

**Allegan, Michigan**

**April 8, 2013**

**Call to Order** Mayor McDaniel called the regular meeting of the Allegan City Council to order at 7:00 PM.

**Pledge of Allegiance**

**Roll Call**

Present: Councilmembers: Clark, Ingalsbee, Leverence, McKenzie, Tripp, Mayor McDaniel

Absent: Day

Others

Present: City Manager R. Hillard, Deputy City Clerk L. Vander Clay

Mayor McDaniel, supported by Councilmember Clark, made a motion to excuse Councilmember Day from the meeting. Motion passed by acclamation.

**Approval of Minutes** Councilmember Clark, supported by Councilmember Tripp, made a motion to approve the Regular City Council meeting minutes of March 25, 2013. Motion passed by acclamation.

**Mayor's Report** Nothing to report.

**City Manager's Report** City Manager R. Hillard stated his report would be contained within the contents of the agenda.

**Petitions and Public Comment** Representative Bob Genetski gave a legislative update. County Commissioner Max Thiele gave an update on the proposed 911 surcharge increase.

**Communications** Councilmember Clark, supported by Councilmember Leverence, made a motion to approve the request received from the Living Word Family Church to gather in front of City Hall for the National Day of Prayer, Thursday May 2<sup>nd</sup> at 12:00noon. Motion passed by acclamation.

Mayor McDaniel read and presented a proclamation declaring April 2013, as Child Abuse Prevention Month to Safe Harbor Director, Lori Antkoviak.

City Manager R. Hillard announced the upcoming Riverfront Design Meeting on April 11, 2013 at 7:00pm in the lower level of the Griswold Auditorium.

DPW Director A. Haskin announced the upcoming City of Allegan Spring Clean-up and Electronics Recycling Event from April 20<sup>th</sup> thru April 27<sup>th</sup>.

Mayor McDaniel announced the upcoming Regent Theatre Amateur Festival on April 28, 2013 starting at 2:00pm.

**Hearings** Councilmember Clark, supported by Councilmember Leverage, made a motion to set a public hearing for the proposed purchase of property located at 155 Brady Street on May 13, 2013 at 7:05pm. Motion passed by acclamation. Councilmember Ingalsbee, supported by Councilmember Leverage, made a motion to allow the City Manager (contingent upon City Attorney approval) to sign the LOI with the current owner of 155 Brady Street to secure the purchase price of \$135,000.00. Motion passed by acclamation.

### **Programs**

### **Resolutions**

#### **Resolution No. 13.12**

#### **RESOLUTION TO PURCHASE, ACQUIRE AND CONSTRUCT CAPITAL IMPROVEMENTS AND TO PUBLISH NOTICE OF INTENT TO ISSUE MUNICIPAL SECURITIES**

WHEREAS, the City Council deems it to be in the best interest of City of Allegan (the "City") to design, acquire and construct certain capital improvements and purchase property, including, but not limited to street improvements and the purchase of real property, as well as all work necessary or incidental to these improvements, the restoration of streets, rights-of-way and easements affected by the improvements and related facilities, as well as all work necessary or incidental to these improvements (the "Improvements") for the benefit of the City and to finance the Improvements by the issuance of municipal securities which pledge the City's limited tax general obligation pursuant to Section 517 of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and

WHEREAS, the City may proceed with the Improvements prior to the issuance of the municipal securities; and

WHEREAS, the City has incurred substantial capital expenditures for the Improvements prior to the issuance of the municipal securities, and desires to be reimbursed for such expenditures from the proceeds of the municipal securities; and

WHEREAS, pursuant to Section 517 of Act 34, it is necessary to publish a Notice of Intent to Issue Municipal Securities for the Improvements.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Council hereby determines to purchase, acquire and construct the Improvements and to pay for the cost through the issuance of one or more series of

municipal securities, which pledge the City's limited tax full faith and credit, pursuant to Section 517 of Act 34, in an amount of not to exceed \$150,000 (the "Municipal Securities").

2. A Notice of Intent to Issue Municipal Securities be published in accordance with Section 517 of Act 34, and the City Clerk is authorized and directed to publish the Notice of Intent to Issue Municipal Securities in the *Allegan County News*, a newspaper of general circulation in the City, determined to be the newspaper reaching the largest number of persons to whom such Notice is directed, which Notice shall be substantially in the form as set forth on Exhibit A attached hereto, with such changes as may be approved by the City Manager and shall be at least one-quarter (1/4) page size in the newspaper.

3. The City may proceed to acquire and construct the Improvements using available funds of the City from the Major and Local Street Funds, which are funds for the improvement of streets, the General Fund, which is a fund for the general operations of the City, and other funds of the City.

4. At such time as the City issues the Municipal Securities for the long term financing of the Improvements, the City shall be reimbursed for its expenditures for the Improvements out of the proceeds of the Municipal Securities.

5. The maximum amount of capital expenditures for which the City will seek reimbursement from the proceeds of the Municipal Securities is \$150,000.

6. This resolution and the expression of intent to seek reimbursement from future proceeds of the Municipal Securities is intended to satisfy the requirements of Section 150 of the Internal Revenue Code of 1986, as amended.

7. The firm of Clark Hill, PLC is hereby employed as bond counsel to the City to prepare the documents for the issuance of the Municipal Securities for the financing of the acquisition of the Improvements.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve Resolution 13.12 as presented. Motion passed by acclamation.

**Ordinances** Mayor McDaniel introduced Ordinance 434 for first reading. This ordinance is to amend Chapter 7 of the Code of Ordinances to provide building regulations within the City of Allegan specifically related to rental inspection fees. Councilmember McKenzie voiced her concerns and displeasure for raising inspection fees. Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve Ordinance 434 for first reading. Motion passed with Councilmember McKenzie voting no.

#### **Permits/Licenses/Agreements/Grants**

#### **Requests for Payments**

**Requests for Purchases, Services and Equipment** Councilmember Tripp, supported by Councilmember McKenzie, made a motion to approve the request for services received from J&R Landscape, Bloomington, Michigan for a three year contract for Oakwood Cemetery Grounds Maintenance in the amount of \$55,500.00 (\$18,500.00 per year). Motion passed by acclamation.

Councilmember Clark, supported by Councilmember Leverage, made a motion to approve the request for services received from Utility Services Authority, Belleville, Michigan for the Grand Street Sewer Lining Project in the amount of \$27,050.00. Motion passed by acclamation.

Councilmember Clark, supported by Councilmember Leverage, made a motion to approve the request for services received from the Michigan Department of Management and Budget, Lansing, Michigan for road salt for the Department of Public Works in the amount of \$28,350.00. Motion passed by acclamation.

**Reports/Minutes of City Boards** Councilmember McKenzie discussed the minutes from the Downtown Development Authority meeting held on March 14, 2013.

Councilmember Tripp reviewed the minutes from the Planning Commission meeting held on March 18, 2013.

Councilmember McKenzie reviewed the minutes from the Development Committee meeting held on March 25, 2013.

Councilmember Ingalsbee presented the minutes from the Public Safety Committee meeting held on March 25, 2013.

Councilmember Ingalsbee discussed the minutes from the Historic District Commission meeting held on April 1, 2013.

City Manager R. Hillard reviewed the minutes from the Planning Commission/Zoning Board of Appeals Selection Sub-committee meeting held on April 1, 2013.

Water Treatment Plant Superintendent R. Berkin presented the Plant's Activity Report for February, 2013.

DPW Director A. Haskin reviewed the Department's Activity Reports for January & February, 2013.

**Appointments** Mayor McDaniel, supported by Councilmember McKenzie, made a motion to re-appoint Sheila Dever to the Allegan Economic Development Corporation for a six (6) year term. Motion passed by acclamation.

Mayor McDaniel, supported by Councilmember Ingalsbee, made a motion to re-appoint Linda Clark to the Downtown Development Authority for a four (4) year term. Motion passed by acclamation.

Mayor McDaniel, supported by Councilmember Leverence, made a motion to re-appoint Larry Ross to the Downtown Development Authority for a four (4) year term. Motion passed by acclamation.

Mayor McDaniel, supported by Councilmember Tripp, made a motion to appoint Brad Burke to the Planning Commission and the Zoning Board of Appeals for a three (3) year term on each committee. Motion passed by acclamation.

Mayor McDaniel, supported by Councilmember Leverence, made a motion to re-appoint Kurt Hatfield to the Board of Review for a three (3) year term. Motion passed by acclamation.

### **Unfinished Business**

**Approval of Payroll and Accounts** Councilmember Clark, supported by Councilmember Leverence, made a motion to approve payroll in the amount of \$93,682.71 and accounts payable in the amount of \$487,199.30. Motion passed by acclamation.

**Department Supervisors Report** DPW Director A. Haskin announced that spring clean-up has been set for April 20<sup>th</sup> thru April 28<sup>th</sup> and is located at the DPW garage on

Airway Drive in the Industrial Park. He also announced that the N. Main re-paving project should be starting in August.

**Council Comments** Councilmember Leverage announced her attendance, along with Councilmember Ingalsbee, at the Wastewater Treatment Plant Open House and thanked WWTP Superintendent D. Sweeris for the tour.

Councilmember Ingalsbee commented on the nice article in the Grand Rapids Press regarding the Regent Digital Conversion fundraising efforts. She announced on May 5<sup>th</sup> the Heritage Home Network and Joe & Deb Leverage will be hosting a “Rally for the Regent”/Auction to be held at Baker Studios.

Councilmember Clark talked about the great article in the Kalamazoo Gazette regarding the digital conversion fundraising efforts at the Regent. And Go Blue!!!

Mayor McDaniel also attended the Wastewater Treatment Plant Open House. She also thanked City Manager R. Hillard for all the extra efforts put forth regarding the Riverfront Design Meetings.

Mayor McDaniel adjourned the meeting at 7:58pm.

**Respectfully submitted,**

**Lori K. Vander Clay**  
**Deputy City Clerk**

