

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

REGULAR MEETING
TUESDAY, NOVEMBER 21, 2023
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, Mayor Pro Tem Ted Sadler, Commissioner Bob Tanis, Commissioner Barbara Yockey

Absent: Commissioner Shane Collison, Commissioner Joe DeLuca, Commissioner Al Ramirez

Also Present: City Manager Craig Horton, DDA Director Christine Malzahn, Clerk/Treasurer Dawn Sawicki-Franz and Public.

4. **APPROVAL OF AGENDA**

MOTION by Yockey seconded by Tanis to approve the agenda with one correction.

MOTION CARRIED UNANIMOUSLY

5. **APPROVAL OF CONSENT AGENDA**

MOTION by Sadler seconded by Tanis to approve the consent agenda to include:

A. **APPROVAL OF MINUTES** November 07, 2023 – Regular Meeting

B. **OTHER MINUTES** April 11, 2023 – Parks and Recreation

May 09, 2023 – Parks and Recreation

October 09, 2023 – DDA Regular Meeting

October 26, 2023 – Lapeer County Commission Regular Meeting

C. **PAYMENT OF BILLS IN THE AMOUNT OF:** General Fund Checking \$ 277,560.95

Tax Account \$ 000.00

HRA Account \$ 70.00

Total \$ 277,650.95

ROLL CALL VOTE

Ayes: Sadler, Tanis, Yockey, Kempf

Nays: None

Absent: Collison, DeLuca, Ramirez,

MOTION CARRIED UNANIMOUSLY

6. **CITIZENS FROM THE FLOOR**

Resident asked about an update on the blighted car wash on M-53.

7. **DEPARTMENT HEAD REPORT**

DDA Director Malzahn invited all that were present to the second annual DDA informational meeting on December 11th and to the Winter Fest to be on December 9th, 10 AM – 8 PM with many new events to experience including a live nativity from St. Paul's Church to be held in the Farmer's Market area, Breakfast with Santa at El Ranchitos and of course the parade down town to the tree lighting in Lamb Steele Park.

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8. UNFINISHED BUSINESS

A. 425 AGREEMENT – IMLAY TOWNSHIP UPDATE

1. *Final Copy and Attorney Review*

City Manager Horton shared the letter received from the City Attorney regarding the final draft of the 425 Agreement between Imlay Township and the City of Imlay City.

2. Set Public Hearing Date: Tuesday, December 5, 2023

Clerk/Treasurer Sawicki-Franz asked the Commission to set a public hearing regarding the 425 Agreement for the next City Commission meeting on December 5th so that this can be published and posted accordingly for the public.

MOTION by Yockey seconded by Tanis to set the Public Hearing for the 425 Agreement between Imlay Township and the City of Imlay City for Tuesday, December 5, 2023.

ROLL CALL VOTE

Ayes: Yockey, Tanis, Sadler, Kempf

Nays: None

Absent: Collison, DeLuca, Ramirez,

MOTION CARRIED UNANIMOUSLY

B. CITY OWNED PROPERTIES UPDATE (SAGE CREEK)

City Manager Horton stated that the EGLE (Department of Environment, Great Lakes, and Energy) lab reports are taking longer than expected on these properties and EGLE has asked to set up a Zoom meeting for next week for all parties involved.

NO MOTION, INFORMATIONAL ONLY

9. NEW BUSINESS

A. 2022-2023 FY AUDIT – KING AND KING

Wes Messing, CPA with King and King CPAs introduced himself and shared that he and his team were here at the City office in October conducting the FY 2022-2023 annual audit for the City of Imlay City as required by the State of Michigan and commended the staff for their cooperation in answering all their questions. *Wes* continued by highlighting items on his summary report of the audit that he provided and answered questions throughout his presentation.

MOTION by Tanis seconded Sadler to accept the 2022-2023 Fiscal Year audit for the City of Imlay City as reported by King and King CPAs as presented.

ROLL CALL VOTE

Ayes: Tanis, Sadler, Yockey, Kempf

Nays: None

Absent: Collison, DeLuca, Ramirez,

MOTION CARRIED UNANIMOUSLY

B. MASTER PLAN

DDA Director Malzahn informed that one of the tasks that the DDA Board has asked Malzahn to work on was to help the City become Redevelopment Ready so Malzahn reached out to Michigan Economic Development Corporation and Katie Higgs is the representative that helps us there. Higgs aided with information on what is needed and required. In addition, a grant was available for the City at \$30,000 which is about 75% of the cost and the City is required to contribute 25% of the cost of this project.

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1. Wade Trim, Inc.

Jason T. Smith and Caitlyn J. Habben introduced themselves and presented an overview of their company and the guidance that they can offer throughout the planning process of the Master Plan with their proposal and then outlined the phases beginning with the kick-off meeting and ending with the public hearing and adoption. Caitlyn expects this process to be a 13-month project.

MOTION by Yockey seconded by Sadler to move forward with the proposal from Wade Trim, Inc and that we contract with them to for the Master Plan and CIP.

ROLL CALL VOTE

Ayes: Yockey, Sadler, Tanis, Kempf

Nays: None

Absent: Collison, DeLuca, Ramirez,

MOTION CARRIED UNANIMOUSLY

2. RRC (Redevelopment Ready Communities)

The RRC program helps to provide a competitive and predictable planning process for the communities including the City of Imlay City.

C. RESOLUTION 2023-17 AMERICAN RESCUE PLAN ACT FUNDS

MOTION by Sadler seconded by Tanis to approve Resolution 2023-17 American Rescue Plan Act Funds as presented.

ROLL CALL VOTE

Ayes: Sadler, Tanis, Yockey, Kempf

Nays: None

Absent: Collison, DeLuca, Ramirez,

MOTION CARRIED UNANIMOUSLY

D. BLACKS CORNERS ROAD REHABILITATION - OHM

City Manager Horton informed that a letter from DPW Superintendent Ed Priehs is included in the board packet with his recommendation regarding this project. Alex Parent from OHM introduced himself and gave a brief overview of the Blacks Corners Road Rehabilitation project.

MOTION by Tanis seconded by Yockey to approve the Blacks Corners Road Rehabilitation project as presented by OHM and recommended by Superintendent Priehs.

ROLL CALL VOTE

Ayes: Tanis, Yockey, Sadler, Kempf

Nays: None

Absent: Collison, DeLuca, Ramirez,

MOTION CARRIED UNANIMOUSLY

City Manager Horton asked DDA director Malzahn to give a brief update on the brick paver removal and replacement with stamped concrete project located in the downtown area. Malzahn continued by thanking the Commission for approving and funding the project that was much needed to alleviate the trip and fall hazards on the sidewalks throughout the downtown and shared that Pablo from Elegant Creations is almost finished and even went above and beyond to wash the downtown windows due to the fact that there was some overspray.

10. CITIZENS FROM THE FLOOR

None

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Mayor Kempf asked that before Closed Session that we address the Car Wash concern that was brought up earlier in the meeting. City Manager Horton stated that the Car Wash was purchased by land contract a few years ago and is scheduled to be paid in full in December. The Imlay City Code Enforcer has been reviewing this for future action.

NO MOTION, DISCUSSION ONLY

11. CLOSED SESSION

Mayor Kempf entertained a motion to recess into closed session.

MOTION by Tanis seconded by Sadler for approval to recess into closed session to consider attorney/client privileged communication and labor negotiations pursuant to section 8 of the open meetings act at 7:54 PM.

ROLL CALL VOTE

Ayes: Tanis, Sadler, Yockey, Kempf

Nays: None

Absent: DeLuca, Ramirez, Collison

MOTION CARRIED UNANIMOUSLY

After discussion, Mayor Kempf brought the meeting back to open session at 8:21 PM

MOTION by Yockey seconded by Sadler to authorize a wage reopened to the TPOAM to adjust the 2023-2024 wage year from 2.5% to 5% and 2024-2025 wage year from 2.5% to 5% to mirror the increases for the FOP and non-union groups and allow the city manager to negotiate a similar 457 plan in the future.

ROLL CALL VOTE

Ayes: Yockey, Sadler, Tanis, Kempf

Nays: None

Absent: DeLuca, Ramirez, Collison

MOTION CARRIED UNANIMOUSLY

MOTION by Sadler seconded by Yockey to allow the 457 plan that was recently ratified by FOP to be offered to all non-union full-time employees.

ROLL CALL VOTE

Ayes: Sadler, Yockey, Tanis, Kempf

Nays: None

Absent: DeLuca, Ramirez, Collison

MOTION CARRIED UNANIMOUSLY

12. CITY MANAGER REPORT

City Manager Horton asked to have an update from Mayor Kempf and Clerk/Treasurer Sawicki-Franz on the ad-hoc committee that has met regarding recreational marihuana.

NO MOTION, DISCUSSION ONLY

13. CITY COMMISSIONER TIME

None

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- 14. ADJOURNMENT**
MOTION by Sadler seconded by Yockey to adjourn at 8:55 PM
MOTION CARRIED UNANIMOUSLY

Next Regular Commission Meeting Date: Tuesday, December 05, 2023 at 7:00 PM

Respectfully submitted by: _____
Dawn Sawicki-Franz, City Clerk

APPROVED: December 05, 2023