

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

**REGULAR MEETING
Tuesday, June 21, 2022
7:00 PM**

1. CALL TO ORDER

Mayor Pro Tem Frank Demske called the meeting to order at 7:00PM

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Demske led the Pledge of Allegiance

3. ROLL CALL

Present: Mayor Pro Tem Frank Demske, Commissioner Stu Davis, Commissioner Greg Rowden, Commissioner Ted Sadler, Commissioner Bob Tanis, Commissioner Kelly Villanueva

Absent: Mayor Joi Kempf

Also Present: City Attorney Robert Seibert, DPW Superintendent Ed Priehs, Police Chief Brett Selby, Fire Chief Rick Horton, DDA Director Lorrelei Natke, Clerk/Treasurer Dawn Sawicki-Franz and public.

4. APPROVAL OF AGENDA

MOTION by Davis seconded by Tanis to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY

5. APPROVAL OF CONSENT AGENDA

MOTION by Davis seconded by Sadler to approve the consent agenda items to include:

- A. Approval of Minutes June 07, 2022 Regular Meeting with correction
- B. Other Minutes June 02, 2022 Lapeer County Board of Commissioners
May 05, 2022 Ruth Hughes Memorial District Library
April 07, 2022 Ruth Hughes Memorial District Library
May 09, 2022 DDA
April 25, 2022 DDA
- C. Payment of Bills in the amount of:

General Fund Checking	\$ 459,077.35
Tax Account	\$ 675.06
HRA Account	<u>\$ 276.02</u>
Total	<u>\$ 460,028.40</u>

ROLL CALL VOTE

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

Nays: None

Absent: Kempf

MOTION CARRIED UNANIMOUSLY

6. CITIZENS FROM THE FLOOR

None

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7. DEPARTMENT HEAD

Fire Chief Rick Horton spoke regarding the utilization of the remaining portion of his Fire Department budget for the FY 2021-22 after continued frugality by his department, to assist in the down payment of a much-needed fire truck to replace one in the aging fleet of trucks that are on his roster of trucks to respond to the safety of residents in our community and the surrounding area.

MOTION by Davis seconded by Sadler to transfer from the FY 2021-22 General Fund the amount of \$50,000.00 to the truck fund for the Fire Department.

ROLL CALL VOTE

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

Nays: None

Absent: Kempf

MOTION CARRIED UNANIMOUSLY

Fire Chief Horton also discussed the new tornado siren in Lamb Steele Park and stated that the installation company has also removed the old siren from on top of the old fire hall. He stated that the Hickory Square siren needs maintenance and will be scheduled at a cost of \$910 for this first maintenance. Chief Horton elaborated that the annual maintenance agreement for both sirens in the future will cost \$760 per year.

8. UNFINISHED BUSINESS

A. CEDAR STREET SIDEWALKS DISCUSSION

DPW Superintendent Ed Priehs reported that the engineering firm has submitted plans with a couple of revisions. The Frontier line needs to be put in conduit and buried underneath and will need a Frontier permit for this. The project is on schedule otherwise. CN Railroad will need to give final approval, then it will go out for bid.

DISCUSSION ONLY, NO MOTION

B. 150 N CEDAR STREET – NASH PROPERTY (FORMERLY GREEN PROPERTY)

City Attorney Robert Siebert explained the discussion between himself and Mr. Nash regarding the property at 150 N Cedar and continued with his concerns with the current agreement. Mr. Nash then spoke regarding his view of this Development Agreement. This Development Agreement needs to be accepted by the City in order for the Nash Property to apply for the grant from EGLE (Michigan Environment, Great Lakes, and Energy) for the Vapor Mitigation System that is required. Also, discussion regarding the tap-in fees that would be charged to Nash by the City.

MOTION by Villanueva supported by Rowden to waive the cost of two tap-in fees at the scheduled rate for the Nash Development at 150 N Cedar Street known as the Nash property pending approval of easements.

ROLL CALL VOTE

Ayes: Villanueva, Rowden, Tanis, Demske

Nays: Sadler, Davis

Absent: Kempf

MOTION CARRIED

Mayor Pro Tem Demske set a Special Meeting of the Commission for Tuesday, June 28th, 2022 at 7:00PM for the purpose of reviewing the Development Agreement between the Nash Property and the City of Imlay City. Demske also suggested that Nash attend the Planning Commission Meeting on Tuesday, June 28th, 2022 at 6:00PM to discuss the angle parking issue, as the Commission has no ability to grant such a request and this needs to be brought to the Planning Commission for review.

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C. TPOAM CONTRACT RATIFICATION

MOTION by Tanis supported by Sadler to approve the TPOAM Contract Ratification as presented.

ROLL CALL VOTE

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

Nays: None

Absent: Kempf

MOTION CARRIED UNANIMOUSLY

9. NEW BUSINESS

A. 2022 PAVEMENT MARKINGS BID

MOTION by Davis seconded by Tanis to approve the 2022 Pavement Markings bid by M & M Pavement Markings at a cost of \$19,159.00 as recommended by DPW Superintendent Ed Priehs

ROLL CALL VOTE

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

Nays: None

Absent: Kempf

MOTION CARRIED UNANIMOUSLY

B. 2022 TAX RATE – FORM L-4029

Treasurer Sawicki-Franz explained the 2022 Summer Tax Rate Schedule-form L-4029 as prepared by Assessor Nathan Hager and will be added to the tax bills by Sawicki-Franz for the upcoming tax season.

DISSUSSION ONLY, NO MOTION

C. FIRST READING – CODE OF ORDINANCES – TRAFFIC CODE

Clerk Sawicki-Franz read the document - Amendment of the City of Imlay City Code of Ordinance-Traffic Code as the first reading.

Police Chief Selby explained that this amendment is for commercial motor vehicles and this is to promote safety upon highways open to the public by regulating the operation of certain vehicles.

FIRST READING AND DISCUSSION ONLY, NO MOTION

D. POLICE SERVICE WEAPON REQUEST

Police Chief Selby presented a change of weapon that he states is a more universal weapon for different size people. Chief Selby would like to change to the Glock 45 chambered in a 9mm with an 18-count magazine from a Glock 21 chambered in a 45mm with a 13-count magazine.

MOTION by Sadler seconded by Tanis to approve the weapon change to Glock 45 chambered in a 9mm with an 18-count magazine as recommended by Police Chief Brett Selby.

ROLL CALL VOTE

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

Nays: None

Absent: Kempf

MOTION CARRIED UNANIMOUSLY

Chief Selby reported that a private donor paid for two spots of an instructor class for ALICE (Alert, Lockdown, Inform, Counter, Evacuate) school training and the school will be going through this training on August 17th and 18th. The Police Department has participated in 248 hours of training recently and will continue this focus in the fall. A new intern program in collaboration with Oakland University and the Criminal Justice Program is in process. On July 30th from 11:30AM to 3PM Chief Selby will be participating in the Zero Hunger Zero Waste program which is sponsored by the Kroger Stores in conjunction with the Michigan Association of Chiefs of Police and will be accepting

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food donations at Kroger on Cedar Street and packing a patrol car for the community's less fortunate.

E. REAPPOINTMENT OF TOM BLOUNT TO THE BOARD OF REVIEW

MOTION by Davis seconded by Tanis to reappoint Tom Blount to Board of Review for a three-year term until June of 2025.

MOTION CARRIED UNANIMOUSLY

F. REAPPOINTMENT OF TOM BLOUNT TO HOUSING BOARD OF APPEALS

MOTION by Sadler seconded by Tanis to reappoint Tom Blount to Housing Board of Appeals for a three-year term until June of 2025

MOTION CARRIED UNANIMOUSLY

G. REAPPOINTMENT OF BARBARA YOCKEY TO THE HOUSING BOARD OF APPEALS

MOTION by Sadler seconded by Tanis to reappoint Barbara Yockey to the Housing Board of Appeals for a three-year term until June of 2025

MOTION CARRIED UNANIMOUSLY

H. REAPPOINTMENT OF BARBARA YOCKEY TO THE ZONING BOARD OF APPEALS

MOTION by Davis seconded by Sadler to reappoint Barbara Yockey to the Zoning Board of Appeals for a three-year term until June of 2025

MOTION CARRIED UNANIMOUSLY

I. REAPPOINTMENT OF KIM JORGENSEN TO THE DOWNTOWN DEVELOPMENT AUTHORITY

MOTION by Davis seconded by Rowden to reappoint Kim Jorgensen to Downtown Development Authority for a three-year term until June 2025

MOTION CARRIED UNANIMOUSLY

J. REAPPOINTMENT OF JUNE DUTHLER TO THE LAMB STEELE BUILDING BOARD

MOTION by Davis seconded by Tanis to reappoint June Duthler to the Lamb Steele Building Board for a three-year term until June 2025

MOTION CARRIED UNANIMOUSLY

K. REAPPOINTMENT OF HEATHER SAMPLE TO THE PARKS AND RECREATION COMMISSION

MOTION by Davis seconded by Sadler to reappoint Heather Sample to the Parks and Recreation Commission for a two-year term until June 2024

MOTION CARRIED UNANIMOUSLY

L. REAPPOINTMENT OF FRANK DEMSKE TO THE PARKS AND RECREATION COMMISSION

MOTION by Villanueva seconded by Sadler to reappoint Frank Demske to the Parks and Recreation Commission for a two-year term until June 2024

MOTION CARRIED UNANIMOUSLY

10. CITIZENS FROM THE FLOOR

Chairperson of Zoning Board of Appeals Barbara Yockey stated that Teresa Richey has asked to not be reappointed to the ZBA and Barbara thanked Teresa for her years of service to the City.

11. CLOSED SESSION

None

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12. OTHER BUSINESS

DDA Director Lorrelei Natke stated that next Tuesday, June 28th is the Annual Ice Cream Social in the Lamb Steele Park. This is the National Night Out. There will be stations set up for the children including a station to write an appreciation to our Hometown Heroes. This will be a family-oriented evening out.

Commissioner Sadler expressed his thanks for including the Nixle flyer in the utility bills for public awareness.

Clerk/Treasurer Sawicki-Franz informed the Commission that absentee ballots are beginning to be sent out as requests come in and the election is underway. It should be a busy next couple of months.

13. ADJOURNMENT

MOTION by Davis seconded by Rowden to adjourn at 9:12PM.

MOTION CARRIED UNANIMOUSLY

Next Regular Commission Meeting Date: Tuesday, July 05, 2022 at 7:00PM.

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

APPROVED: July 05, 2022