine inquired as to any laws or ordinances that would prohibit such a parking system. Commissioner Planck noted that it could be implemented on a trial basis and changed next year, and verified this had been an issue for a long time. Commissioner Tanis noted that any proceeds should go to support the Blueberry Festival, rather than the City. Commissioner Ramirez noted that, as a taxpayer, he is against paying for parking. City Manager Tom Youatt stated that the City is setting a dangerous precedence. Commissioner Kempf indicated that legal counsel could

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be contacted. Commissioner Ramirez stated he would like to have the City's attorney consulted as to not jeopardize the City.

Motion by Romine, seconded by Planck, to approve the creation of twenty validated parking spaces between the museum and the train viewing platform on Friday and Saturday of the Blueberry Festival at a charge of \$10.00 each to be fully refunded if validated by a paid receipt from a downtown business, with proceeds to go to the Blueberry Festival and any costs and/or labor charges to be underwritten by The Mulefoot, pending legal review.

ROLL CALL VOTE

Ayes: Planck, Rankin, Romine, Kempf, Tanis, Borgen

Nays: Ramirez

MOTION CARRIED 6 - YEAS; 1 – NAYS

9. MANAGER'S REPORT

Additional information was attached to the packet.

City Manager Tom Youatt presented a letter from the DNR indicating Land Review Exchange Committee approval of the City's request to purchase the Borland Road property and describing the ensuing appraisal process. Youatt noted the process would ultimately require approval by the DNR Director. Youatt reported that the Capital Improvement Plan Committee would meet August 9, 2017 at 10:00 a.m. and encouraged commissioners to attend. Youatt noted that the M-53 Road Diet continues to go well and could be further improved by implementing a right turn only lane on northbound M-53 at Old M-21 and additional signage at the beginning of the northbound merge. Youatt reported that the bridge on Old M-21 east of Imlay City will be out for 90 days and will reopen in mid to late October. Youatt announced the MML Conference in Holland on September 13-15, 2017 and encouraged commissioners to let him know of any interest to attend. Youatt reported he would be attending the MME Conference July 25-27, 2017.

10. OTHER BUSINESS - None

11. ADJOURNMENT

Motion by Kempf, seconded by Tanis, to adjourn the meeting at 8:19 p.m.

MOTION CARRIED UNANIMOUSLY

Respectfully submitted by: Nicole F. Frost: _____
City Clerk/Treasurer

Approved: August 1, 2017