

City Commission  
February 6, 2017

Mayor Mark Warba called the regular meeting of the City Commission to order at 6:30 p.m.

Present: Commissioners Lynn Anderson, Tom Hogenson, Lorraine James, and Dan Rothstein; Mayor Mark J. Warba; City Manager Mark Gifford; City Attorney Eric D. Williams; and City Treasurer Aaron Kuhn.

Absent: None

There were 34 people in the audience.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA** - Mark Sweppenheiser will give a presentation of the Park and Recreation Master Plan under Study Session.

**APPROVAL OF MINUTES**

Commissioner Anderson moved, seconded by Commissioner Hogenson that the minutes of January 17, 2017 regular meeting be accepted.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

**SPECIAL ORDERS OF THE DAY** – Oath of office for Tyler Haynes – Police Officer

Director Eddinger introduced Tyler Haynes as the newest Police Officer. The Clerk gave Police Officer Haynes the Oath of Office.

**STUDY SESSION**

a. **Service Line Warranty Program -Utility Service Partners, Inc.** – Eric D. Williams

The Service Line Warranty Program has been to the City Commission twice. The first time Ms. Emilie Zalfini did a presentation explaining the benefits of the Service Line Warranty Program. Ms. Zalfini has sent an updated marketing agreement for the City to review.

Utility Service Partners, Inc. would like to offer a water and sewer line warranty program to residential water and sewer customers within the City limits. Utility Service Partners, Inc. has a partnership with the National League of Cities.

The Utility Service Partners, Inc. program requires the use of the City logo, and endorsement of the program by the City, and the use of the City mailing list of water and sewer customers. Mr. Williams contacted other communities that support this company and found that all of the responses from these municipalities were positive.

Some of the responses were: Utility Service Partners, Inc. paid claims promptly, fully and without excessive documentation. Many claims were paid that City officials thought might be excluded with few complaints or problems about the work done by local contractors. No other company offered similar coverage or terms for the repair or replacement of broken water and sewer service lines.

Mr. Williams recommended bringing this topic back to the Commission in resolution form so the Commission can decide if this is something that they want for the residents.

Commissioner Anderson commented that she has no doubt that this is an excellent program, however, she is not in favor of promoting a private business. Commissioner Anderson is in favor of having options available for residents, but is not in favor of allowing the use of the City logo.

Mayor Warba commented that the City does not offer a warranty service program and is not offering one through the City for the residents. A warranty service would be able to be offered through Utility Service Partners, Inc. Other communities who have partnered with Utility Service Partners, Inc. have been able to tailor the letter to the residents by having the City logo second and less prominent. Mayor Warba believes that the City can find a way to temper the concerns regarding the City logo. A disclaimer can also be attached to the letter. The agreement is for a three-year term and would not have to be renewed if the City decided not to.

Some home owners are not aware of where their service lines are and who is responsible for the repair costs of these lines.

Commissioner Anderson commented that the bigger problem is making people aware of what their responsibilities are. That information could be obtained without the City rubber stamping a private entity.

Mayor Warba disagreed with the rubber stamping of a private entity and remembers in a previous commission meeting that Utility Service Partners, Inc. provided diagrams and an explanation to inform the home owner what their obligations were regarding their service lines. Mayor Warba sees this as a service that Utility Service Partners, Inc. can provide that the City does not.

In the Marketing Agreement the City of Big Rapids would receive .50 cents a month for every resident that contracts with the NLC Service Line Warranty Program. If the City opts to decline the .50 cents a month, that money would be passed on to the contract holding residents. Mr. Williams asked which way the Commission would prefer to have the resolution written. Mayor Warba recommended that the City decline the fee option.

Commissioner James stated that she would like to have this brought back to the commission for a vote.

Mayor Warba would like additional information such as: how the notice letter would read, disclaimer language that could be included in it (like other communities have done), marketing materials (what is sent to residents). Mayor Warba would like Ms. Emilie Zalfini invited to the meeting.

**PUBLIC COMMENT** - none

**PUBLIC HEARING** – 7:00 - Park and Recreation Master Plan

Mayor Warba opened the Public Hearing on the Park and Recreation Master Plan at 7:00 p.m. Mr. Sweppenheiser gave a PowerPoint presentation on the 2017-2021 Park and Recreation Master Plan. Ms. Marlies Manning was hired to facilitate a public input session, which was held at one of the Park and Recreation board meetings.

Some of the items that were looked at were: strengths, challenges and dreams for the future. The Master Plan requires two forms of public input, but the City utilized three: a public input session, a survey that went out in the City's water bill, and a public hearing. The surveys were available at City Hall, and online utilizing Survey Monkey. The city received 247 surveys back.

There was a 30-day review period whereby the Master Plan was placed in the Clerk's Office for anyone to review. No comments were received on this Master Plan.

The Public Works Department worked on the goals/objectives and action plan. This Master Plan needs to be submitted to the State by March 1, 2017 in order to be grant eligible. Staff has many great ideas for the City parks, unfortunately, grant funding is necessary to make these projects a reality.

Mayor Warba called for those who wished to speak in regards to the Park and Recreation Master Plan. Mr. Jim Knefely expressed his concerns over sports in the area. He has noticed that a lot of sports have a fee that has to be paid in order to play them. Many of the facilities used for sport programs are dilapidated. One of the baseball fields that he used to play at while growing up in Morley is now almost nonexistent. He believes that sports are very important to young children as they grow up. He sees kids drifting away from sports and getting themselves into trouble. He is concerned for all of the underprivileged kids that cannot afford to play a sport. He believes that instead of updating the parks, more funding should be used to put in tennis courts, a place to play hand ball, and racket ball.

Mr. Gifford commented that the reason why the fields start to go away in outlying areas is due to lack of money to maintain these fields. The City makes a huge commitment to the park system which has a number of sports fields in it including four tennis courts. Upkeep, maintenance and expansion, especially for sports facilities, is very costly.

Mayor Warba stated that in Hemlock Park there are tennis courts as well as a place to play Pickle Ball. The Master Plan is asking for a Skate Park, Farmer's Market in the summer and an ice rink in the winter, a mountain bike trail, and additional ball and soccer fields. The Mayor agrees that children need to be involved in sports and outdoor activities.

Mayor Warba was pleased to see that the majority of the people who responded to the survey were in support of the Recreation Authority.

Rose Mary Jennings spoke in favor of the community pool and hoped that the City could continue supporting it so that the kids have a place to play and learn how to swim.

The Mayor commented that he appreciated the timeliness of the Master Plan and mentioned that he would be attending the Big Rapids Township meeting Tuesday night to advocate to why Clay Cliffs needs to be incorporated within the City limits. A 425 agreement cannot be used because Act 425 does not envision or allow for an agreement that pertains to park space.

The Master Plan specifies what the plans are for Clay Cliffs in the future as a nature area and park. The City was the beneficiary of some grant funding to acquire a portion of Clay Cliffs.

Commissioner Rothstein commented that the City does a mediocre job of advertising what the City has to offer. He was shocked a couple of years ago that someone mentioned to him that they did not know that the City had an outdoor community pool. The City needs to do a better job of informing the public so that they can take advantage of all of the city's facilities. The City is not where they want to be, but they are head and shoulders above a lot of places.

Mayor Warba closed the public hearing at 7:15 p.m.

### **RESOLUTION NO. 17-11**

Commissioner Hogenson moved, seconded by Commissioner Anderson, the adoption of the following:

#### **RESOLUTION ADOPTING CITY OF BIG RAPIDS PARK AND RECREATION MASTER PLAN**

WHEREAS, the City Commission of the City of Big Rapids has undertaken a five year Parks and Recreation Master Plan which describes the physical features, existing recreation facilities and the desired actions to be taken to improve and maintain recreation facilities during the period between 2017 and 2021, and

WHEREAS, a public hearing was held Monday, February 6, 2017 at City Hall, 226 N. Michigan Avenue, Big Rapids, MI, to provide an opportunity for citizens to express

opinions, ask questions, and discuss all aspects of the Park and Recreation Master Plan, and

WHEREAS, the City of Big Rapids has developed the plan for the benefit of the entire community and to adopt the plan as a document to assist in meeting the recreation needs of the community, and

WHEREAS, after the public meeting the Big Rapids City Commission voted to adopt said Park and Recreation Master Plan.

NOW, THEREFORE, BE IT RESOLVED, the City of Big Rapids City Commission hereby adopts the City of Big Rapids Park and Recreation Master Plan as a guideline for improving recreation for the residents of the City of Big Rapids.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The resolution was declared adopted.

Dated: February 6, 2017

There was discussion as to if Taplin just changed their name from Terra Contracting or if the company was bought out. Ms. Bowman commented that she thought that a family member bought out another family member. Commissioner James asked Mr. Williams if the City should have gone out for bid instead of extending the first of two extensions because of the company changing hands. Mr. Williams commented that the City could continue with a company that has changed owners or names as long as that contract has been honored by that company whether it has changed ownership or the name.

Mr. Gifford commented that the updated prices that Taplin submitted were higher than expected and recommends going out for bid when this extension expires in June 2017. The Commission will vote on a one-year extension.

### **RESOLUTION NO. 17-12**

Commissioner Hogenson moved, supported by Commissioner Anderson, the adoption of the following:

#### **RESOLUTION EXTENDING AGREEMENT WITH TAPLIN (FORMALLY TERRA CONTRACTING) FOR SANITARY/STORM CLEANING AND TELEVISIONING**

WHEREAS, per Resolution No. 13-80, dated July 1, 2013, the City Commission authorized an agreement with Terra Contracting (now named Taplin) for sanitary/storm cleaning and televising, and

WHEREAS, the agreement allows for two one-year extensions whereby both the City of Big Rapids and Taplin (Terra Contracting) has agreed to the first one-year extension, and

WHEREAS, the cost is figured on a price per foot basis, and will be determined per job, not to exceed a total of \$28,500, and

WHEREAS, staff recommends extending the sanitary/storm cleaning and televising agreement with Taplin for the first one-year extension.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby authorizes the extension of the agreement with Taplin (Terra Contracting), for the first one-year period beginning July 1, 2016 through June 30, 2017 for sanitary/storm cleaning and televising.

BE IT FURTHER RESOLVED, that the cost be expensed from the following Account Numbers:

590-561-801.600  
(1 Vactor & TV Video)

101-442-967.701  
(Clean Storm Sewer)

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The resolution was declared adopted.

Dated: February 6, 2017

**RESOLUTION NO. 17-13**

Commissioner Rothstein moved, supported by Commissioner James, the adoption of the following:

**RESOLUTION OF INTENT TO APPLY FOR  
STATE FORMULA OPERATING ASSISTANCE FOR  
FISCAL YEAR 2018 UNDER ACT NO. 51 OF THE  
PUBLIC ACTS FOR 1951, AS AMENDED - DART**

WHEREAS, pursuant to Act No. 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the City of Big Rapids, (hereby known as THE APPLICANT) established under Act 94, to provide a local transportation program for the state Fiscal Year of 2018 (October 1, 2017 through September 30, 2018) and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for the governing body (City of Big Rapids), to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators have been reviewed and approved by the governing body (City of Big Rapids); and

WHEREAS, THE APPLICANT (City of Big Rapids), has reviewed and approved the proposed balance (surplus) budget, and funding sources of estimated federal funds \$111,611.00, estimated state funds \$231,103.00, estimated local funds \$89,586.00, estimated fare box \$75,000.00, estimated other funds \$96,000.00, with total estimated expenses of \$603,300.00.

NOW, THEREFORE, BE IT RESOLVED that THE APPLICANT (City of Big Rapids) hereby makes its intentions to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HEREBY, appoints Mark Gifford as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2018 (October 1, 2017 through September 30, 2018).

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Date: February 6, 2017

I Tamyra K. Gillis, City Clerk of THE APPLICANT, (City of Big Rapids) having custody of the records and proceedings of THE APPLICANT (City of Big Rapids), does hereby certify that I have compared this Resolution No. 17-13 adopted by THE APPLICANT (City of Big Rapids) at the meeting of February 6, 2017 with the original minutes now on file and of record in the office and that this resolution is true and correct.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed seal of said City of Big Rapids this 6th day of A.D. 2017.

---

Tamyra K. Gillis, City Clerk

### **RESOLUTION NO. 17-14**

Commissioner Hogenson moved, seconded by Commissioner James the adoption of the following:

#### **RESOLUTION AUTHORIZING AGREEMENT WITH COMPLUS DATA INNOVATIONS, INC.**

WHEREAS, for several years the City has contracted with Complus to provide hardware and software for accounting, writing and collecting parking tickets, and

WHEREAS, for this service Complus retains 25% of the fines collected as payment for their services, and

WHEREAS, the agreement is routinely updated to include new ticket processing procedures, as well as, new software and hardware, and

WHEREAS, the attached agreement is for a three-year period beginning with the signing of the contract and contains one-year renewals with written consent of both parties prior to the expiration of the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby approves the attached Agreement with Complus and authorizes the Mayor to sign said agreement on behalf of the City Commission.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The resolution was declared adopted.

Dated: February 6, 2017

#### **RESOLUTION NO. 17-15**

Commissioner Anderson moved, seconded by Commissioner Hogenson, the adoption of the following:

#### **RESOLUTION ON MAYORAL APPOINTMENTS TO BOARDS AND COMMISSIONS**

BE IT RESOLVED, that the City Commission hereby confirms the following Mayoral appointment/recommendation:

#### **ASSESSMENT BOARD OF REVIEW**

Allitta Hren re-appointed to a full term ending January 2019

#### **BROWNFIELD REDEVELOPMENT AUTHORITY**

Emily Coles re-appointed to a full term ending January 2020

Ralph Crew re-appointed to a full term ending January 2020

#### **PARK AND RECREATION BOARD**

Leigha Oberle appointed to an unexpired term ending May 2019

Margaret Maynard appointed to a full term ending May 2019

Yeas: Anderson, Hogenson, James, Rothstein, Warba  
 Nays: None  
 The resolution was declared adopted.  
 Dated: February 6, 2017

**RESOLUTION NO. 17-16**

Commissioner James moved, seconded by Commissioner Anderson, the adoption of the following:

**RESOLUTION AMENDING FISCAL YEAR 2016/2017  
 GENERAL APPROPRIATIONS- DRUG FORFEITURE MONIES**

WHEREAS, the City of Big Rapids adopted FY 2016/2017 General Appropriations on June 6, 2016 per Resolution No. 16-52, and

WHEREAS, each year adjustments are made to revenue and expenditure accounts.

NOW, THEREFORE, BE IT RESOLVED, that the Big Rapids City Commission hereby approves the following budget amendments for Fiscal Year 2016/2017 for Drug Forfeiture Monies.

GENERAL FUND				
Account Number	Account Description	Current Budget	Change	Amended Budget
101-301-977.011	POLICE IN-CAR COMPUTERS (EXP)	\$0	\$15,500	\$15,500
101-007-662.000	FORFEITURE MONIES (REV)	\$500	\$15,500	\$16,000
Expenditure of Drug Forfeiture Monies				

BE IT FURTHER RESOLVED, that the City Manager is authorized to amend the FY 2016/2017 City of Big Rapids Budget accordingly.

Yeas: Anderson, Hogenson, James, Rothstein, Warba  
 Nays: None  
 The resolution was declared adopted.  
 Dated: February 6, 2017

**UNSCHEDULED BUSINESS**

- The Town Gown meeting will be at City Hall Tuesday morning starting at 8:00 a.m.
- Commissioner Rothstein stated that the deer cull was very successful. It was so successful that a deer cull may not have to be done every year.
- The Mayor and Mark Gifford will be attending the Big Rapids Township meeting Tuesday night to discuss incorporating Clay Cliffs into the City limits.
- The City did close on the property located at 717 Finley.
- “Mayors’ Monarch Pledge Day” – the Mayor would like the City to participate in this program to help save the monarch butterfly.

The Mayor and Mr. Eric Williams attended the County Township Association meeting where the topic of Medical Marijuana Licensing Act was discussed. More information needs to be collected over the next couple of months.

During the next several months, the Mayor would like the following groups to talk at the City Commission meeting regarding medical marijuana:

- Presentation from Eric Williams and Director Eddinger
- Presentation from someone from the industry to offer their views
- An invitation to the chief law enforcement officer from the county to offer his views.
- An invitation to someone from the medial society.

The Mayor would like the Commission to be as informed as they can be before making a decision. There are two choices: 1. Opt in and allow licensing of medical marijuana facilities or 2. Do nothing, by doing this, medical marijuana facilities would not be permitted in the City.

An invitation was extended at the Township’s Association meeting for all of the township supervisors to express their comments to the City regarding this planning process.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 7:45 p.m.

\* \* \* \* \*

\_\_\_\_\_  
Mayor Mark J. Warba

\_\_\_\_\_  
Tamyra K. Gillis, City Clerk