

City Commission  
February 15, 2016

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

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

Absent: Commissioner Rothstein, who was excused due to medical illness

There were 15 people in the audience.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA –**

Addition of Aaron Kuhn, City Treasurer, financial update regarding the Baldwin Street Bridge.

Additions of Ormand Hook, candidate for State Representative for the 102<sup>nd</sup> District.

**APPROVAL OF MINUTES**

Commissioner Hogenson moved, seconded by Commissioner James that the minutes of February 1, 2016 meeting be accepted with a typographical error.

Yeas: Anderson, Hogenson, James, Warba

Nays: None

**SPECIAL ORDERS OF THE DAY -**

a. Proclamation - The Mayor read the following proclamation:

**PROCLAMATION “WALK FOR WARMTH DAY” FEBRUARY 20, 2016**

WHEREAS, the City of Big Rapids recognizes the need for funding to meet the needs of certain underprivileged individuals in the community who struggle to heat their homes, and

WHEREAS, the Big Rapids City Council recognized the dedication of the “Walk for Warmth” committee, and

WHEREAS, BE IT RESOLVED, the Big Rapids City Council, declares February 20, 2016 as “Walk for Warmth Day” in the City of Big Rapids.

Adopted this 15th day of February, 2016

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Mayor Mark J. Warba

b. Hanna Burt and Anton Saurini - Ferris Student Government

Hanna Burt and Anton Saurini spoke on the following activities occurring at Ferris State University:

- Big Event – April 16, 2016. Currently they have 100 resident applications and 30 volunteers. They hope to have 300 resident homes and 3,000 volunteers. Applications for the Big Event can be picked up and returned to City Hall.
- Emergency Preparedness Event – the Ferris Director of Public Safety is leading this event tonight. The City's Deputy Director of Public Safety will be in attendance of this event.
- Ferris Student Government meetings – Every Tuesday at 6:30 p.m. The City is welcomed to have a representative at these meetings.

The Mayor recommended that students attend some of the events at the Festival of the Arts. Ms. Burt stated that she would take a booklet back to Ferris. Mr. Saurini asked the status of the City's ice rink. Mr. Gifford stated that the ice is currently good, but suggested that skaters take advantage of this before temperatures increase over the weekend.

c. Mr. Ormand Hook –

Mr. Ormand Hook was introduced as the candidate running for State Representative for the 102<sup>nd</sup> District. Mr. Hook has been a Big Rapids resident since 2000 and has worked at the MOISD for 23 years.

**STUDY SESSION**

a. Baldwin Bridge Update – Roger Schneidt

Roger Schneidt gave a slide presentation regarding the removal and construction of the Baldwin Street Bridge. Some of the highlights are as follows:

- The lanes of traffic will be wider and have sidewalks on both sides.
- Riverwalk trails will pass under the bridge at both ends.
- There will be LED lighting on the bridge.
- The intersection of Baldwin Street and State Street will be built to truck and trailer specifications allowing for trucks to make the turn onto Baldwin Street.
- The timetable for the bridge to be finished has been pushed back by approximately 15 days.

b. Financial Update on Baldwin Street Bridge - Aaron Kuhn, City Treasurer

Mr. Kuhn spoke on the cost for the Baldwin Street Bridge Project to date.

- 2,115,702.30 is the total cost of the project currently
- 1,646,257.97 has been paid by MDOT
- 246,835.36 was paid to MDOT
- 301,989.28 has been incurred for engineering costs
- 547,824.64 has been out of pocket expenses, the City will be reimbursed for the majority of this amount.
- 930,909.01 has been submitted to the EDA for reimbursement

The City will be getting a reimbursement of 279,000 for the Hanchett demolition cost, 240,000 has been invoiced from MDOT and a percentage of the engineering cost as part of the 930,909.01 amount. Also, the City is able to ask for an advance because the costs are going to be coming in from the State on the EDA portion.

c. Engineering Update (Other City Projects) – Todd Richter

- Gilbert Road Water Main – Installing a 12-inch water main extension along State Street then west down Gilbert Road to the end. Would like to start the project in 2-3 weeks. The water main will be constructed out of HDPE, a poly ethaline plastic. If there is a break in the pipe, a new section of pipe, can be fused in to make the repair. If businesses along Gilbert Road want to tap into the water main, they will be able to, they just have to incur the expense to do so.
- Mitchell Creek Park, Passport Grant (DNR), - this would be a \$45,000 match grant, which staff is considering paving the parking lot, improving the stairs, creating a rain garden and installing LED lights.
- Water Reliability Study – this study is done every five years to determine what projects need to be considered. The DEQ has already requested a Capital Improvement Plan for water improvements.

Fleis & VandenBrink assisted with some of the survey work that was done on Clay Cliffs at no charge to the City. Mayor Warba expressed his appreciation to the engineering firm for their generosity.

**PUBLIC COMMENT**

Steve Beilfuss (Masters), 211 Maple Street, Big Rapids, addressed the Commission regarding a parking ticket that he received and concerns with the signage of City parking lot 2.

Mr. Beilfuss handed the Commission copies of section 8.25 (overtime parking) and section 8.26 (all night winter parking) and pictures of signs that are posted in the City parking lot 2.

Mr. Beilfuss stated that there has been a long standing issue with the overnight parking in the City parking lot 2. He lives in the apartment of 211 Maple Street and parks his car in the lot overnight. There are signs posted for overnight parking, day parking and 3-hour parking (except Sundays and holidays). He parked his car in lot 2 in front of the sign that read "overnite parking between signs 8 p.m. – 7 a.m." and "All day parking 7 a.m. - 8 p.m." Mr. Beilfuss stated that he has talked to several City officials regarding the signage in City parking lot 2 and the situation has not been resolved. He decided to take his concerns to the City Commission.

He received a ticket on a Sunday for violating section 8.26 (all night winter parking). Mr. Beilfuss believes that he should not have been ticketed because (1. section 8.26 does not mention City parking lots and (2. the ticket was written on a Sunday. Section 8.25 states that the regulation does not apply on Sunday or legal holidays unless so designated on the sign, which it does not. Mr. Beilfuss has been living in the building for seven years and unless someone parks in the designated handicapped space illegally, they have not been ticketed as long as they have not parked in the middle of the parking lot or in the way of the snow plow route.

Mayor Warba asked what solutions Mr. Beilfuss would recommend to resolve this issue with City parking lot 2. Mr. Beilfuss' recommendations were:

Place the three (3) No Parking overnight between 2 a.m. and 6 a.m. signs that are in the parking lot along Warren Avenue and place them under the sign that reads "3 hour parking 7 a.m. – 8 p.m. Except Sundays and Holidays". (My apologies but this part of the meeting was very confusing and hard to understand)

Expand the two (2) signs at the end and include the other two parking spaces to accommodate more overnight parking in the back row.

Mr. Beilfuss commented that there has been a State vehicle parked in front of the other overnight sign and has never been ticketed. He believes that the ticketing process should be consistent for everyone.

Commissioner Anderson questioned using the City Parking lot next to the Post Office. The Post Office is no longer leasing the City parking lot and the City owns the back portion of the lot. There is no signage in this lot.

Mayor Warba commented that there will be a City Commission retreat on February 29, 2016 whereby an update on this matter will be presented.

Mr. Sobers suggested referring any changes to the Parking lot signs to the Downtown Business Association for their suggestions and recommendations.

Rose Mary Jennings expressed her concerns regarding the Flint water crisis. She asked if any local organization was collecting water donations. It was mentioned that the Lost & Found Church on Michigan Avenue and Van Dries on State Street were collecting donations. Adam Gac, Pioneer reporter, commented that there will also be an upcoming Rock N' Roll benefit concert in a couple of months.

### **PUBLIC HEARING**

The public hearing regarding the amended Special Assessment Roll No. 15-518 for the 2014-2015 Sidewalk Improvement Project was opened by the Mayor at 7:30 p.m. There were no comments from the audience or the City Commission. The public hearing was closed at 7:30 p.m.

Steve Beilfuss commented that the new sidewalk in front of his business (211 Maple) was extremely slippery and ices up. He has no problem with the rest of the original sidewalk. He wanted to know what type of material was used. Matt Ruelle, Public Works Engineer, stated that standard six sack limestone mix was used on his sidewalk. The limestone mix is generally considered to hold up well to the ice and snow. Mr. Ruelle will assess the site in question.

### **RESOLUTION NO. 16-18**

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

#### **RESOLUTION ADOPTING AMENDED SPECIAL ASSESSMENT ROLL NO. 15-518 FOR 2014-2015 SIDEWALK IMPROVEMENT PROJECT**

WHEREAS, the City Commission approved Special Assessment Roll No. 15-518 on March 16, 2015, and

WHEREAS, the actual costs of the completed project were different than the estimated costs and the actual footages installed were different for some of the parcels than the original estimates, and

WHEREAS, the City Assessor or his/her designate prepared an amended Special Assessment Roll No. 15-518 to reflect actual unit costs and actual square footages, and

WHEREAS, the Big Rapids City Commission held a public hearing on February 15, 2016, to consider any objections to said amended roll, at which time the amended special assessments were confirmed.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby approves said amended Special Assessment Roll No. 15-518 to be spread over a three (3) year term payable in three (3) annual installments with interest at six percent (6%) per annum due each February 1st, beginning February 1, 2016 and directs the City Assessor

to deposit said amended roll 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, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: February 15, 2016

**RESOLUTION NO. 16-19**

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

**RESOLUTION OF INTENT TO APPLY FOR  
STATE FORMULA OPERATING ASSISTANCE FOR  
FISCAL YEAR 2017 UNDER ACT NO. 51 OF THE  
PUBLIC ACTS FOR 1951, AS AMENDED**

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 2017 (October 1, 2016 through September 30, 2017) 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 \$108,500.00, estimated state funds \$215,500.00, estimated local funds \$103,000.00, estimated fare box \$80,000.00, estimated other funds \$96,300.00, with total estimated expenses of \$602,700.00.

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 2017 (October 1, 2016 through September 30, 2017).

Yeas: Anderson, Hogenson, James, Warba

Nays: None

The Mayor declared the resolution adopted.

Date: February 15, 2016

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. 16-19 adopted by THE APPLICANT (City of Big Rapids) at the meeting of February 15, 2016 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 16th day of A.D. 2016.

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Tamyra K. Gillis, City Clerk

Mr. Sobers commented that Commissioner Rothstein is still recovering from his surgery and not anticipated to be back attending meetings for at least another month. Mr. Williams will try to contact Commissioner Rothstein before the retreat date of February 29, 2016 for an update.

### **RESOLUTION NO. 16-20**

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

### **RESOLUTION EXCUSING COMMISSIONER ROTHSTEIN DUE TO HEALTH CONCERNS**

NOW, THEREFORE, BE IT RESOLVED, that the City Commission excuses Commissioner Rothstein from the regular meeting of February 15, 2016 due to health concerns.

Yeas: Anderson, Hogenson, James, Warba  
Nays: None  
The Mayor declared the resolution adopted.  
Dated: February 15, 2016

**UNSCHEDULED BUSINESS**

- City Commission Retreat, February 29, 2016 at 6:00 p.m. at City Hall.
- Steve Sobers expressed his appreciation and thanked Matt Ruelle for his field work regarding Mitchell Creek Park.
- Commission Anderson commented that the Festival of the Arts events continue until the end of February.
- Commissioner Hogenson expressed his enthusiasm for the Big Event that Ferris State University sponsors. This event is for all City of Big Rapids home owners and is not based on income. It is not, however, offered to student rentals. The students do a wonderful job, but are not allowed to use power tools.
- A District Court Judge passed an injunction regarding Public Act 269 that prohibited local governments from issuing information to voters.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 7:40 p.m.

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Mayor Mark J. Warba

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Tamyra K. Gillis, City Clerk