

**IMLAY CITY COMMISSION
150 N. MAIN STREET
IMLAY CITY, MI 48444**

**REGULAR MEETING
Tuesday, June 01, 2021
7:00 PM**

1. CALL TO ORDER

Mayor Joi Kempf called the meeting to order at 7:00 PM.

2. PLEDGE OF ALLEGIANCE

Mayor Joi Kempf led the Pledge of Allegiance

3. ROLL CALL

Present: Mayor Joi Kempf
Commissioner Stu Davis
Commissioner Bob Tanis

Mayor Pro Tem Frank Demske
Commissioner Ted Sadler
Commissioner Kelly Villanueva

Absent: Commissioner Greg Rowden

Also Present: City Manager Craig Horton, Attorney Howard Shifman, Zoning Administrator Gerry Edwards, City Clerk Dawn Sawicki-Franz and public.

4. APPROVAL OF AGENDA

MOTION by Davis supported by Sadler to approve the agenda with moving New Business: A to top of the agenda after Consent Agenda Items.

MOTION CARRIED UNANIMOUSLY

5. APPROVAL OF CONSENT AGENDA

MOTION by Tanis supported by Sadler to approve the consent agenda items to include:

A. Approval of Minutes: City Commission: May 18, 2021 Regular Meeting

B. Other Minutes: DDA: April 12, 2021

Payment of Bills: General Fund Checking	\$	174,912.98
Tax Account	\$	9,022.69
HRA Account	\$	<u>334.72</u>
Total	\$	<u>184,270.39</u>

Ayes: Tanis, Sadler, Davis, Villanueva, Demske, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

6. DEPARTMENT HEAD UPDATE

None.

(Agenda Adjusted)

NEW BUSINESS

A. 100 N Cedar Street

Zoning Administrator Gerry Edwards drew attention to the real estate summary and letters in the board packet that referenced the Toth Properties location of 100 N Cedar Street, Imlay City, MI, parcel ID #19-81-900-000-00. These documents addressed the on-going issues surrounding occupancy and other on-site violations. Mr. Edwards is seeking permission to work with the city attorney for injunctive relief.

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MOTION by Davis supported by Demske to authorize City Zoning Administrator Gerry Edwards permission to work with the city attorney to draft a resolution for injunctive relief regarding the property at 100 N Cedar Street, Imlay City, MI, Parcel ID #19-81-900-000-00.

ROLL CALL VOTE

Ayes: Davis, Demske, Villanueva, Tanis, Sadler, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

7. OLD BUSINESS

A. OLD SCHOOL PARK BASKETBALL COURT BID INFORMATON

City Manager Craig Horton directed the Commission to the bid opening form in the board packet with the three bids received for this project noted on the form.

MOTION by Demske supported by Tanis to approve the bid from T. G. Priehs Asphalt for \$7,000 for the Old School Park Basketball Court paving as presented.

ROLL CALL VOTE

Ayes: Demske, Tanis, Sadler, Villanueva, Davis, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

B. RFP FOR AUDITING SERVICES

City Manager Craig Horton explained that we received four responses to the Auditing RFP and they vary in total for 5 years of service and only one of them include the OPEB report. Horton will review all responses and compare the totals. He also clarified that the city will most likely have to try to obtain an actuarial company to complete OPEB documents on an annual basis.

NO MOTION, INFORMATIONAL ONLY

C. AUTHORIZATION – INVITATION TO BID FOR SOLID WASTE AND RECYCLING SERVICES

City Manager Craig Horton advised the Commission that the bid proposal has been prepared and is ready to send out, in addition, we have secured J & J Disposal for a 60-day extension in order to allow time for this process and will have a new waste disposal contract in place to begin September 01, 2021.

MOTION by Sadler supported by Davis to grant permission to process the invitation to bid for solid waste and recycling services as presented.

MOTION CARRIED UNANIMOUSLY

D. WATER AND SEWER RATE INCREASES

City Manager Craig Horton recommended to the Commission that per the FY2018-2028 Water and Sewer Rate Study chart that has already been adopted in 2018 at an annual rate increase of 4%, be approved for the FY2021-2022.

MOTION by Davis supported by Tanis to approve the 4% water and sewer rate increase effective June 05, 2021 for the FY2021-2022 per the 2018 Water and Sewer Rate Study as recommended.

ROLL CALL VOTE

Ayes: Davis, Tanis, Villanueva, Demske, Sadler, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

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8. **NEW BUSINESS**

A. **100 N CEDAR STREET**

(Agenda Adjusted-See above NEW BUSINESS)

B. **MML LIABILITY AND PROPERTY INSURANCE RENEWAL**

City Manager Craig Horton noted the renewal premium for the Liability and Property Insurance for the City of Imlay City effective July 01, 2021 through June 30, 2022 at a rate of \$88,897 which is an increase of \$3,782 from the previous year at \$85,116 and includes a dividend return of \$5,680.

MOTION by Davis supported by Demske to approve the annual renewal for the MML Liability and Property Insurance at a cost of \$88,897 for the time period of July 01, 2021 through June 30, 2021 as presented.

ROLL CALL VOTE

Ayes: Davis, Demske, Sadler, Tanis, Villanueva, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

C. **PENCHURA PAYMENT #2**

City Manager Craig Horton reported that Penchura has completed their portion of the Splash Pad Project and have requested payment #2 with their application for payment.

MOTION by Sadler supported by Villanueva to authorize payment of \$143,496.95 to Penchura per their application for payment #2 for the Imlay City Accessible Splash Pad Project #18C0277A as presented.

ROLL CALL VOTE

Ayes: Sadler, Villanueva, Demske, Davis, Tanis, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

9. **OTHER BUSINESS**

Commissioner Villanueva stated that she is so glad that the porta-johns have been delivered to the parks. In addition, she requested that the one at Old School Park possibly be moved away from the picnic tables and perhaps put by the fence. Villanueva also observed that the lawn at the Butterfly Garden must have been missed by the mowing company.

Commissioner Demske expressed that the northern most tree at the Welcome Sign on M-53 by the expressway is dead. Horton stated that DDA Director Lorrelei Natke is planning to have her landscaping person look at the plantings and suggest an update to her when they have finished her current projects.

Commissioner Tanis asked how long does the grass have to be before it is in violation as there are two properties on Metcalf Road that need attention. Horton stated that is a code enforcement issue and will check out the situation.

Commissioner Davis stressed that when the Welcome Sign was installed the trees in back were supposed to cause a contrasting effect to be able to see the letters clearly, but it does not work and it needs a second row of trees behind.

Mayor Kempf offered that possibly a solid background, metal or whatever to attach to the back of the letters, perhaps a blue color, for contrast.

10. **CITIZENS FROM THE FLOOR**

Public comments were heard.

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11. CLOSED SESSION

Mayor Kempf asked for approval to recess into CLOSED SESSION to consider attorney/client privileged communication and labor negotiations pursuant to section 8H of the open meetings act.

MOTION by Davis supported by Demske to enter into closed session at 7:29pm to consider attorney/client privileged communication and labor negotiations pursuant to section 8H of the Open Meetings Act.

ROLL CALL VOTE

Ayes: Davis, Demske, Sadler, Tanis, Villanueva, Kempf

Absent: Rowden

Nays: None

MOTION CARRIED UNANIMOUSLY

Discussion.

MOTION by Demske supported by Sadler to re-enter into the open meeting at 8:35pm.

MOTION CARRIED UNANIMOUSLY

12. ADJOURNMENT

MOTION by Davis supported by Demske to adjourn at 8:36PM.

MOTION CARRIED UNANIMOUSLY

Next Regular Commission Meeting Date: Tuesday, June 15, 2021 at 7:00PM

Respectfully submitted by: _____
Dawn Sawicki-Franz, Clerk/Treasurer

APPROVED: June 15, 2021