

City Commission
December 19, 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, Lorraine James, and Dan Rothstein; Mayor Mark J. Warba; City Attorney Eric D. Williams; and City Treasurer Aaron Kuhn.

Absent: None

There were 39 people in the audience.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA - 10 g(iv) was removed from the agenda and placed on the January 3, 2017 agenda. – Resolution accepting contract governing the water distribution systems of Ferris State University and the City of Big Rapids for construction, operation and communication practices.

APPROVAL OF MINUTES

Commissioner Hogenson moved, seconded by Commissioner Anderson that the minutes of December 5, 2016 regular meeting be accepted.

Yeas: Anderson, Hogenson, James, Rothstein, Warba
Nays: None

SPECIAL ORDERS OF THE DAY

a. Oath of Office was giving to Firefighter Nicholas Routley by the City Clerk.

STUDY SESSION

a. Engineering Report – Fleis & VandenBrink

Todd Richter, Fleis & VandenBrink gave an update on some of the projects that they are currently working on. Some of the highlights included:

- Baldwin Street Bridge – Finishing up on the final quantities, pay estimates and change orders that need to be resolved as part of the Baldwin Street Bridge project. Planting of the trees will be done at a later time due to the weather. It was asked if the DPW crew could plant the trees instead of having it contracted out. Mr. Richter commented that this could be done and the contract adjusted.
- Water Reliability Study – the draft of the study is done and recommendations will be sent to City staff. The Commission should be presented the study sometime in January.

- DART Bus Garage and Ives Avenue – Both of these projects are using STP money. Fleis & VandenBrink originally did the survey for the old water main system on Ives, which transportation money (STP) was granted to the City. The City still has a portion of the money that needs to be used towards the Ives project.
- Water Main Specification - This is on file with the DEQ and has been approved with the DEQ.
- Hemlock Park Culvert – This culvert is very long and has some wing walls in it and it is starting to tip in. An inspection was made on this culvert and Fleis & VandenBrink will be receiving a letter and report of the condition of the culvert.
- CIP Budget Numbers - Helping staff with budget numbers on projects such as: Hemlock sewer, retainer wall on the Muskegon River, and the Ives water main survey.

b. Alternative Winter Parking – Steve Sobers, Roger Schneidt

Steve Sobers outlined some of the issues with snow plowing if alternative winter parking were to be implemented.

- On an average, the City budgets for 5-6 major snow storms per year, which cost approximately \$20,000 per event depending on the storm.
- In these major snow storms, if cars were parked in the street, snow would be plowed up against the cars and residents would have to shovel their car out.
- If no cars were parked on the street, City crews can plow at a greater speed with no worries of hitting any cars and can spread the snow into yards so piles are distributed over the yards, thereby keeping piles shorter.
- If cars were parked on the street, the time to remove snow would increase as the trucks would need to maneuver around them. This would add considerable overtime. There are 50 miles of streets in the city. Plowing slower would result in 90 additional hours. Piles of snow would be higher and more concentrated at the curb's edge. Cold weather would freeze these piles of snow and result in rough travel and more difficulty in parking. On the narrow streets, there would be no room for the snow truck to maneuver with parked cars at the curb.
- Cars would have to be towed if they were not parked on the proper side of the street, resulting in expense to the car owner and serious delays in snow removal. Citizens would become angry.
- Plow trucks could slide on the ice into parked cars.
- Conducting this alternative parking in student populated “target areas” is less appealing. Students tend to stay out late and may not come home in the best of condition. Weekends the students tend to leave the community and leave their car on the street. This would be a problem with the odd-even approach.
- A better solution may be to shorten the “no parking overnight” regulations to December to March. Unfortunately, this may impede the picking up of the leaves in the fall.

Roger Schneidt presented a survey of 15 municipalities regarding on street parking. Only two municipalities allow odd/even parking in the winter. The reason for this is because in these two cities there are narrow parcels with no driveways and no alley to the rear yards. Van Johnson, Street Superintendent, commented that if cars were parked in the street they would be buried with snow. Picking up the leaves in the fall would be hindered if the snow parking ordinance was shortened.

Commissioner Rothstein had an experience with odd/even parking in South Gate Michigan. By January it was a big mess. The snow was frozen where people did not move their car and the snow could not be removed. Commissioner Rothstein commented that the city is fortunate to have the equipment and crew to clear the streets and they do an outstanding job. He is not in support of odd/even winter parking.

Mr. Paul DesNoyers, Vice President of Big Rapids Property Owners Association (BRPOA) spoke in favor of odd/even winter parking. He believes that if Grand Rapids can make it work then the City of Big Rapids should be able to. Cars parked on the lawns is against the City of Big Rapids parking ordinance. If students park on the street during the winter parking times, they will be issued a ticket. The BRPOA is only recommending the section of Michigan and Ives and Michigan to Ferris campus be odd/even parking.

Mr. DesNoyers would also like the City Commission to consider alley parking in the winter. The BRPOA would be willing to educate their renters.

Mr. Eric Freeman, BRPOA, commented that there is a App that could be placed on a phone letting people know when there is a major snow storm coming and the City does not want any parking on the street that night.

Mayor Warba would like staff to consider the concept of a limited footprint and this phone App. The App is a good idea, but students may not be in the area to move their car.

Commissioner Hogenson asked if there was any data about who was upset about the current parking ordinance. He also commented that there is already an App that can be downloaded on your phone free of charge.

Mr. Van Johnson asked who would be responsible if snow caved in a cars door. Mr. DesNoyers stated that their car insurance would pay for it, but if they had PLPD it would not.

The Commission decided to take no action on this issue.

c. User Charge 2017 – Aaron Kuhn

City Treasurer, Aaron Kuhn presented the 2017 User Charge Report. Some of the highlights are as follows:

- There will be a decrease in the user charge per 1,000 gallon unit for Big Rapids Township from \$5.88 to \$5.51 per unit. the rate for Green Township will be decreased from \$5.88 to \$5.43 per unit.
- The major factor for the rate reduction is a decline in the cost of operation & maintenance. Another factor is a function of the portion of cost to the City over the usage of the Gilbert Drive lift station.
- \$318, 000 was set up for equipment replacement cost which is an increase of 7% over last year. Replacement costs have been funded at 100 %.

d. 717 Finley Update – Mark Sweppenheiser

Mark Sweppenheiser gave an update on the property at 717 Finley. Last year the house at 717 Finley burned and was a complete loss. The owners sold the property to Ed & Noreen Berwanger. The new owners started to clean up debris from inside the house but cleanup has been slow. The husband, unfortunately, died 2 ½ weeks ago and the house has not been touched since. The property is unsightly. Staff would like to approach the owner and try to negotiate a price to buy the property. The Commission would like Mr. Sweppenheiser to talk to the owner about the City purchasing the property and give the Commission an update at a future Commission meeting.

PUBLIC COMMENT - Mayor Warba presented City Attorney Eric Williams with a 30-year employee recognition pin and plaque.

PUBLIC HEARING – 7:00 p.m.

Public Hearing to consider objections to the Special Assessment for Alley Improvements for Block 36 of the Original Plat, between Warren Avenue and Stewart Avenue, North of Oak Street was opened by the Mayor at 7:05 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 special assessment. There was no written or telephonic correspondence.

The public hearing was closed at 7:05 p.m.

The Commission took a 10-minute recess.

RESOLUTION NO. 16-133

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

**RESOLUTION ADOPTING AMENDED SPECIAL ASSESSMENT ROLL NO. 16-520
FOR ALLEY IMPROVEMENTS FOR BLOCK 36 OF THE ORIGINAL PLAT,
BETWEEN WARREN AVENUE AND STEWART AVENUE, NORTH OF OAK STREET**

WHEREAS, the City Commission approved the alley improvements for Block 36 Special Assessment Roll No.16-520 on September 6, 2016, 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. 16-520 to reflect actual unit costs and actual square footages, and

WHEREAS, the Big Rapids City Commission held a public hearing on December 19, 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. 16-520 to be spread over a three (3) year term payable in three (3) annual installments with interest at three percent (3%) per annum due each February 1st, beginning February 1, 2017 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, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: December 19, 2016

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 on December 19, 2016.

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 Gillis, City Clerk
Dated: December 20, 2016

RESOLUTION NO. 16-134

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

RESOLUTION APPROVING TRAFFIC CONTROL ORDER NO. 520 FOR OAK STREET

WHEREAS, in accordance with the provisions of Act 32, Public Acts of 1956, Section 2.53, the Department of Public Safety has authorized the following traffic control order:

Move a No Parking sign in the 600 block of Oak Street which is on the north side of the street, near the intersection of Winter Street, twenty feet to the east.

BE IT RESOLVED, that the City Commission hereby approves the above Traffic Control Order.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

Additional information was received which included a Profit & Loss statements, bank statements, a 2015/16 summary review of activities of the Old Jail and Bergelin House Museum, nonprofit information that was filed with the State and the lease agreements for the renters at the Old Jain and the Bergelin House.

The topic of raising the rent on these two City owned properties was discussed along with keeping track of the dollars that the city spends on these structures for maintenance. The \$500.00 that the City will be contributing to the Bergelin House in exchange for a summary of activities can be put aside and allowed to build up in case it is needed for a major expense.

Commissioner Anderson expressed her gratitude to the Commission. She commented that the Big Rapids Historic Preservation Commission has been taking care of the house for 15 years. These people are all volunteers and organize two garage sales a year and an occasional grant to help with the upkeep.

RESOLUTION NO. 16-135

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

RESOLUTION APPROVING AGREEMENT WITH THE BIG RAPIDS HISTORIC PRESERVATION COMMISSION FOR THE BERGELIN HOUSE

WHEREAS, the City of Big Rapids owns the property located at 218 Winter Avenue known as the Bergelin House, and

WHEREAS, the Big Rapids Historic Preservation Commission is authorized to administer, operate, and maintain the Bergelin House for the City of Big Rapids, and

WHEREAS, the Big Rapids Historic Preservation Commission will write an annual summary of public activities taking place at the Bergelin House that will be included in the City's annual report, and

WHEREAS, upon receipt of the annual summary and financial data the City Manager shall authorize a \$500 check to the Big Rapids Historic Preservation Commission for use in the administration, operation, and maintenance of the Bergelin House.

NOW, THEREFORE BE IT RESOLVED, that the City Commission approve the attached agreement between the City of Big Rapids and the Big Rapids Historic Preservation Commission and authorize the Mayor to sign said agreement.

Yeas: Hogenson, James, Rothstein, Warba

Abstain: Anderson

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

The Ordinance regarding amending Section 51.08(D) of Title V Chapter 51 of the City Code was pulled from the agenda for further revision and will be placed on the January 17, 2017 agenda.

RESOLUTION NO. 16-136

Commissioner Hogenson moved, seconded by Commissioner James, 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 appointments/recommendations:

WEST MICHIGAN REGIONAL PLANNING COMMISSION

Lynn Anderson, Mark Sweppenheiser and John Schmidt appointed to the West Michigan Regional Planning Commission for the 2017 Calendar Year.

Yeas: Hogenson, James, Rothstein, Warba

Abstain: Anderson

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

RESOLUTION NO. 16-137

Commissioner Rothstein 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 appointments/recommendations:

ASSESSMENT BOARD OF REVIEW

Mark Vanderlist re-appointed to the Assessment Board of Review for a term ending February 2019.

Monte Johnson re-appointed to the Assessment Board of Review for a term ending February 2019.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

RESOLUTION NO. 16-138

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

**A RESOLUTION REVOKING THE OBSOLETE PROPERTY REHABILITATION
EXEMPTION CERTIFICATE AT 706 PERRY AVENUE
PP# 54-17-15-400-014, PP# 54-17-55-307-006, and
PP# 54-17-56-307-006**

WHEREAS, an obsolete property rehabilitation certificate No. 3-07-0006 was approved by the Big Rapids City Commission on January 16, 2007 by Resolution No. 07-06, for a facility at 706 Perry Avenue known as "The Gate," and

WHEREAS, the obsolete property rehabilitation certificate was issued April 17, 2007, and will end or terminate December 30, 2019; and

WHEREAS, the holder of the obsolete property exemption certificate agrees that the certificate should be revoked because the value of the subject property declined sharply in 2008, and:

WHEREAS, the holder of the obsolete property exemption certificate has not timely paid the taxes on the affected parcels, with the total amount now due of \$79,264.89 for 2015 and 2016; and

WHEREAS, the holder of the obsolete property exemption certificate has been late on paying the property taxes on the affected parcel and the certificate throughout the period of time the certificate has been in effect; and

WHEREAS, the recently resolved tax appeal regarding the parcels resulted in the entry of a judgment in the Tax Tribunal with values that are different from those when the obsolete property exemption certificate was issued,

NOW THEREFORE, BE IT RESOLVED that:

The City Commission finds according to MCL 125.2792 that chronic tax delinquency on the parcels involved with the obsolete property exemption certificate and the \$79,264.89 presently outstanding and past due demonstrate that the holder(s) of the certificate have “not proceeded in good faith with operation of the rehabilitated facility in a manner consistent with the purposes of this act;” and

The City Commission finds that the holder of the obsolete property exemption certificate No. 3-07-0006 is moving the bowling alley and liquor license from the site of the obsolete property exemption certificate at 706 Perry Avenue, to another site at 327 South Third Street within the City of Big Rapids, and the certificate is no longer needed for the operation of the facility, all of which occurred in the absence of circumstances that are beyond the control of the holder of the exemption certificate of the exemption certificate;

BE IT FURTHER RESOLVED that the obsolete property exemption certificate No. 3-07-0006 for the facility at 706 Perry Avenue is revoked.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

I hereby certify that the foregoing resolution no. 16-138 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 on December 19, 2016.

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 Gillis, City Clerk
Dated: December 20, 2016

RESOLUTION NO. 16-139

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

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

WHEREAS, the City of Big Rapids hereinafter referred to as the “GOVERNMENTAL AGENCY”, periodically applies to the Michigan Department of

Transportation, hereinafter referred to as the "DEPARTMENT", for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under state highway right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employees', against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.

3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.

4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State highway right of way resulting from the installation construction, operation and/or

maintenance of the GOVERNMENTAL AGENCIES facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position[s] are authorized to apply to the DEPARTMENT for the necessary permit to work within state highway right of way on behalf of the GOVERNMENTAL AGENCY.

Name	Title
Mark Gifford	Public Works Director

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: December 19, 2016

I hereby certify that the foregoing resolution no. 16-139 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 on December 19, 2016.

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 Gillis, City Clerk
Dated: December 20, 2016

RESOLUTION NO. 16-140

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

RESOLUTION ACCEPTING PROPOSAL FROM FLEIS & VANDENBRINK FOR PROFESSIONAL ENGINEERING SERVICES FOR IVES AVENUE

WHEREAS, the City of Big Rapids has applied for and received grant funding to improve a portion of Ives Avenue, and

WHEREAS, the Small Urban Program which is part of the Federal Surface Transportation Program (STP) has allocated \$175,000 toward a \$210,000 street rebuilding program on Ives Avenue, and

WHEREAS, this program needs to have engineering design submittals approved for bidding by spring 2017, so that funds may be obligated for 2018, construction, and

WHEREAS, the City has retained Fleis and VandenBrink Engineering Inc. to provide engineering services, with the adoption of Resolution No. 15-52 dated June 1, 2015, and

WHEREAS Fleis and VandenBrink has submitted a design proposal for \$30,900.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby accepts the proposal of Fleis and VandenBrink Engineering Inc. to design the improvements to the Ives Avenue reconstruction project and see it through to installation in the amount of \$30,900.00.

BE IT FURTHER RESOLVED, that the cost be expensed as follows:

Major Streets	(Engineering services)	202-451-802-000	\$17,675.00
Water Replacement	(Engineering services)	599-561-802-000	\$13,225.00

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

RESOLUTION NO. 16-141

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

RESOLUTION ACCEPTING PROPOSAL FROM FLEIS & VANDENBRINK FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIAL A RIDE FACILITY

WHEREAS, the City of Big Rapids has applied for and received grant funding to make improvements to the Dial a Ride facility, and

WHEREAS, the Small Urban Program which is part of the Federal Surface Transportation Program (STP) has allocated \$200,000 which carries an estimated improvement value of \$350,000.

WHEREAS, this program needs to have engineering design submittals approved for bidding, so that funds may be obligated and improvements begun, and

WHEREAS, the City has retained Fleis and VandenBrink Engineering Inc. to provide engineering services, with the adoption of Resolution No. 15-52 dated June 1, 2015, and

WHEREAS, to start this process, Fleis and VandenBrink Engineering Inc. has submitted a proposal for detailed surveying and project planning services in the amount of \$7,500.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission hereby accepts the proposal of Fleis and VandenBrink Engineering Inc. to provide survey and planning services in the amount of \$7,500.00 for the Dial A Ride facility Improvement project.

BE IT FURTHER RESOLVED, that the cost be expensed from Account No. 588-539-802.000 – DART (Engineering services).

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

RESOLUTION NO. 16-142

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

RESOLUTION ACCEPTING THE 2017 BIG RAPIDS WASTEWATER USER CHARGE SYSTEM REPORT AND AUTHORIZING THE MAYOR TO SIGN

WHEREAS representatives from the City of Big Rapids, Big Rapids Township and Green Township [the “Municipalities”] have met in committee to complete the 2017 User Charge Report [the “Report”], and

WHEREAS the Report identifies City accounts utilized to quantify and track shared expenses in the operation of the wastewater treatment plant and collection system, and sets the methodology of preparing the User Charge System Report, and

WHEREAS, the information about the collection system and treatment plant serving the Municipalities set forth in the Report will be used in the setting of wastewater rates and the preparation of future user charge system reports.

NOW, THEREFORE BE IT RESOLVED, that the City Commission accepts the 2017 Big Rapids Wastewater User Charge System Report as prepared by the participating municipalities, subject to the approval by the State of Michigan, Department of Environmental Quality, Environmental Sciences and Services Division, and the Mayor is authorized to accept and sign the Report on behalf of the City.

BE IT FURTHER RESOLVED, that the rates established by the 2017 Report to be charged Big Rapids Township effective January 1, 2017, shall be \$5.51 per unit (1 unit = 1,000 gallons) and the rate charged to Green Township effective January 1, 2017 shall be \$5.43 per unit (1 unit = 1,000 gallons) exclusive of IPP charges as provided in this report.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

Steve Sobers thanked the Mayor and Commissioners for his tenure at the City and expressed his pleasure in working with all of them. The Commission thanked Steve for his service to the City and for a job well done.

RESOLUTION NO. 16-143

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

RESOLUTION ACCEPTING CITY MANAGER STEPHEN J. SOBERS RETIREMENT NOTICE

WHEREAS, Steve Sobers has served Big Rapids since his employment in September of 2003, as City Manager, and

WHEREAS, Steve has reached retirement age and is looking to retire and transition the City Manager position to the next generation of leaders, and

WHEREAS, Steve has notified the Commission of his intentions, and the Commission has conducted a nation-wide search for his replacement, and

WHEREAS, the City Manager serves at the pleasure of the City Commission, and

WHEREAS, Steve Sobers has submitted his letter of retirement effective January 27, 2017.

NOW, THEREFORE, BE IT RESOLVED that the City Commission celebrates his years of service and expresses thanks for his dedication and hereby accepts the letter of retirement submitted by City Manager Steve Sobers and wishes him all the blessings and comfort that retirement can offer.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

RESOLUTION NO. 16-144

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

**RESOLUTION APPOINTING MARK GIFFORD
TO BIG RAPIDS CITY MANAGER**

WHEREAS, the City Commission has offered the position of City Manager to Mr. Mark Gifford pending agreement of both parties to specific terms of employment, and

WHEREAS, a contract agreement has been negotiated, written and reviewed by the City Attorney, and

WHEREAS, Mr. Gifford has accepted the terms and conditions of this contract, and

WHEREAS, it is understood that the final action necessary to Mr. Gifford's appointment as City Manager is acceptance of this contract offer.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission employ Mr. Mark Gifford as City Manager wishing him great success in leading Big Rapids City government and direct the Mayor to sign the attached employment agreement dated December 8, 2016 with his employment beginning January 28, 2017.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the Resolution adopted.

Dated: December 19, 2016

UNSCHEDULED BUSINESS

- The Rules of Procedure for the City Commission were handed out for Commission review and will be on the January 17th agenda for action.
- There will be a grand opening for the ice rink with cookies and hot cocoa on December 22, 2016.
- A clock was given by the Commission to Steve Sobers as a retirement gift.
- The Mayor wished everyone a Merry Christmas and Happy New Year.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 8:55 p.m.

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Mayor Mark J. Warba

Tamyra K. Gillis, City Clerk