

City Commission
July 6, 2015

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 Attorney Eric D. Williams; and City Manager Steve Sobers.

Absent: None

There were 17 persons in the audience.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA – none.

APPROVAL OF MINUTES

Commissioner Anderson moved, seconded by Commissioner Hogenson that the minutes of June 15, 2015 regular meeting be accepted.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Commissioner Hogenson moved, seconded by Commissioner James that the minutes of the June 29, 2015 special meeting be accepted.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

MAYOR WARBA'S STATE OF THE CITY REPORT

Mayor Warba presented the State of the City report as required by City Charter, advising the citizens of significant issues facing the City and goals that might be achieved in the next year. He stated there are no major significant issues facing the City. The City has escaped many issues that other communities have not. There have been no emergency manager or bankruptcy proceedings.

He presented the following:

- There are significant personnel changes taking place in the City including the City Clerk, Water Plant Superintendent, possible positions on the City Commission, and City Treasurer.
- Wastewater Treatment Plant on-going improvements and upgrades, including the reduction of ammonia concentrates that are discharged in the Muskegon River and the expiration of township contracts in 2017.
- Appearance and condition of some of the City neighborhoods in various parts of the City. In order to keep and attract new people and businesses, the City has

to keep neat, clean, and attractive places for people to live and work. The City Planning Commission will be asked to address matters surrounding rear yard parking and dumpster use, as well as location, especially in alleys.

- Representatives of the City and public school system have been meeting to discuss community recreational opportunities. The goal is a recreational authority to provide quality facilities and recreational programs in the area.
- Redevelopment efforts must continue, including work with the Brownfield Redevelopment Authority and working with others such as the Housing Commission, which is currently undertaking the Brookside Estates development.
- Encourage and maintain the partnerships with the University, the County, and surrounding Townships. An example could be cooperating with Big Rapids Township to the extent that the City can in promoting the extension of the sidewalk westward on Perry Street.

He does not believe that any of the issues confronting the City are insurmountable. He believes all the goals are obtainable through the ability to work with Commissioners and staff of the City.

SPECIAL ORDERS OF THE DAY – Mayor Warba presented the Proclamation for Park and Recreation Month to Park and Recreation Board members Richard Spedowske, Karen Simmon and Megan Eppley.

Designation of July as Park and Recreation Month

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Big Rapids; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Big Rapids recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, BE IT RESOLVED BY the City of Big Rapids that July is recognized as Park and Recreation Month in the City of Big Rapids.

Proclaimed this 7th day of July, 2014

Mayor Mark J. Warba

STUDY SESSION

a. Review of Chapter 91 of the Big Rapids City Code of Ordinance.

City Manager Steve Sobers presented the research and proposed ordinance prepared by City Attorney Eric Williams pertaining to Chapter 91, Animals, in the City's Code of Ordinances. Mr. William's research was the result of an interest to allow chickens and other livestock within the City limits.

Mr. Williams provided the following:

- Many Michigan communities have allowed for urban farming, which permits gardening, chickens and other animals. He has been told by staff there are a few chickens in the City already.
- The proposed ordinance allows for up to four chickens.
- A public hearing is not required for adoption of this type of ordinance, but he recommends a public hearing before the City Commission or Planning Commission prior to adoption.

Mr. Gifford, Public Works Director, added that there are locations in the City that already have chickens, pigs and goats. There have been no complaints filed.

Mayor Warba feels this type of issue should not be adopted without a public hearing, which will allow citizen input. He suggested that adoption of the ordinance amendment be postponed until the matter can be referred to the Planning Commission for public hearing.

b. Review of Big Rapids Township Perry Avenue Sidewalk Improvements.

Mr. Sobers explained that since the tragic accident on Perry Street, there has been a movement to figure out a cooperative way to get a safe sidewalk from the edge of the City

limits out to the Walmart/Meijer/Lowes/ Menard's/ High School area. The current plan is a two-phase approach: a sidewalk from the City limits to Waldron Way and Aldi's, and the next section from Waldron Way to Meijer's. The overall cost approaches ½ million dollars. The township is looking to the University and other entities to donate to the cause. As a special assessment mechanism, they have a formula of front footage and square footage of buildings along the way to come up with a dollar value that the sidewalk would carry for those businesses.

The City does not have any property along this route, but it is acknowledged that there will be City residents who will use the sidewalks. One discussion point is that the City may be willing to maintain sidewalk snow plowing over a period of time. It is estimated that 10 snowfalls per season with six hours to clean the walk, the City would estimate an approximate \$3,400 cost investment to plow for a winter season. If the City invested five years to plow, that is an estimated \$18,000 to \$20,000 range.

Bill Stanek, Big Rapids Township Supervisor, stated there is a concern for those walking the area. With the City's in-kind participation, the Township can show the businesses that there are three participants, and they are being asked to contribute as well.

Mr. Gifford stated that the City has the equipment and man-power to do a good job, but he reminded the Commission that sidewalks are not the first priority in snow removal.

Mayor Warba stated that the sidewalk is necessary, but he does not see how the City can appropriate funds for the sidewalk extension. The sidewalk will affect City residents and Ferris student who walk to the businesses in the township. The snow plow services seem like a reasonable contribution.

Mr. Stanek outlined the special assessment process:

- The public assessment district will be established this month.
- A public hearing on the district will be held in August.
- In September, it will come back to the Township Board, at which time the amount of the special assessment will be established and a public hearing held.
- It process returns to the Board for approval of engineering drawings.
- Construction will be in the spring of 2016.

Mr. Sober stated that it is a challenging construction because of some wetlands. The City will not be involved until the winter of 2016.

Mr. Williams stated that the following two mechanisms can be used for the service:

- 425 agreement, which seems to be more than what is needed for the snow plowing services
- Urban Cooperation Agreement, where the Township asks the City to provide the services and City agrees to do it. State Law requires that a value be established and how that value will be repaid over a period of time. The City can provide the service over 3 – 5 years and see if the Township can provide a repayment for the services. If they cannot, the City will end up with an unpaid cost.

Mr. Stanek stated that he is trying to find an in-kind donation. Mr. Williams stated that he will look at this to come up with a way to provide the service.

PUBLIC COMMENT

Ferris Students – Hannah Burt and Anton Saurini, Ferris State University Student Government Representatives presented the following:

- Student Government will be happy to continue to have representatives from the City come to their meetings. Tentatively, the meetings will be on Tuesday at 7:00 p.m.
- Helen Ferris Dorm is in the process of being demolished.
- There will be new individuals taking office of the student government.

Commissioner Rothstein complimented the students on the relationship with the community.

Rose Mary Jennings, 606 Bjornson, complimented Public Works employees on the excellent condition they left adjacent properties upon the completion of road repairs.

PUBLIC HEARING – none

The City Commission took a five-minute break.

MOTION NO. 15-65

Commissioner Anderson moved, seconded by Commissioner Rothstein that the proposed amendment to Section 91.01 – 91.08 of Chapter 91, Title IX of the Big Rapids City Code regarding the keeping of animals within the City be referred to the City Planning Commission for public input and recommendation to the City Commission.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Motion was declared passed.

Dated: July 6, 2015

RESOLUTION NO. 15-66

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

**RESOLUTION AUTHORIZING CONTRACT FOR
INSTRUMENTATION AND CONTROLS PROVIDER
AT THE WATER AND WASTEWATER PLANTS**

WHEREAS, the City solicited Requests for Qualifications from firms for Instrumentation and Control Services at the Water and Wastewater Plants, and

WHEREAS, five firms submitted proposals to provide the requested services, which include maintenance and support of the SCADA hardware, software, instruments,

servers and communication system as established by the City and in coordination with the City's IT department, and

WHEREAS, after an interview and review process by staff, it is staff's recommendation to approve the proposal of Integrated Controls, Inc. to provide necessary services as outlined in the contract, and

WHEREAS, the services were bid for a one year period with two (2) additional one year extensions upon approval of the Big Rapids City Commission.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission accept the proposal of Integrated Controls for the Water and Wastewater Plants Instrumentation and Control Provider services.

BE IT FURTHER RESOLVED, that the City Commission hereby authorizes the Mayor to sign the contract between Integrated Controls and the City of Big Rapids.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: July 6, 2015

RESOLUTION NO. 15-67

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

RESOLUTION ACCEPTING BID FOR THE 2015 STREET RESURFACING PROJECT

WHEREAS, the City maintains a street system of approximately 38 miles, and recognizes that the maintenance of the street surfaces are a vital element of a good street pavement management system, and

WHEREAS, staff has identified City streets that are in need of repair and solicited bids for the 2015 Street Resurfacing Project, and

WHEREAS, four bids were received with staff recommending the lowest and best bid of Reith-Riley Construction Co, Inc., of Big Rapids for the 2015 Local Street Resurfacing Project in the amount of \$146,987.90, and

WHEREAS, the streets identified for milling and overlay treatment are:

1. Clark Street, from Perry Avenue through Morrison Avenue
2. Cedar Street from State Street through S. Warren Avenue
3. Fuller Avenue from Green Street through Ridgeview Drive
4. W. Bellevue Street, 100, 200, and 400 Blocks
5. Finley Avenue from Madison Street to W. Bellevue Street
6. E. Grand Traverse Street from State Street through Michigan Avenue

WHEREAS, contract documents allow the City to include additional unit quantities for paving additional streets if surplus funds are available after the completion of the above streets.

NOW, THEREFORE, BE IT RESOLVED, that the bid of Reith-Riley Construction Co, Inc., in the amount of \$146,987.90 be accepted.

BE IT FURTHER RESOLVED, that the Mayor be authorized to sign the contract upon approval of the City attorney and the cost be expensed to the 2015/16 budget from the following Account Numbers:

<u>Account Numbers:</u>	<u>Budgeted</u>
202-451-998.000 Major Street Construction	\$120,000
203-451-998.000 Local Street Construction	\$ 56,000

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: July 6, 2015

RESOLUTION NO. 15-68

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

RESOLUTION AUTHORIZING CONTRACT WITH MICHIGAN DEPARTMENT OF TRANSPORTATION FOR THE BALDWIN STREET BRIDGE PROJECT

WHEREAS, the Baldwin Street Bridge is scheduled for replacement due to its age and condition, and

WHEREAS, the reconstruction of the bridge includes funding through the Michigan Department of Transportation (MDOT) at a participation ratio equal to 95%, up to an amount not to exceed \$3,060,000, and

WHEREAS, the MDOT funds will be applied to the replacement of the bridge structure and approaches from the intersection of State Street and Baldwin Street to Fourth Avenue, and

WHEREAS, items not included in the MDOT funding include the name plate, stone medallions, timber staircase, gabion wall, call box relocation, decorative concrete, Riverwalk relocation, clearing work, engineering costs and other work outside the limits described in the agreement, and

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

	Total Estimated Cost	State Bridge Funds	Local and Other Share
Structure and approaches	\$4,201,900	\$3,060,000	\$1,141,900
Stone medallion, timber staircase, gabion wall, call box relation, decorative concrete, Riverwalk relocation, clearing work, engineering costs	\$126,800	0	\$126,800
Total Project Costs	\$4,328,700	\$3,060,000	\$1,268,700

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby authorize the Michigan Department of Transportation Contract No. 15-5338 for the Baldwin Street Bridge replacement project.

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: July 6, 2015

RESOLUTION NO. 15-69

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

RESOLUTION REFERRING PROPOSED PARKING AND DUMPSTER REGULATIONS/POLICY TO THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION

WHEREAS, the City Commission and staff participated in a bus tour of the City on April 27, 2015, whereby two areas of concern were dumpsters in residential districts and parking areas along the alleyways, and

WHEREAS, the result of the tour lead to a discussion of possible regulations/policies pertaining to dumpsters and off-street alley parking, and

WHEREAS, the City Commission requested that the matter and suggested proposed regulations/policy be referred to the City Planning Commission for consideration.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission refer to the Planning Commission for review and recommendation the proposed dumpster and off-street alley parking regulations/policy.

Yeas: Anderson, Hogenson, James, Rothstein, Warba
Nays: None
The Mayor declared the resolution adopted.
Dated: July 6, 2015

RESOLUTION NO. 15-70

Commissioner Hogenson moved, seconded by Commissioner Anderson, 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:

PLANNING COMMISSION

Jennifer Cochran appointed to a full term ending May 2018.

Yeas: Anderson, Hogenson, James, Rothstein, Warba
Nays: None
The Mayor declared the resolution adopted.
Dated: July 6, 2015

UNSCHEDULED BUSINESS

Mr. Sobers commented on the following:

- USDA Director, Mr. Turner, reported they are doing a home at 911 Woodward Avenue, emphasizing the importance of ownership and what it means to children growing up.
- Aero Med will be releasing a statement that they will maintain and support their site in Big Rapids until through the next year.

Commissioner Hogenson stated that the fireworks in his area of town were bad over the Fourth of July holiday. He would like to see MML, or a group of cities, petition the legislature or the Governor to ask them to reconsider their relaxing of the fireworks policy. He would suggest that the City participate. City Attorney Williams stated that he can check with MML to see if there is any movement regarding the regulation of fireworks.

Commissioner Rothstein stated that a citizen has asked him about silt coming down from Clay Cliffs during rains. Mr. Gifford stated that he has not seen anything different over the last couple of years. Mr. Schneidt stated that there is nothing different occurring and the area has experienced some flooding over the last many years.

Commissioner Anderson stated that the Riverwalk trail is a real asset to the City.

Mayor Warba inquired about the status of the City Treasurer search. Mr. Sobers stated that the application process is over until July 15th.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 8:15 p.m.

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Mayor Mark J. Warba

Roberta R. Cline, City Clerk