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IMLAY CITY COMMISSION
150 N. Main Street
IMLAY CITY, MI 48444
REGULAR MEETING
September 19, 2017

1. CALL TO ORDER

Mayor Bargaen called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Bargaen led the Pledge of Allegiance.

3. ROLL CALL

Present: Mayor Walt Bargaen
Commissioner Frank Demske
Commissioner Al Ramirez

Mayor Pro-Tem Joi Kempf
Commissioner Amy Planck
Commissioner Robert Tanis

Absent: Commissioner Mike Romine

Also Present: City Manager Tom Youatt; Doug Skylis of ROWE Professional Services Company; ten members of the community; and one member of the media.

4. APPROVAL OF AGENDA

Moved by Tanis, seconded by Demske, to approve the agenda with the following additions: 8.C. Audit Engagement Letter; 8.D. Spicer Engineering Payments a.) Imlay City Median/Gateway Landscaping Design and b.) Capital Improvement Plan; and 8.E. Friends of the Polly Ann Trail Presentation.

MOTION CARRIED UNANIMOUSLY

5. APPROVAL OF CONSENT AGENDA ITEMS

Motion by Tanis, seconded by Planck, to approve the following Consent Agenda Items as presented:

A. Approval of Minutes – Regular Meeting – September 5, 2017
Special Meeting – September 11, 2017

B. Payment of Bills - Payroll totaling \$87,646.18
Accounts Payable and Trust & Agency totaling \$849,750.28

ROLL CALL VOTE

Ayes: Kempf, Demske, Ramirez, Tanis, Planck, Bargaen

Nays: None

MOTION CARRIED 6 - YEAS; 0 – NAYS

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6. CITIZENS FROM THE FLOOR

Alan Rosenbalm, Imlay City, congratulated Commissioner Demske for his appointment to the Commission, noting his lengthy service on City boards and engagement within the community. Mr. Rosenbalm then commended the performance of City Manager Tom Youatt, stating the corruption found in other cities, and noting that Imlay City is lucky to have Mr. Youatt serving in this capacity.

7. OLD BUSINESS

A. Capac Road Bids

City Manager Tom Youatt informed the Commission that two bids had been received for the Capac Road and N. Fairgrounds Road Rehabilitation Project: James P. Contracting, Inc. at \$294,644.75 and Ace-Saginaw Paving Company at \$336,649.55. Youatt noted the low bid came under the engineer's estimate of \$307,900.00 and presented a recommendation letter from ROWE Professional Services Company to accept the low bid from James P. Contracting, Inc. Youatt stated that both contractors had performed well for the City in the past and recommended approval of the low bid from James P. Contracting, Inc.

Motion by Tanis, seconded by Ramirez, to accept the bid for Capac Road and N. Fairgrounds Road Rehabilitation Project from James P. Contracting, Inc. at a cost of \$294,644.75.

ROLL CALL VOTE

Ayes: Demske, Ramirez, Tanis, Planck, Kempf, Barga

Nays: None

MOTION CARRIED 6 - YEAS; 0 - NAYS

B. Green Property Discussion

City Manager Tom Youatt recalled prior presentations regarding the Green Property including Janet Michaluk with the MDEQ Brownfield Division; Bret Stuntz from AKT Peerless; and developers Richard and David Nash, and noted the importance of determining a course of action.

Mayor Barga noted that one consideration at this time is the amount of projects the City currently has underway and encouraged movement on the request at the beginning of 2018.

City Manager Tom Youatt described the plethora of current City projects and noted the prudent course of action would be to revisit the request at the beginning of 2018.

Developer Richard Nash stated that he cannot imagine a reason why the Commission would not want to accept money from the MDEQ or EPA for improving the Green Property and emphasized that no City money would need to be encumbered. Richard Nash explained a

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Phase I and Phase II Baseline Environmental Assessment of the property needed to be completed in order to disassociate any past contamination of the property with his future development, and further stated that he will take on all of the responsibility.

Mr. Lorin Herman addressed the Commission as executor of the estate for the Green Property and stated that he cannot understand why the City would not take this free money to assess the property. Mr. Herman indicated that he is seeking to make a responsible transfer of ownership and has been diligent in selling to a developer with like considerations.

Developer David Nash relayed his local government council experience and stated that he cannot see why the City Commission would not approve the request. David Nash noted that he would rather see this area enhanced than to have another municipality receive the grant funds and stated that there are only benefits and no drawbacks to this.

Mayor Bergen stated the value of performing further research into the request and into the potential zoning options that are available.

Commissioner Planck asked for clarification of the future availability of EPA funding. City Manager Tom Youatt responded that EPA funds would likely be available after the first of the year, but reiterated that MDEQ funds were limited to the remaining \$400,000.00.

8. NEW BUSINESS

A. Reappoint Stu Davis to the Downtown Development Authority With Term Ending June 2021

Mayor Bergen noted the need for the Commission to formally accept the Mayoral appointments to the Downtown Development Authority.

Motion by Kempf, seconded by Demske, to reappoint Stu Davis to the DDA with the term to expire June 2021.

MOTION CARRIED UNANIMOUSLY

B. Reappoint Sam Galiana to the Downtown Development Authority with Term Ending June 2019

Motion by Kempf, seconded by Demske, to appoint Sam Galiana to the DDA with the term to expire June 2019.

MOTION CARRIED UNANIMOUSLY

C. Audit Engagement Letter

City Manager Tom Youatt presented the annual audit engagement letter with Smith & Klaczkiwicz, PC, the City's auditing firm. Youatt noted that the firm has been responsive and available to City needs throughout the year and has consistently done a fine job.

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Youatt further noted that the City has a three-year contract with Smith & Klaczkiewicz, PC to perform the annual audit and this is the last year of the contract. Youatt added that the contract sets a not-to-exceed price of \$10,700.00 to perform the FYE June 30, 2017 audit and recommended its approval by the Commission.

Motion by Ramirez, seconded by Planck, to approve the fiscal year ending June 30, 2017 audit engagement letter with Smith & Klaczkiewicz, PC, at a cost not to exceed \$10,700.00.

ROLL CALL VOTE

Ayes: Planck, Kempf, Demske, Ramirez, Tanis, Bargaen

Nays: None

MOTION CARRIED 6 - YEAS; 0 – NAYS

D. Spicer Engineering Payments

- a. Imlay City Median/Gateway Landscaping Design**
- b. Capital Improvement Plan**

City Manager Tom Youatt presented payment requests from Spicer Group on the M-53 Gateway Project and Capital Improvement Plan projects. Youatt noted that the M-53 Gateway Project would likely begin in the spring due to the timing of the Federal Highway Administration review. Youatt stated that Department Heads are completing project proposals for the Capital Improvement Plan which are due September 29, 2017.

Motion by Tanis, seconded by Kempf, to approve the payment for landscaping design services from Spicer Group for the Median/Gateway Project in the amount of \$5,080.36, as presented.

ROLL CALL VOTE

Ayes: Kempf, Demske, Ramirez, Tanis, Planck, Bargaen

Nays: None

MOTION CARRIED 6 - YEAS; 0 – NAYS

Motion by Tanis, seconded by Kempf, to approve the Capital Improvement Plan Payment invoice for Spicer Group in the amount of \$4,348.50, as presented.

ROLL CALL VOTE

Ayes: Demske, Ramirez, Tanis, Planck, Kempf, Bargaen

Nays: None

MOTION CARRIED 6 - YEAS; 0 – NAYS

E. Friends of the Polly Ann Trail Presentation

David Howell, Chairman of the Friends of the Polly Ann Trail, addressed the Commission to present a \$1,000.00 donation to the City towards the DTE Lighting Project on the Trail. Mr. Howell stated that even though the Friends of the Polly Ann Trail group is currently raising

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funds for trail construction, the group felt it was important to support the City in this endeavor. Mr. Howell noted the long term support of Imlay City in historical efforts to secure and improve the Trail. Mr. Howell stated the importance of the Imlay City attitude to the furtherance of the Trail and presented a plaque to the City to recognize its support of the Polly Ann Trail.

9. MANAGER'S REPORT

Additional information was attached to the packet.

City Manager Tom Youatt reported that the DPW had recently completed its sidewalk replacement project on Titus Street, and noted that most cities contract out for this work. Youatt reiterated the savings to the City due to the DPW performing the work in-house and further stated that they do it well. Youatt reported that he, along with Mayor Barga and Clerk/Treasurer Frost attended the MML 2017 Convention in Holland, Michigan last week and noted the value of the sessions attended. Youatt announced he will attend the MERS Conference later this week as he seeks to place the City in a better pension funding position. Youatt presented the Progress Schedule for the Capac Road/Scrap Tire Grant Project which is scheduled to begin next week and be completed by mid-October, and stated that the project will include milling and resurfacing of Capac Road and N. Fairgrounds Road, as well as incorporate a road diet with bike lanes.

Commissioner Ramirez inquired as to the maintenance of traffic flow during the project and if the project would have any negative impact on local businesses. City Manager Tom Youatt responded that one lane of traffic would be maintained in each direction for the duration of the project. Youatt further noted that DPW Superintendent Ed Priehs would be mailing a letter describing the project parameters to impacted businesses.

City Manager Tom Youatt reported a delay with the DTE Lighting Project on the Polly Ann Trail, stating that the pedestals and poles will be installed next week but installation of the actual lights will be delayed. Mayor Barga inquired as to whether the twenty-two lights would be all on one side of the Trail. Youatt responded that the lights would be staggered on either side of the Trail. Commissioner Demske inquired whether the project would begin with boring cable. Youatt responded that DTE would first bore cable and then set casts for the pedestals. Commissioner Demske noted that the stakes indicating pole placements had been removed.

City Manager Tom Youatt reported the need to go out for bids for Cheney Street pavement work in order to maintain critical areas and keep the street viable. Youatt reported an estimate of \$20,000.00 to \$30,000.00 for the project. Youatt noted he had scheduled interviews for September 26, 2017 for a new full-time Police Officer. Youatt indicated that he, along with Chief of Police Scott Pike, County Sheriff Scott McKenna and Lapeer Chief of Police David Frisch would comprise the interview committee.

10. OTHER BUSINESS - None

11. ADJOURNMENT

Motion by Tanis, seconded by Kempf, to adjourn the meeting at 7:39 p.m.

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MOTION CARRIED UNANIMOUSLY

Respectfully submitted by: Nicole F. Frost: _____
City Clerk/Treasurer

Approved: _____