

Special City Commission  
June 29, 2015

Mayor Mark Warba called the special meeting of the City Commission to order at 6:00 p.m.

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

Absent: None

There were 8 persons in the audience.

**PLEDGE OF ALLEGIANCE**

**RESOLUTION NO. 15-62**

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

**A RESOLUTION FORGIVING AND RELEASING CONTRACT  
INDEBTEDNESS OF SEVERAL LIBRARY SERVICE  
CONTRACTS**

WHEREAS, library service contracts were entered in the 1990's with several townships around the City of Big Rapids that called for the assignment of penal fines to the Big Rapids Community Library, and payment of an amount up to 3/10ths of a mill, and

WHEREAS, these library service contracts have been challenged by the several townships, based on understandings by the townships that payments of up to 3/10ths of a mill would not be charged or collected over and above the penal fines, and

WHEREAS, the amounts in excess of penal fines that might be charged and collected on the library service contracts were not calculated and billed to the several township in a timely or consistent manner, and

WHEREAS, all townships: Barton, Green, Big Rapids, Home, Grant, Colfax, and Norwich have given voted notice to the City of Big Rapids documenting their desire to dissolve their old contracts for support of a community library, and move in a different direction for library services, and

WHEREAS, in their letters dissolving the old contracts, all townships: Barton, Green, Big Rapids, Home, Grant, Colfax and Norwich, have affirmed and designated the Big Rapids Community Library to continue to be a recipient of their township's appropriate portion of penal fines collected by the State of Michigan in support of library services, and

WHEREAS, the City Commission desires to resolve the outstanding financial issues surrounding the billing and collection of contractual obligations under the old contracts for all years prior to 2014/2015 with each township.

NOW, THEREFORE, BE IT RESOLVED, that all library service contract receivables for amounts over and above penal fines for years prior to 2014/2015 are forgiven because of legal, practical problems with enforcing and collecting them, and the several townships named in those library service contracts are released from liability for these services.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: June 29, 2015

### **RESOLUTION NO. 15-63**

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

#### **A RESOLUTION ADOPTING FREEDOM OF INFORMATION ACT POLICIES, PROCEDURES AND GUIDELINES AND WRITTEN PUBLIC SUMMARY**

WHEREAS, the Michigan Legislature has amended the Freedom of Information ACT (FOIA) requiring municipalities to adopt and publish policies, procedures, guidelines and a written public summary of how FOIA requests are handled, and

WHEREAS, the new regulations also regulate the costs to be charged by local governmental units for researching and collecting data and making copies of the requested information, and

WHEREAS, the Michigan Legislature set the date of July 1, 2015 for municipalities to have the new regulations in place.

NOW, THEREFORE, BE IT RESOLVED that the Big Rapids City Commission hereby adopts the FOIA Policies, Procedures and Guidelines and the Written Public Summary of FOIA Policies, Procedures and Guidelines to be effective beginning July 1, 2015.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: June 29, 2015

### **RESOLUTION NO. 15-64**

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

#### **A RESOLUTION AUTHORIZING SUBMISSION OF PAPERWORK FOR PURCHASE OF FORECLOSED PROPERTY ON NORTH FOURTH AVENUE**

WHEREAS, the State of Michigan allows governmental agencies the opportunity to purchase foreclosed parcels of land within their jurisdiction, for use as a public purpose, by paying the State minimum bid, minus any taxes levied by the municipality and any interest, penalties or fees owing to the municipality for those taxes, and

WHEREAS, property identified as 702 N. Fourth Avenue is up for foreclosure sale for a minimum bid of \$1,021.94, and

WHEREAS, this parcel of land is located adjacent to a small portion of Jackson Street right-of-way, which separates 702 N. Fourth Avenue from 602 N. Fourth Avenue, a parcel of land acquired from the DNR in November, 2014, and

WHEREAS, the acquisition of this foreclosed property and the vacating of the Jackson Street right-of-way, would allow for the combining and marketing these properties as one parcel for economic development purposes.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission authorize staff to file an application with the nonrefundable \$300 Treasury Application Fee to acquire the foreclosed vacant property at 702 N. Fourth Avenue for the cost listed above for economic development purposes.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: June 29, 2015

**PUBLIC COMMENT**

Sue Glatz, 17810 205<sup>th</sup> Avenue, questioned the size of the lot to be acquired on N. Fourth Avenue. Neighborhood Services Director Mark Sweppenheiser stated it was a 50' by 100' lot.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 8:38 p.m.

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Mayor Mark J. Warba

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Roberta R. Cline, City Clerk