

March 7, 2017

**IMLAY CITY COMMISSION  
150 N. Main Street  
IMLAY CITY, MI 48444  
REGULAR MEETING  
March 7, 2017**

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Bargaen led the Pledge of Allegiance.

**3. ROLL CALL**

Present: Mayor Walt Bargaen  
Commissioner Amy Planck  
Commissioner Marty Rankin

Commissioner Al Ramirez  
Commissioner Robert Tanis

Absent: Commissioner Joi Kempf and Commissioner Mike Romine

Also Present: City Manager Tom Youatt; Fire Chief Richard Horton; five members of the community; and two members of the media.

**4. APPROVAL OF AGENDA**

**Moved** by Rankin, seconded by Tanis, to approve the agenda with the following additions: 7.B. Lapeer County Sheriff License Agreement Amendment, 8.B. Proposed Renewal of Lawn Maintenance Agreement, and 8.C. Schedule Public Hearing for M-53 Lane Conversion.

**MOTION CARRIED UNANIMOUSLY**

**5. APPROVAL OF CONSENT AGENDA ITEMS**

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

**A.** Approval of Minutes - Regular Meeting – February 21, 2017

**B.** Payment of Bills - Payroll totaling \$66,826.99  
Accounts Payable and Trust & Agency totaling \$602,280.44

**ROLL CALL VOTE**

Ayes: Rankin, Ramirez, Tanis, Planck, Bargaen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 - NAYS**

**6. CITIZENS FROM THE FLOOR**

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Mr. Alan Rosenbalm, Imlay City, addressed the Commission regarding the serious and sensitive issue of municipal employee pensions. Mr. Rosenbalm reported that he had heard many concerns in this regard and relayed his hope that the City Commission would assure they will not touch pensions in response to tough economic times.

## **7. OLD BUSINESS**

### **A. Amendment to Fire Prevention Ordinance – Chapter 94 – Second Reading**

City Manager Tom Youatt presented the second reading of the Amendment to Fire Prevention Ordinance Chapter 94 which prohibits making a fire in any street, lane, or alley, or on private or public property within the City except for recreational fires and serves to repeal conflicting or repetitive provisions. Youatt noted that the ordinance amendment will be published March 15, 2017 upon Commission approval and will take effect 15 days later.

**Motion** by Tanis, seconded by Ramirez, to approve the second reading of the Amendment to the Fire Prevention Ordinance Chapter 94 – Fire Prevention; Section 94.01, as presented.

#### **ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Rankin, Bargaen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

### **B. Lapeer County Sheriff License Agreement Amendment**

City Manager Tom Youatt reported that he had received minor changes from Lapeer County in regards to the license agreement between the City and the Lapeer County Sheriff Department. Youatt described the language changes which include revocation rights for the County in Section 2 and rescission of the waiver of subrogation in Section 3. Youatt reported that the City Attorney had reviewed the proposed changes. Youatt noted that a recognition ceremony will be held to officially open the office space.

**Motion** by Rankin, seconded by Planck, to approve the License Agreement between the City of Imlay City and Lapeer County Sheriff Department, as amended.

#### **ROLL CALL VOTE**

Ayes: Rankin, Ramirez, Tanis, Planck, Bargaen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

## **8. NEW BUSINESS**

### **A. Lapeer County Fiber Optic Agreement**

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City Manager Tom Youatt presented the proposed Lapeer County Municipal Broadband Intra-Agency Agreement for broadband connection over fiber optic cable. Youatt noted that the agreement is necessary in order to hook up existing fiber to City Hall, and once approved, the project will move forward. Commissioner Planck inquired as to whether the associated monthly charge would eliminate the need for Charter services. Youatt responded that Charter services would be eliminated, and the City will receive faster internet service at a cheaper rate.

**Motion** by Planck, seconded by Ramirez, to approve the Lapeer County Municipal Broadband Intra-Agency Agreement between the City of Imlay City, Lapeer County, and Lapeer ISD for Municipal Broadband Network services, as presented.

**ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Rankin, Borgen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**B. Proposed Renewal of Lawn Maintenance Agreement**

City Manager Tom Youatt reported that the proposal for a contract renewal with Scott's Lawn Maintenance was recommended by DPW Superintendent Ed Priehs. Youatt noted that Scott's Lawn Maintenance offered to maintain the current pricing of \$8,100.00 for grounds maintenance during the 2017 season. Youatt further noted that the grounds maintenance services had been bid out one year ago, with the City receiving two bids. Youatt stated that the City is very satisfied with the services provided by Scott's Lawn Maintenance.

**Motion** by Ramirez, seconded by Tanis, to approve the contract with Scott's Lawn Maintenance for 2017 grounds maintenance services at a cost of \$8,100.00, as presented.

**ROLL CALL VOTE**

Ayes: Tanis, Planck, Rankin, Ramirez, Borgen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**C. Schedule Public Hearing for M-53 Lane Conversion**

City Manager Tom Youatt announced he had recently met with MDOT officials and discussed at length the M-53 lane conversion proposal. Youatt reported that MDOT officials are recommending a one year trial for the lane conversion and noted the need to obtain further public input on the matter. Youatt recommended scheduling a public hearing to get the word out and receive comments on the proposed one year trial. Youatt added that this is the first step in implementing the recommendations in the M-53 Corridor Plan.

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**Motion** by Rankin, seconded by Planck, to schedule a Public Hearing to receive comment on the proposed one year M-53 trial lane conversion for April 4, 2017 at 7:00 p.m.

#### **ROLL CALL VOTE**

Ayes: Planck, Rankin, Ramirez, Tanis, Bargaen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

#### **9. MANAGER'S REPORT**

Additional information was attached to the packet.

City Manager Tom Youatt reported having met with MDOT officials to begin putting the recommendations of the M-53 Corridor Plan into action, including the proposed trial lane conversion on M-53, boulevard installation north of I-69 ramps, and a pedestrian crossing under the viaduct. Youatt also reported having discussed access management with MDOT, being the leading contributor to the traffic accidents along the M-53 corridor. Youatt reiterated the need to make travelling M-53 safer for our community and for those travelling through it. Youatt reported that Department Heads had submitted their budget requests and he will be working on his budget recommendations. Youatt reported he had been working on a collaborative effort on the Polly Ann Trail to install lighting and landscaping improvements. Youatt reminded the Commission that the City has not invested a lot of money in its parks in recent times and he would be seeking grant funding. Lastly, Youatt reported working with the DNR to get a final answer from them on the potential to a site a new fire hall at their Imlay City property.

#### **10. OTHER BUSINESS**

Mayor Bargaen encouraged Commissioners to complete a performance evaluation on the City Manager and return them to him.

Commissioner Planck inquired as to whether anything was going on with the building damaged by the June 1, 2016 downtown fire. City Manager Tom Youatt responded that the building owner is interested in making improvements, and the City is holding fire escrow funds to help ensure the building is returned to a safe condition. Youatt noted that the building owner needs to have a plan in place that is approved by the City Commission. Commissioner Planck inquired as to a deadline for action. Youatt responded that it has been almost one year since the fire and the City should address the need for progress on building improvements.

Commissioner Ramirez inquired as to the status of the building on Bancroft Street that suffered fire damage several years ago. City Manager Tom Youatt noted that this was a historical restoration project and there had been a change in contractors, both serving to delay the improvements. Commissioner Tanis added that restoration work typically begins on the inside and that is why little progress is visible from the outside.

Commissioner Ramirez noted the vandalism and graffiti problems along the Polly Ann Trail and inquired as to whether installation of cameras had been considered. City Manager Tom Youatt

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responded that the installation of lighting will help alleviate the vandalism and graffiti problems and landscaping improvements will enhance visibility.

Mayor Barga noted the recent quality playing time that Imlay City native Matt Van Dyk had been getting on the MSU men's basketball team, noting how admirably he represents the community. City Manager Tom Youatt noted future recognition efforts underway.

**11. ADJOURNMENT**

**Motion** by Planck, seconded by Ramirez, to adjourn the meeting at 7:29 p.m.

**MOTION CARRIED UNANIMOUSLY**

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

Approved: March 21, 2017