

IMLAY CITY COMMISSION
150 N. MAIN STREET
IMLAY CITY, MI 48444

REGULAR MEETING
TUESDAY, MAY 16, 2023
7:00 PM

1. **CALL TO ORDER**

Mayor Joi Kempf called the meeting to order at 7:00PM.

2. **PLEDGE OF ALLEGIANCE**

Mayor Joi Kempf led the Pledge of Allegiance.

3. **ROLL CALL**

Present: Mayor Joi Kempf, Mayor Pro Tem Ted Sadler, Commissioner Shane Collison
Commissioner Al Ramirez, Commissioner Bob Tanis, Commissioner Barbara Yockey

Absent: Commissioner Joe DeLuca

Also Present: City Manager Craig Horton, Attorney Robert Seibert, Police Chief Brett Selby,
Sergeant Sean Leathers, DPW Superintendent Ed Priehs, Executive Director-Lapeer
Development Corporation Sam Moore, Clerk/Treasurer Dawn Sawicki-Franz and Public.

4. **APPROVAL OF AGENDA**

- A. **MOTION** by Tanis seconded by Yockey to approve the agenda as presented.
MOTION CARRIED UNANIMOUSLY

5. **APPROVAL OF CONSENT AGENDA**

MOTION by Ramirez seconded by Sadler to approve the consent agenda to include:

- A. **APPROVAL OF MINUTES** May 02, 2023 – Regular Meeting
B. **OTHER MINUTES** April 06, 2023 – Ruth Hughes Memorial District Library
April 10, 2023 – DDA
April 27, 2023 – Lapeer County Board of Commissioners
C. **PAYMENT OF BILLS IN THE AMOUNT OF:**
- | | | |
|-----------------------|----|-------------------|
| General Fund Checking | \$ | 262,759.29 |
| Tax Account | \$ | 295.99 |
| HRA Account | \$ | <u>1,025.57</u> |
| Total | \$ | <u>264,080.85</u> |

ROLL CALL VOTE

Ayes: Ramirez, Sadler, Tanis, Yockey, Collison, Kempf

Nays: None

Absent: DeLuca

MOTION CARRIED UNANIMOUSLY

6. **CITIZENS FROM THE FLOOR**

None

7. **DEPARTMENT HEAD REPORT**

Clerk/Treasurer Dawn Sawicki-Franz informed the Commission that the City Office has two new hires that have begun working at the City Office within the last two weeks. Kim Van Lith has been hired for the Utility Billing/Deputy Clerk position in the front office and Sam Howard comes to us as an intern through a shared grant with the Four County Foundation and their Return to Earn Internship Program.

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Kim Van Lith introduced herself, shared her background and answered questions from the Commission.

Sam Howard introduced himself, shared his background and answered questions from the Commission.

The Commissioners welcomed both to the City of Imlay City.

8. UNFINISHED BUSINESS

A. PROPOSED ADOPTION OF NEW WATER/SEWER RATE STRUCTURE

City Manager Horton reminded the Commission that John Kaczor of Municipal Analytics had come to the City a few months ago with a presentation regarding the Water/Sewer Rate Structure revision and the Capital Improvements that are needed for future planning. Kaczor reviewed the PowerPoint slides with the Commission and answered questions regarding the Water/Sewer Rate Study as it was reviewed. DPW Superintendent Ed Priehs also answered questions regarding the study and the financial forecast of expenses and revenues that will be required.

MOTION by Sadler seconded by Collison to adopt the new water/sewer rate structure proposal as presented.

ROLL CALL VOTE

Ayes: Sadler, Collison, Ramirez, Tanis, Yockey, Kempf

Nays: None

Absent: DeLuca

MOTION CARRIED UNANIMOUSLY

9. NEW BUSINESS

A. VC3 CONTRACT (FORMALLY IT RIGHT)

Clerk/Treasurer Sawicki-Franz presented the contract from VC3 regarding the information technology support at the City.

MOTION by Yockey seconded by Tanis to approve the contract between the City of Imlay City and VC3 for IT support for three years as presented.

ROLL CALL VOTE

Ayes: Yockey, Tanis, Collison, Ramirez, Sadler, Kempf

Nays: None

Absent: DeLuca

MOTION CARRIED UNANIMOUSLY

B. DDA BY-LAWS UPDATE

MOTION by Sadler seconded by Yockey to postpone the approval of the DDA By-Laws until the June Commission meeting, pending more information regarding the changes and updates from the DDA Director.

MOTION CARRIED UNANIMOUSLY

C. IMLAY CITY POLICE DEPARTMENT SUCCESSION PLAN

Police Chief Selby presented his Succession Planning for Future Sustainment and Growth plan that was included in the Commission packet and passed out at the previous Commission meeting for review. Selby elaborated on the needs of the Police Department and in addition explained grants that are available. Chief Selby asked Sergeant Leathers to share his portion of the information regarding the plan with the Commission.

NO MOTION, DISCUSSION ONLY

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D. 425 AGREEMENT – IMLAY TOWNSHIP

City Manager Horton, Attorney Robert Seibert along with Executive Director-Lapeer Development Corporation Sam Moore, explained the 425 Agreement process as a statute that is straight forward for property transfer from one entity to another for 50 years for the purpose of industrial expansion. **MOTION** by Yockey seconded by Tanis to give authority to City Manager Craig Horton to take the 425 Agreement to the Imlay Township meeting to begin the process of transition.

ROLL CALL VOTE

Ayes: Yockey, Tanis, Collison, Ramirez, Sadler, Kempf

Nays: None

Absent: DeLuca

MOTION CARRIED UNANIMOUSLY

E. SPECIAL EVENT PERMIT APPLICATION-MEMORIAL DAY, VFW POST 2492

MOTION by Sadler and seconded by Tanis to approve the special event permit application-Memorial Day, VFW Post 2492 to be held Monday, May 29, 2023 at 9:30AM at the Ruth Hughes Memorial Library as presented.

MOTION CARRIED UNANIMOUSLY

10. CITIZENS FROM THE FLOOR

None

11. CLOSED SESSION

Mayor Kempf entertained a motion to enter into Closed Session pursuant to MCL 15.268 (e): To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, Kronz v Imlay City as it would have a detrimental financial effect on the litigating or settlement position of the public body to discuss it in open session.

MOTION by Collison seconded by Tanis to enter into Closed Session at 8:44PM pursuant to MCL 15.268 (e), as entertained by Mayor Kempf.

ROLL CALL VOTE

Ayes: Collison, Tanis, Yockey, Ramirez, Sadler, Kempf

Nays: None

Absent: DeLuca

MOTION CARRIED UNANIMOUSLY

Discussion with Attorney Audrey J. Forbush from Plunkett Cooney Attorneys & Counselors at Law and Robert J. Seibert from Seibert and Dloski, PLLC and their recommendations.

Mayor Kempf returned the meeting to open session at 9:01PM.

MOTION by Sadler seconded Tanis to follow the recommendations of council concerning the case presented in Closed Session

ROLL CALL VOTE

Ayes: Sadler, Tanis, Yockey, Collison, Ramirez, Kempf

Nays: None

Absent: DeLuca

MOTION CARRIED UNANIMOUSLY

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12. CITY MANAGER TIME

City Manager Horton informed that sidewalk grinding took place in 200 spots throughout the City as part of the Sidewalk Trip Hazzard Elimination performed by Precision Concrete Cutting in recent weeks. Horton continued noting the Trestle Sidewalk project has framework forming in place and should have concrete by the end of the week. In addition, the DDA is reviewing options of adding lights to the area to curve into downtown and embankment ideas to aid in erosion elimination. There was a section of conduit pipes from the former signaling of the railroad that has caused a bit of a challenge. Horton also stated that there are Park and Recreation Grants through a SPARK program that is in the process and could be very beneficial for our City.

13. CITY COMMISSIONER TIME

Mayor Kempf stated that the City should look into the licensing for BABEL or a similar program for staff to expand a second language such as Spanish, which would be very beneficial in our City.

Commissioner Yockey stated that this was a great meeting and we really worked through a lot.

Commissioner Tanis shared that he recently went to the new Performing Arts Center at the school and it was very impressive!

14. ADJOURNMENT

MOTION by Yockey seconded by Collison to adjourn at 9:23PM
MOTION CARRIED UNANIMOUSLY

Next Regular Commission Meeting Date: Tuesday, June 06, 2023 at 7:00PM

Respectfully submitted by: _____
Dawn Sawicki-Franz, City Clerk

APPROVED: June 06, 2023