

City Commission
September 5, 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 16 people in the audience.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Hogenson that the minutes of August 21, 2017 regular meeting be accepted.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

SPECIAL ORDERS OF THE DAY – None

STUDY SESSION

a. Clay Cliffs – Mark Gifford

Clay Cliffs is an action item on tonight's agenda. This resolution was tabled by the Commission back in June. Mr. Williams suggested that the person that tabled it, use the pending motion or do a new motion to remove the resolution from the table.

b. Wastewater Contract and Definitions – Mark Gifford

The revised wastewater contract and definitions are on the Commission's dropbox for their review. This should be an action item sometime in the near future. In relationship to the IPP program, the City, Big Rapids Township, and Green Township are looking to streamline their ordinances.

c. Airport Update - Mark Gifford

The Commission decided to accept applications for airport personnel and also send out Fixed Based Operator bids. There is an Airport Advisory meeting on September 14, 2017.

Steve Schroeder commented on his qualifications for the job of part-time airport manager.

- He has always had an interest in aviation. He does not currently have a pilot's license, but would like to pursue one in the future.
- He wants to see Roben-Hood airport grow and would like to see the airport's current services continued.
- He would like to maintain the current high level of personnel that the airport has always experience.

Commissioner Hogenson commented that he was related to someone at Colt, and abstained from offering any suggestions on this topic.

d. Commission Appointment Process – Mark Gifford

The Commission appointment procedure that Mr. Gifford presented at a previous meeting will stay in place until November 20th at which time the future Commission may wish to follow or change.

PUBLIC HEARING – 7:00 p.m.

Mayor Warba opened the public hearing to consider objections to the Special Assessment for Alley Improvements for Block 37 of the Original Plat - 400 Block Between S. Stewart and Ives Avenue at 7:00 p.m.

The Mayor opened the floor for comments from the audience. There were no persons in the audience who spoke for or against the paving of the alley.

The public hearings were closed at 7:00 p.m.

Land Transaction Application for the Depot – Mark Gifford

The City has been talking about acquiring the Depot for approximately 14 years. Mr. Gifford has been talking to different people at the State, which has proven to be helpful. There has been some interest in the Depot by the private sector to turn it into a private business. The Land Transaction Application is to buy .60 acres unencumbered and to acquire 1.9 acres for \$1.00 with all encumbrances remaining in place. The encumbrance stipulates that the Trailhead portion of the property would need to be maintained for public use in perpetuity.

PUBLIC COMMENT – None

RESOLUTION NO. 17-131

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

**RESOLUTION ADOPTING SPECIAL ASSESSMENT ROLL NO. 17-522
FOR ALLEY IMPROVEMENTS FOR BLOCK 37 OF THE ORIGINAL PLAT, 400
BLOCK BETWEEN S. STEWART AVENUE AND IVES AVENUE**

WHEREAS, Special Assessment Roll No. 17-522 has been submitted for alley improvement to Block 37 of the Original Plat, 400 Block Between S. Stewart Avenue and Ives Avenue, and

WHEREAS, the City Commission held a public hearing on Tuesday, September 5, 2017, to consider any objections to said Roll, at which time the special assessments were confirmed.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby approves said Special Assessment Roll No. 17-522 to be spread over a three (3) year term payable in three (3) annual installments with interest at the rate of three percent (3%) per annum due each February 1st hereafter, beginning February 1, 2018, and directs the City Assessor to deposit the same with the City Clerk for endorsement as to the date of confirmation, and

BE IT FURTHER RESOLVED that upon confirmation by the City Clerk, said Roll shall be transmitted to the City Treasurer for collection.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

I hereby certify that the foregoing Resolution is a true and complete copy of a resolution of the City of Big Rapids duly adopted at a regular meeting of the City Commission of said City held September 5, 2017.

I further certify that said resolution has been recorded in the Minute Book of the City of Big Rapids and that such recording has been authenticated by the signatures of the Mayor and City Clerk.

Tamyra K. Gillis, City Clerk

Dated: September 6, 2017

Van Johnson spoke on how valuable purchasing extended warranty is when purchasing new City vehicles. The City has purchased extended warranties for several years and that has saved the City several thousand dollars.

For future vehicle purchases, Commissioner James would like to know what kind of warranty comes with the vehicle when it is purchased.

RESOLUTION NO. 17-132

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

**RESOLUTION AWARDING BID FOR ONE 2017
ALL-WHEEL DRIVE, 4-DOOR UTILITY, POLICE VEHICLE FOR THE
DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the City solicited bids for the purchase of one all-wheel drive 4-door utility police vehicles for the Department of Public Safety, and

WHEREAS, one bid was received with staff recommending that the low and best bid of Owosso Motors Inc., Owosso, MI, be accepted in the amount of \$30,903.00, for one 2017 all-wheel drive police utility vehicle, which includes a 5 yr./100,000 warranty.

NOW, THEREFORE, BE IT RESOLVED, that the bid of Owosso Motors, Inc. be accepted in the amount of \$30,903.00 for one, all-wheel drive, 4-door utility police vehicle and the cost be expensed from Account Number 661-444-981.095.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

Van Johnson talked about the 4X4 utility work machine for the Department of Public Works. This machine can accommodate up to 40 attachments. The City does not purchase any extended warranty for these types of machines because they are repaired and maintained in house.

RESOLUTION NO. 17-133

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

**RESOLUTION AWARDING BID FOR A 4 X 4 UTILITY WORK MACHINE
FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the City maintains a fleet of Public Works vehicles and equipment to meet the needs of various City departments, and

WHEREAS, bids were solicited for a 4 x 4 Utility Work Machine, which will be used for removing snow from public sidewalks, sidewalk winter sand accumulation, parks and downtown maintenance, on the Riverwalk trails, and a multiple of other utility operations, and the machine can accommodate a multiple of different attachments, and

WHEREAS, one bid was received from Carleton Equipment Company, Byron Center, MI, in the amount of \$68,753.14, less \$17,000 for a 2008 New Holland tractor trade-in, for a total cost after trade of \$51,253.14

NOW, THEREFORE, BE IT RESOLVED, that the City Commission accept the bid of Carleton Equipment Company in the amount of \$51,253.14 for a 4 x 4 Utility Work Machine and the cost be expensed to Account Number 661-444-981.001.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None
The Mayor declared the resolution adopted.
Dated: September 5, 2017

RESOLUTION NO. 17-134

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

**RESOLUTION AWARDING BID FOR THE 2017
TREE PLANTING PROJECT**

WHEREAS, the City Commission approved Resolution No. 17-23, dated February 20, 2017 for a cooperative work agreement with the Muskegon River Watershed Assembly (MRWA) for planting trees at Clay Cliffs Nature Area, and

WHEREAS, the MRWA was awarded a U.S. Forest Service Great Lakes Restoration Initiative grant which will allow the City to plant native trees on a portion of Clay Cliffs Nature Area in the amount of \$56,510.00, and

WHEREAS, a Mecosta County Community Foundation grant was also awarded to MRWA to provide native shrubs for the bird wildlife habitat at Clay Cliffs and perennial plants at Osceola Park, and

WHEREAS, the spring planting of a rain garden at Osceola Park has been completed and the native shrubs will be planted Fall 2017 and will not exceed \$1,300, and

WHEREAS, the City solicited bids for the 2017 Tree Planting Program whereby three bids were received with staff recommending that the bid of Site Works LLC, Big Rapids, MI be accepted in the amount of \$57,810.00.

NOW, THEREFORE, BE IT RESOLVED, that the bid of Site Works LLC in the amount of \$ 57,810.00 for the 2017 Tree Planting Program be accepted and be expensed to accounts numbers 101-756-967.065 (USFS Tree Planting) and 101-756-967.066-(MCCF Tree Planting).

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

Commissioner James asked what the value was of the Depot. The City has it valued at \$110,000.

Commissioner Anderson asked about the City being required to have restrooms, parking and picnic facilities. Mr. Gifford stated that there already is a pit toilet, parking and a picnic table. He believes that the City already meets that criteria.

Commissioner Anderson asked if the City was obligated to follow through with acquiring the Depot by signing this application. Mr. Williams stated that the City would not be obligated, signing of the application is just the first step in the process.

RESOLUTION NO. 17-135

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

**RESOLUTION AUTHORIZING CITY MANAGER TO SIGN THE
LAND TRANSACTION APPLICATION FOR 2.5 ACRES OF LAND ADJACENT
TO THE FRED MEIJER WHITE PINE TRAIL STATE PARK AND THE
RAILROAD DEPOT BUILDING**

WHEREAS, the City has been communicating with the Department of Natural Resources (DNR) to acquire 2.5 acres of land adjacent to the Fred Meijer White Pine Trail State Park and the railroad depot building for private and public use, and

WHEREAS, 0.60 acres of this land will be used for the re-use of the railroad depot for a private business development that will complement and enhance the trail and historic character of the railroad depot building, and

WHEREAS, the remainder 1.90 acres will remain encumbered by the Michigan Natural Resources Trust Fund and be developed by the City as a trailhead for the trail, and

WHEREAS, prior to the transfer of site control to the City, all associated Michigan Natural Resources Trust Fund land use restrictions and encumbrances on the depot property (0.60 acres) will be transferred to a property located at P.J. Hoffmaster State Park by the DNR, which contains 1.08 acres, and

WHEREAS, the City of Big Rapids would agree to assume all encumbrances on the remaining land and develop, operate and maintain it for a trailhead with restrooms, parking and picnic facilities.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission authorizes the City Manager to sign the Land Transaction Application to acquire 2.5 acres of land adjacent to the Fred Meijer White Pine Trail State Park and the railroad depot building for private and public use.

BE IT FURTHER RESOLVED, that the City Commission agrees to the conditions of the Land Transaction Application.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

RESOLUTION NO. 17-136

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

**RESOLUTION AUTHORIZING CONTRACT NO. 17-5375, JOB NO. 126427A
WITH MICHIGAN DEPARTMENT OF TRANSPORTATION
FOR HOT MIX ASPHALT SURFACING WORK ALONG IVES AVENUE**

WHEREAS, the City submitted an application to MDOT's Surface Transportation Program (STP) and was granted funds to do improvements to Ives Avenue between Oak and Magnolia, and

WHEREAS, the reconstruction of Ives Avenue includes funding through the Michigan Department of Transportation (MDOT) at a participation ratio equal to 81.85% or, up to the lesser amount of \$175,000, and

WHEREAS, the MDOT funds (Part A) will be applied to hot mix asphalt surfacing work along Ives Avenue from approximately 200 feet north of Magnolia Street northerly to Oak Street; including concrete sidewalk ramp and pavement marking work; and all together with necessary related work, and

WHEREAS, items not included in the MDOT (Part B) funding include the water main and sanitary sewer installation work along the limits as described in Part A and all together with necessary related work, and

WHEREAS, the summary of project costs covered in the MDOT contract is as follows:

	Total Estimated Cost	Federal Participation	Local Participation
Hot mix asphalt surfacing along Ives Avenue from approximately 200 feet north of Magnolia Street northerly to Oak Street; concrete sidewalk ramp and pavement marking work; all together with necessary related work	\$240,200	\$175,000	\$65,200
Water main and sanitary sewer installation work along the limits described above; all together with necessary related work	\$167,500	\$0	\$167,500
Total Project Costs	\$407,700	\$175,000	\$232,700

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby authorize the Michigan Department of Transportation Contract No. 17-5375 for the hot mix asphalt surfacing work along Ives Avenue from approximately 200 feet north of Magnolia Street northerly to Oak Street; including concrete sidewalk ramp and pavement marking work; and all together with necessary related work.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be authorized to sign said contract on behalf of the City of Big Rapids.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

Commissioner James asked why staff waited so long to ask for an increase in DART fares. Ms. Fuller commented that she has asked the DART Local Advisory Council in the past to review the fares and make a recommendation to increase them. The Council has never given their approval until now. Per State statute, Ms. Fuller cannot bring this to the City Commission without the recommendation from the DART Local Advisory Council.

The Commission took a five-minute break.

RESOLUTION NO. 17-137

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

**RESOLUTION ACCEPTING DIAL-A-RIDE TRANSPORTATION
LOCAL ADVISORY COUNCIL RECOMMENDATION
TO INCREASE RATES FOR ALL DART PASSENGERS**

WHEREAS, the DART Local Advisory Council at their July 11, 2017 meeting reviewed fares charged by similar systems in the area, and

WHEREAS, current rates are \$2.00 for regular \$1.00 for child/senior/disabled passengers, and

WHEREAS, the DART Local Advisory Council recommends increasing the fare for child/senior/disabled passengers by .25 cents, and regular fares by .50 cents per ride, which would increase the City's transportation revenue by approximately \$26,000 per year.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby accepts the DART Local Advisory Council recommendation to increase the fare for children and senior/disabled passengers by .25 cents, and regular fares by .50 cents making it \$1.25 for child/senior/disabled and \$2.50 for regular fares effective October 1, 2017.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

RESOLUTION NO. 17-138

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

**RESOLUTION ACCEPTING MICHIGAN DEPARTMENT
OF TRANSPORTATION SECTION 5311 OPERATING FORMULA GRANTS**

AGREEMENT NO. 2017-0022/P1/R2 – DART

WHEREAS, the Big Rapids Dial-A-Ride Transportation (DART) system derives approximately 16% of its operating revenue from the Federal Transit Administration (FTA), which is administered by the Michigan Department of Transportation, and

WHEREAS, under the City of Big Rapids Annual Local Transportation Program Grant Application for the period of October 1, 2016 through September 30, 2017, the City has requested federal funding in the amount of 18% of the City's proposed operating budget (\$108,500.00), and

WHEREAS, this project authorization, Agreement No. 2017-0022/P1/R2, is an increase of .5% for a total of \$111,500.00, which represents a partial payment of \$21,185.00.

NOW, THEREFORE, BE IT RESOLVED, that the City of Big Rapids hereby agrees to enter into the Project Authorization Agreement for FY 2017 Section 5311 Operating Formula Grants, Agreement No. 2017-0022/P1/R2, in the amount of \$21,185.00 and authorizes the Mayor and City Clerk to sign the agreement documents.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

Mr. Williams spoke on the proposed code amendments for the sale of city property. The option of listing City owned property for sale with a real estate agent or agency was added along with maintaining a surplus property list.

There was discussion of when a real estate agent would be used versus going out for bid on a parcel of surplus property. When a bid is accepted, the City loses its flexibility on what could be built on that parcel. With the smaller parcels, the sealed bid process may work out better and be less expensive. The decision to use a realtor would be on a case by case basis. The City has in the past sold/transferred houses to the Housing Commission. This can be done without the bid process.

Rose Mary Jennings commented that she has tried to acquire the parcel that is next to her property for three years. She would still like to try to acquire this property.

ORDINANCE NO. 711-09-17

Commissioner James moved, supported by Commissioner Rothstein, the adoption of the following Ordinance.

ORDINANCE AMENDING SECTION 34.54 OF CHAPTER 34, TITLE 3, OF THE BIG RAPIDS CITY CODE REGARDING THE SALE OF SURPLUS CITY PROPERTY

WHEREAS, the City staff requested a review of the City Code sections on the sale of City property and the determination of surplus City property, and

WHEREAS, proposed City Code amendments on the sale of City property and the determination of surplus City property were prepared, presented to the City Commission, and referred to the Planning Commission for comment and a recommendation, and

WHEREAS, the Planning Commission reviewed the proposed City Code amendments and recommended that the City Commission adopt them with two suggested additions, one of which has been included, and

NOW, THEREFORE, THE CITY OF BIG RAPIDS ORDAINS:

Section 1. Title 3, Chapter 34, Section 34.54, is amended to read as follows.

34.54 Determination and Sale of Surplus Property

(A) Whenever any City property, real or personal, is no longer required, it may be sold. The Purchasing Officer may sell personal property not exceeding \$2,500 in value for cash after soliciting quotations or competitive bids. Personal property of a value in excess of \$2,500 may be sold after advertising and soliciting competitive bids, with the approval of the City Commission.

(B) Sale of **real property** ~~land~~ by the City shall be made only after **review and recommendation by the planning commission and a determination** ~~formal sealed bids have been taken and approved by the City Commission~~ **that the real property is not required for any existing or intended future public purpose and use of the City.** The City Commission may authorize the sale of real property to another government entity without obtaining quotations or competitive bids. (Ord. 657-03-13, passed 3-4-13)

(1) The City Commission shall determine if any parcel of City owned real property is not required for any existing or intended future public purpose and use of the City, but only after receiving a recommendation from the Planning Commission on any existing or intended future public purpose and use of the real property.

(2) Upon referral by the City Commission, City Manager, or City Planner, the Planning Commission shall conduct a public hearing on any parcel of City owned real property and evaluate whether there is an existing or intended future public purpose and use of the parcel. If the Planning Commission recommends a determination of no existing or intended future public purpose and use of the real property, the Planning Commission shall recommend the sale of the real property.

(3) At a minimum, City staff shall provide to the Planning Commission the following information on any parcel of City owned real property

to be evaluated by the Planning Commission regarding any existing or intended future public purpose and use:

- a. Date, terms, and instrument by which the property was acquired**
- b. Restrictions, prohibitions, easements, and encumbrances of record affecting the property**
- c. All known existing and intended public uses of the property**
- d. What the Master Plan provides on or for the property**
- e. The historical character and significance of the real property and/or the structures on it**
- f. Probable market value of property if sold**
- g. Whether the property is buildable or non-buildable.**

(4) The City Clerk shall maintain a Surplus Property List with title and environmental information acquired by the City.

(C) The City Commission can authorize by resolution the sale of real property owned by the City by:

- a. a public offering and formal sealed bids,**
- b. a public on-line auction and secure bids,**
- c. listing the real property with a real estate agent or agency on the open market on terms and conditions set by the City Commission,**
- d. sale to another governmental entity,**

with final approval of the terms of any bid or sale by the City Commission.

Section 2. The City Clerk is directed to publish this ordinance in The Pioneer.

Section 3. This Ordinance shall be effective 20 days after publication.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the ordinance adopted.

Dated: September 5, 2017

Published: September 12, 2017

MOTION NO. 17-139

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

Motion to remove from the table the resolution authorizing annexation and incorporation of property into the City of Big Rapids.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the motion passed.

Dated: September 5, 2017

RESOLUTION NO. 17-140

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

RESOLUTION AUTHORIZING ANNEXATION AND INCORPORATION OF PROPERTY INTO THE CITY OF BIG RAPIDS

BE IT RESOLVED that pursuant to MCL 117.9(8), the City Commission makes the following factual determinations:

- 1) the land described below is adjacent and contiguous to the City boundary,
- 2) all of the land described is City park land and is depicted on the attached map,
- 3) all of the land is vacant,
- 4) the land is located in the Charter Township of Big Rapids, Mecosta County, Michigan,
- 5) the land is owned by the City,
- 6) there is no one residing on the land,

and therefore the City Commission annexes all of the land described as

W ½ of the SE ¼ of the SW ¼ of Section 10, T15N, R10W, Township of Big Rapids, Mecosta County, Michigan, except a parcel of land commencing in the center of the highway known as Madison Avenue, at a point 20 feet Westerly from a point where the line of an established fence near the East boundary of the W ½ of the SE ¼ of the SW ¼ would if extended Northerly, intersect said centerline of Madison Avenue, for a point of beginning; thence westerly along the center of said highway 205 feet; thence Southerly, parallel with said Easterly boundary fence and 225 feet equidistant therefrom; 227.2 feet; thence Easterly, parallel with the centerline of Madison Avenue, 205 feet; thence Northerly, parallel with Eastern boundary line fence and 20 feet equidistant therefrom, to point of beginning.

Parcel No. 54-05-010-008-000

AND

That part of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, T15N, R10W, Big Rapids Township, Mecosta County, Michigan, lying outside of the City limits, except a parcel of land commencing where the South line of Pere Marquette Railroad right of way intersects the West line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15; T15N, R10W, running thence South to the Southwest corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 15; thence running East 30 rods and 5 feet; thence North to the said railroad right of way; thence Northwesterly along said railroad right of way to the place of beginning; and further except the Pere Marquette Railroad right of way.

Parcel No. 54-05-015-002-000

AND

A Parcel of land situated in the South half of Section 10, Town 15 North Range 10 West, Big Rapids Township, Mecosta County Michigan, further described as follows: Beginning at the South $\frac{1}{4}$ corner of Section 10 and running thence West along the South line of said Section 663 feet to the West line of the Parcel described in Liber 454 Page 1023; thence N $01^{\circ}00'00''$ W along said line 200.00 feet; thence East parallel to the South Line of Section 10, 483 feet more, or less, to the southerly extension of the West line of the parcel described in Liber 815 Page 2439; thence N $00^{\circ}37'37''$ W along the extension of said line 744 feet more or less to the South line of said parcel; thence S $88^{\circ}13'32''$ E along said line 180.15 feet to the North and South $\frac{1}{4}$ line of Section 10; thence S $88^{\circ}10'35''$ E along the South line of the parcels described in Liber 468 Page 1064 and Liber 471 Page 405, 315.30 feet; thence S $88^{\circ}03'05''$ E along the South line of the parcel described in Liber 485 Page 1173, 165.00 feet to the West line of the parcel described in Liber 640 Page 2631; thence East along the South line of said parcel 318.0 feet (being the same line as recorded in Liber 454 Page 1023); thence South along the line described in Liber 454 Page 1023, 80.0 feet; thence East along the line described in Liber 454 Page 1023, 12.0 feet to the West line of P.M. Browns Subdivision; thence South along said line and its extension 663 feet more or less to a point 203 feet North of the South line of said Section (as measured along the extension of the West line of P.M. Browns Subdivision, being the same line as described in Liber 454 Page 1023); thence West parallel to the South line of Section 10, 510.00 feet; thence South 203.0 feet to the South line of Section 10; thence West 275 feet more or less to the Point of Beginning (the previous three lines being the same as recorded in Liber 454 Page 1023).

Parcel No. 54-05-010-011-000

AND

The North 100 feet of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, T15N R10W, Big Rapids Township, Mecosta County, Michigan, lying West of

Hutchinson's Addition to the City of Big Rapids, Mecosta County, Michigan, except the Pere Marquette Railroad right of way.

Parcel No. 54-05-015-001-000

AND

The North 100 feet of N ½ of the NE ¼ of the NW ¼ of Section 15, T15N R10W, City of Big Rapids, Mecosta County, Michigan, except the Pere Marquette Railroad right of way.

Parcel No. 54-17-15-100-005

BE IT FURTHER RESOLVED that the City Clerk shall forward certified copies of this resolution to the Township Clerk, Charter Township of Big Rapids, the County Clerk of the County of Mecosta, and the Secretary of State of the State of Michigan.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: September 5, 2017

CERTIFICATE

I, Tamyra Gillis, the duly elected and acting Clerk of the City of Big Rapids, hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a meeting of the Big Rapids City Commission held at the Big Rapids City Hall on June 19th, 2017, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act; that a quorum of the Commission was present and voted in favor of the Resolution; and that minutes of the meeting were kept and will be or have been made available as required by the Open Meetings Act.

Tamyra Gillis, City Clerk

UNSCHEDULED BUSINESS

- Commissioner Anderson commented that the Old Jail yard sale made \$1,600.00.
- Commissioner Rothstein commented that the City had a successful holiday weekend.
- Commissioner James asked what was happening on Clark Street. Mr. Gifford replied that a watermain was being replaced.
- Commissioner James asked if there were any leads on the Hanchett site. There is still an issue with the DEQ regarding this site. Fleis & VandenBrink has submitted the plan that the DEQ required and the City is still waiting on the DEQ to give their approval of the plan.

- Commissioner Hogenson commented that the community has had several nice events in the last month. All of these events had some kind of partnership with the private sector or with other units of government, which was nice to see.
- Mayor Warba stated that the Art & Crafts show at Hemlock Park drew a lot of people even though there may not have been as many vendors as in previous years.
- The Mayor served ice cream at FSU Founders Day.
- Medical Marijuana – Reminder to the Commission that they have until the end of the year to opt in, opt out, or do nothing. Mr. Williams commented that at conferences that he has attended the trend has been that very small communities are the ones that are opting in. They are looking at the revenue aspect. No one in Mecosta County has opted in yet.
- Commissioner Hogenson stated that the City has received no correspondence from any medical marijuana patients asking the City to opt in. The City has, however, received phone calls from interested businesses asking if the City has opted in.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 8:45 p.m.

* * * * *

Mayor Mark J. Warba

Tamyra K. Gillis, City Clerk