

February 21, 2017

**IMLAY CITY COMMISSION  
150 N. Main Street  
IMLAY CITY, MI 48444  
REGULAR MEETING  
February 21, 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 Amy Planck  
Commissioner Marty Rankin

Commissioner Al Ramirez  
Commissioner Robert Tanis

Absent: Commissioner Joi Kempf and Commissioner Mike Romine

Also Present: City Manager Tom Youatt; DDA Director Dana Walker; Fire Chief Richard Horton; Fire Captain Scott Stone; four members of the community; and one member of the media.

**4. APPROVAL OF AGENDA**

**Moved** by Rankin, seconded by Tanis, to approve the agenda with the following additions:  
7.A. ROWE Water Meter Draw and 8.H. Open Burn Ordinance Amendment – First Reading.

**MOTION CARRIED UNANIMOUSLY**

**5. APPROVAL OF CONSENT AGENDA ITEMS**

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

- A. Approval of Minutes - Regular Meeting – February 7, 2017
- B. Other Minutes - DDA Meeting – February 13, 2017  
Parks and Recreation Meeting – February 14, 2017
- C. Payment of Bills - Payroll totaling \$147,646.75  
Accounts Payable and Trust & Agency totaling \$271,382.47

**ROLL CALL VOTE**

Ayes: Rankin, Ramirez, Tanis, Planck, Bargaen  
Nays: None

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**MOTION CARRIED 5 - YEAS; 0 - NAYS**

**6. CITIZENS FROM THE FLOOR**

Mr. Alan Rosenbalm, Imlay City, addressed the Commission regarding his previous recommendation for development of an Imlay City Teen Center. Mr. Rosenbalm acknowledged that the idea may not be financially feasible and consequently urged consideration for development of a skate park.

Mayor Barga noted the existence of a large skate park in nearby Davison and further noted insurance related risks that could be involved with such a project. Mayor Barga stated that the input is good to hear.

**7. OLD BUSINESS**

**A. ROWE Water Meter Draw**

City Manager Tom Youatt reported that the City is coming to the end of its Meter Pit Improvements Project with only the pressure reducing valves remaining to be installed this spring. Youatt presented a pay request from ROWE Professional Services Company for their recent construction administration services on the project in the amount of \$902.50.

**Motion** by Rankin, seconded by Tanis, to approve payment of Invoice No. 81910 to ROWE Professional Services Company for the Meter Pit Improvements Project in the amount of \$902.50, as presented.

**ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Rankin, Barga

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**8. NEW BUSINESS**

**A. DDA Director Report**

DDA Director Dana Walker presented the DDA Annual Financial Report for 2015-16 to the Commission, noting the legal requirement to publish and present the report. Ms. Walker then reported the details of the 2016-17 DDA Program Year, focusing on design, promotions, and economic development activities including: façade grants, streetscape maintenance, Farmers' Market, concert series, movie series, Winter Playground, Art in the Rough, retention efforts, and Art in Action. Ms. Walker then detailed upcoming program efforts including: façade grants, Community Reading Night, Farmers' Market expansion to Saturdays, expanded concert series, Community Dinner, Winter Playground, First Impressions and a Manufacturer's Luncheon. Ms. Walker described the culmination of the DDA program efforts as creating a place for us and our kids, and their kids.

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Mayor Barga inquired as to the cost/benefit of a "Michigan Main Street" designation. Ms. Walker responded that a time commitment would represent the "cost". City Manager Tom Youatt noted that it is not an easy process.

Commissioner Planck inquired as to the extent of DDA engagement in the "Redevelopment Ready Communities" program of the MEDC. Ms. Walker responded that the City is engaged, ensuring eligibility for both the City and the DDA for Community Development Block Grant funding.

#### **B. DDA Board Member Appointment**

Mayor Barga reported an opening on the DDA Board and noted that he is appointing Jalisco's owner Samuel Galiana to the open seat. DDA Director Dana Walker noted that the mayoral appointment does not require City Commission ratification per the DDA bylaws.

#### **C. Farmers Market Manager and Entertainment Coordinator Job Descriptions**

DDA Director Dana Walker described the past practice of the DDA employing a Promotions Assistant to administer its Farmers' Market and entertainment offerings and detailed the justification to split the duties into two positions. Ms. Walker presented job descriptions for a Farmers' Market Manager and for a Summer Entertainment Coordinator, noting the same format used as those recently updated by the MML.

**Motion** by Ramirez, seconded by Tanis, to approve the job descriptions for a Farmers' Market Manager and for a Summer Entertainment Coordinator, as presented.

**MOTION CARRIED UNANIMOUSLY**

#### **D. Appoint Environmental Certifying Officer**

City Manager Tom Youatt noted the requirement of the Community Development Block Grant Program for the City Commission to designate an Environmental Certifying Officer for any CDBG projects. Youatt further noted that this designation would satisfy current and future CDBG project requirements.

**Motion** by Planck, seconded by Ramirez, to designate City Manager Tom Youatt as the Environmental Certifying Officer for all Environmental Assessments for Imlay City, Michigan.

**MOTION CARRIED UNANIMOUSLY**

#### **E. Lapeer County Sheriff License Agreement**

City Manager Tom Youatt reported that he, along with Police Chief Scott Pike, had been working to secure office space within the Imlay City Police Department for Lapeer County Sheriff Department and Michigan State Police personnel. Youatt presented a license

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agreement between the City and the Lapeer County Sheriff Department, noting its review by legal counsel.

Commissioner Planck inquired as to whether any modifications would need to take place to the building for this accommodation. Youatt responded that no modifications would need to take place.

Commissioner Ramirez inquired as to whether there were any costs involved. Youatt responded that no costs were involved and commended Police Chief Scott Pike for his ability to secure donated office equipment. Commissioner Ramirez then inquired as to the preference of the Michigan State Police to have a 90 day termination notice. Youatt responded that is standard MSP agreement language.

Commissioner Planck inquired as to whether there was a term involved with the proposed agreement. Youatt responded that the agreement was open ended.

**Motion** by Rankin, seconded by Planck, to approve the License Agreement between the City of Imlay City and Lapeer County Sheriff Department, as presented.

**ROLL CALL VOTE**

Ayes: Planck, Rankin, Ramirez, Tanis, Borgen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**F. Michigan State Police Facility Use Agreement**

City Manager Tom Youatt presented the Facility Use Agreement between the City of Imlay City and the Michigan Department of State Police for use of office space within the Imlay City Police Department, noting that the agreement had been reviewed by legal counsel.

**Motion** by Rankin, seconded by Tanis, to approve the Facility Use Agreement between the City of Imlay City and the Michigan Department of State Police, as presented.

**ROLL CALL VOTE**

Ayes: Rankin, Ramirez, Tanis, Planck, Borgen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**G. Police Vehicle Bids**

City Manager Tom Youatt presented the two bids received for the sale of the 2010 Dodge Charger: \$1,477.00 from Renee Mazey and \$1,068.00 from Yousef Dabbagh. Youatt noted that for true transparency the previous bids were rejected and the vehicle was rebid as it had been advertised for bids as a 2009 and later found to be a 2010 model.

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**Motion** by Ramirez, seconded by Planck, to accept the bid of \$1,477.00 from Renee Mazezy for the sale of the 2010 Dodge Charger.

**ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Rankin, Bargaen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**H. Open Burn Ordinance Amendment – First Reading**

City Manager Tom Youatt presented an Amendment to Fire Prevention Ordinance Chapter 94 – Fire Prevention which prohibits making a fire in any street, lane, or alley, or on private or public property within the City except for recreational fires and serves to repeal conflicting or repetitive provisions. Youatt noted that he, along with Fire Chief Richard Horton, had reviewed the current ordinances and are recommending the repeal of Section 92.11 - Fires of Chapter 92 – Parks and Recreation and repeal of Section 95.01 – Burning of Materials of Chapter 95 – Public Nuisances.

Commissioner Rankin inquired as to whether the language included a statement of how close to a building a fire could be. Youatt responded that this would be handled through the permitting process.

Commissioner Planck inquired as to the allowance for only metal containers for recreational fires and whether the language would prove exclusionary to anyone. Commissioner Planck inquired as to the types of materials that could be burned in a recreational fire. Fire Chief Richard Horton responded that natural vegetation and/or brush could be burned in a recreational fire that met the other requirements.

**Motion** by Planck, seconded by Ramirez, to approve the first reading of the Amendment to the Fire Prevention Ordinance Chapter 94 – Fire Prevention; Section 94.01, as presented.

**ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Rankin, Bargaen

Nays: None

**MOTION CARRIED 5 - YEAS; 0 – NAYS**

**I. MANAGER’S REPORT**

Additional information was attached to the packet.

City Manager Tom Youatt alerted the Commission to the introduction of a House Bill that would eliminate the State Income Tax, warning that this would result in a reduction of Revenue Sharing payments and ultimately serve to hurt communities. Youatt also reported that the proposed State Budget shows increases in certain State Departments, but not in Revenue Sharing payments. Youatt announced that progress is being made on the City Hall fiber connection,

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noting he had just received exhibits for the main agreement with Lapeer County for Commission consideration at its next meeting. Youatt stated that the City's internet costs will go down while the internet connection is enhanced. Youatt reported he had requested a proposal from DTE for lighting of the Polly Ann Trail within the City limits, and the cost would be just under \$100,000.00 for the twenty-two lights. Youatt explained that the State of Michigan owns the Polly Ann Trail, while Lapeer County maintains a maintenance agreement with the State for the sections within its boundaries. Youatt explained that Lapeer County is applying for a DNR grant to update the Trail from Dryden to Imlay City and a City application for funding of the lighting project would compete directly with the County application, leading Youatt to seek alternative funding. Youatt reported that FY17/18 Budget forms will be distributed to Department Heads this week. Youatt announced he had asked the City Attorney to review the marijuana laws that were enacted last September in order that the Commission can make an informed decision regarding City direction on the issue. Youatt reported that he, along with DPW Superintendent Ed Priehs, Utility Biller Anne McAvoy and Clerk/Treasurer Nicole Frost, had been working to amend the Water, Sewer and Garbage Ordinances as they included many outdated practices. Youatt noted he was working to reassemble the M-53 Corridor Planning Group as he believes it is timely to begin implementation of the M-53 Corridor Plan recommendations dealing with traffic calming measures, access management, and safety concerns. Lastly, Youatt reminded the Commission of the presentations scheduled for March 1, 2017 put on by the two finalists for the new phone system, and encouraged the Commissioners to attend.

**J. OTHER BUSINESS**

Mayor Barga noted the newly installed carpet in the City Commission chambers and remarked that it looked nice.

**K. ADJOURNMENT**

Motion by Planck, seconded by Tanis, to adjourn the meeting at 8:05 p.m.

**MOTION CARRIED UNANIMOUSLY**

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

Approved: March 7, 2017