

Allegan, Michigan

June 24, 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, Day, Ingalsbee, Leverage, McKenzie, Tripp, Mayor McDaniel

Absent: None

Others

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

Approval of Minutes Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve the Regular City Council meeting minutes of June 10, 2013. Motion passed by acclamation.

Mayor's Report Mayor McDaniel commented on all the great things happening in the City.

City Manager's Report City Manager R. Hillard thanked the 17 volunteer organizations that participated in the Riverfront Big Reveal Design Meeting on June 18th. He also commented that 160 people attended that evening.

Petitions and Public Comment

Communications Arts & Entertainment Director V. Knuckles talked about the upcoming Art Alive Campaign for the benefit of the Regent Theater in which individuals can vote and donate to the Regent starting July 1st and ending September 2nd. She also stated that \$10,317.00 is the amount left to secure in order to purchase the digital conversion equipment for the Regent. She again thanked City Council for their continued support of the Regent Theater.

Mayor McDaniel presented the Allegan Area Connector for June, 2013.

Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve the request received from Olivia Stedman and Keely Parks to hold a 5K run/walk at the Sports Complex on Saturday, July 20th starting at 9:00am with all proceeds to benefit Lakeshore Pregnancy Center. Motion passed by acclamation.

Arts & Entertainment Director V. Knuckles talked about the events and festivities that will be offered at the July 3 Jubilee Celebration.

Arts & Entertainment Director V. Knuckles announced the upcoming entertainment at the Good Times at the Gazebo Summer Concert Series starting in July.

Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve the request received from Rick & Ruth Smith, Downtown Bakery & Deli to hold a Welcome Party for the Pink Heals Fire Truck Tour at the Jaycee Park on Sunday, August 18th from 5:00pm~8:00pm. Motion passed by acclamation.

Councilmember Day, supported by Councilmember McKenzie, made a motion to approve the request received from the Student Leaders Class at Allegan High School to hold the annual Homecoming Parade 2013 on Friday, September 27th starting at 4:00pm. Motion passed by acclamation.

City Manager R. Hillard announced that Michigan State Housing Development Authority (MSHDA) has approved Low Income Housing Tax Credits to Bridgeport Apartments which will allow the owners to accomplish major renovations and upgrades to the complex.

Hearings Mayor McDaniel opened a public hearing at 7:24pm for the City of Allegan's Part 2 Application to the Michigan Community Development Block Grant. Tony McGee from Abonmarche reviewed the proposed feasibility study that his firm will be completing. He indicated this is a \$20,000 project with \$10,000 received from MEDC and \$10,000 received from the Downtown Development Authority and hopes to have the study completed in 6 months.

Councilmember Leverage wondered if the condition of the building would be included in the study. Tony indicated yes.

Councilmember Clark hoped that if and when a restaurant has been secured for that location that the residents of Allegan will have input on the type and style. Tony assured Councilmember Clark that public meetings and surveys will be happening to determine what type of restaurant would work in the City of Allegan.

Linda Clark, Chairperson of the Downtown Development Authority commented on how the DDA has wanted a restaurant within the downtown for years and years and she feels very confident that receiving this grant and the feasibility study should result in a restaurant in the City of Allegan.

Councilmember Day, supported by Councilmember Clark, made a motion to close the public hearing at 7:29pm. Motion passed by acclamation.

RESOLUTION 13.24

A RESOLUTION TO AUTHORIZE THE CITY OF ALLEGAN TO MAKE APPLICATION TO THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION FOR A MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING DOWNTOWN DEVELOPMENT GRANT FOR THE DOWNTOWN ALLEGAN RESTAURANT FEASIBILITY ASSESSMENT AND MARKETING STRATEGY

WHEREAS funds have become available to the Michigan Economic Development Corporation in the form of the Michigan Community Development Block Grant to provide grants to local units of government for planning downtown development; and

WHEREAS the City of Allegan intends to develop a Feasibility Assessment and Marketing Strategy for a full service restaurant in Downtown Allegan in an effort to foster economic development for its residents and to reduce and eliminate blight in the Downtown as consistent with the goals stated in the community development plans as described in the grant application; and

WHEREAS the City of Allegan believes that the proposed Downtown Allegan Restaurant Feasibility Assessment and Marketing Strategy will provide increased economic opportunity to its residents through increased job opportunities in the Downtown;

WHEREAS the proposed project will clearly eliminate objectively determinable signs of blight and will be strictly limited to eliminating specific instances of blight;

NOW, THEREFORE, it is resolved that the City of Allegan City Council does hereby authorize the submittal of an application to the Michigan Community Development Block Grant Program for the Planning Downtown Development Grant Program in the amount of \$10,000.00 for the Downtown Allegan Restaurant Feasibility Assessment and Marketing Strategy; and

BE IT FURTHER RESOLVED that a local match of \$10,000.00 will be provided by the City of Allegan and the Allegan Downtown Development Authority for the grant funds from the Michigan Economic Development Corporation and no project costs will be incurred prior to the formal grant award and written authorization is received from the Michigan Community Development Block Grant Program Manager; and

BE IT FURTHER RESOLVED that the City of Allegan does hereby authorize the City Manager, Robert Hillard, to act as the authorized signatory on the application and all attachments; and

BE IT FURTHER RESOLVED that the City of Allegan does hereby authorize the City Manager, Robert Hillard, to act as the authorized signatory on the Grant Agreement; and

BE IT FURTHER RESOLVED that this resolution shall take effect upon passage by the City Council.

Councilmember Clark, supported by Councilmember Day, made a motion to approve Resolution 13.24 as presented. Motion passed by acclamation.

Programs

Resolutions

RESOLUTION 13.19

A RESOLUTION APPROVING THE INCREASE OF THE EMPLOYEE PORTION OF THE INSURANCE PREMIUMS FOR HEALTH, DENTAL AND VISION COVERAGE

WHEREAS, it is recommended by the City Manager that the City of Allegan non-union full-time employees incur an increase of 3% (total of 18%) for the out of pocket employee portion of health insurance premiums; and

WHEREAS, the FY 2013/14 budget plans for the 3% increase (total of 18%) for all non-union full-time employees who are enrolled in the City of Allegan's health insurance plan; and

NOW THEREFORE BE IT RESOLVED, that the out of pocket employee portion of health insurance premiums for FY 2013/14, starting July 1, 2013, will increase 3% (total of 18%).

Councilmember Day, supported by Councilmember Clark, made a motion to approve Resolution 13.19 as presented. Motion passed by acclamation.

RESOLUTION 13.25

Authorizing Year-End Budget Adjustment

WHEREAS, in order to ensure all budgeted fund and activities for the 2012-2013 budget year end with a positive fund balance.

BE IT RESOLVED, that the City Finance Director is authorized to make the necessary adjustments to complete this action.

Councilmember Day, supported by Councilmember Clark, made a motion to approve Resolution 13.25 as presented. Motion passed by acclamation.

RESOLUTION 13.26

A RESOLUTION APPROVING A WAGE INCREASE FOR NON-UNION FULL-TIME AND REGULAR PART-TIME EMPLOYEES

WHEREAS, final 2013/14 Budget Recommendations include a wage increase for all full-time and regular part-time employees; and

WHEREAS, the Finance Sub-Committee is recommending a 1.50% wage increase for all non-union full-time and regular part-time employees and this increase shall be effective July 1, 2013; and

NOW, THEREFORE, BE IT RESOLVED, all non-union, full-time and regular part-time employees shall receive a 1.50% salary increase effective July 1, 2013.

Councilmember Day, supported by Councilmember Clark, made a motion to approve Resolution 13.26 as presented. Motion passed by acclamation.

RESOLUTION 13.27

Revisions to the City of Allegan Municipal Policy Manual Article XIV. Rental Licensing Sec. D-29. Rental Licensing Fees

WHEREAS, under the authority of various provisions of the Municipal Policy Manual and the Code of Ordinances of the City of Allegan, the City Council wishes to amend various existing city policies and fees and codify with existing policies and fees; and

Sec. D-29. Rental Licensing Fees.

Fees for the applications and required registration for the licensing of rental dwellings shall be those which are provided for by City of Allegan Ordinance Number **434 as amended (Chapter 7) -282 and its amendments.**

The registration fee as indicated under Section 7-38 (h) and (w) will be \$85.00 per unit for Non-State and Federally inspected units, which are four (4) units and less. For Non-State and Federally inspected units, five (5) or more, the costs of the fees are \$190 per building + \$40/unit. If the owner provides satisfactory documentation as determined by the building official that the Federal and State government has conducted equivalent inspections within three years of the previous registration of a unit, the City shall charge \$50.00 per building for administration, but no charges for inspections of that unit. The total cost of a residential structure with up to four (4) apartments will require a \$120.00 registration fee. A re-inspection fee is set at \$50.00 per visit. The total cost of a multiple unit structure (over 4 units), including but not limited to Hotels/Motels; Bed & Breakfasts; and Apartment Buildings will require a \$160.00 registration fee. A re-inspection fee is set at \$50.00 per visit. These fees are bi annual (every two years)—These fees are every three years.

Per Section 7-38 (k), (x), and ((y)(3)), after notification is provided through the US mail to the last known owner, the City shall charge a late fee of 5% of the total bill beginning 30 days after its billing date, accumulated monthly.

Per Section 7-38 (y) (1) the occupant(s)/tenants of the rental unit will be charged \$50.00, if the building official determines that a violation was caused by the occupant(s)/tenants.

Per Section 7-38 (y) (2) if a complaint is made by a person other than the owner, and the inspection reveals to the building official no violation of this code, the complainant(s) shall be charged \$50.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council that the above stated revisions to the City of Allegan Municipal Policy Manual be adopted as recommended by staff; and

BE IT FURTHER RESOLVED, that the policies and fees hereto shall be the policy as established for the City of Allegan; and all other policies and fees to the extent of such conflict are hereby repealed.

Norman Hudson, 422 Water Street sees flaws in the proposed changes to the rental licensing fees. He feels the City might be creating more liability for them and also feels that privately owned apartment complexes are being discriminated against. He feels the larger complexes that are inspected by HUD, also need to be inspected by the building official using the same inspection criteria. He feels the HUD inspection criteria shouldn't be used. Mr. Hudson requested City Council to table this item.

Councilmember McKenzie stated the fee of \$85.00 is a registration fee and the fee for an inspection should be a totally separate fee.

Mayor McDaniel asked the Council their thoughts.

Councilmember Tripp would like to have more time to review and compare.

Councilmember Clark stated he would abstain from voting due to recently becoming a property manager for five rental properties in town.

Councilmember Ingalsbee stated the Public Safety Committee has worked on this issue for months and sees no reason not to pass as presented.

Councilmember McKenzie, supported by Councilmember Tripp, made a motion to table Resolution 13.27 as presented. Roll call vote: Councilmember Clark-no; Councilmember Day-no; Councilmember Ingalsbee-no; Councilmember Leverage-yes; Councilmember McKenzie-yes; Councilmember Tripp-yes; Mayor McDaniel-no. Motion failed 4-3.

Councilmember Ingalsbee, supported by Councilmember Day, made a motion to approve Resolution 13.27 as presented. Roll call vote: Councilmember Clark-yes; Councilmember Day-yes; Councilmember Ingalsbee-yes; Councilmember Leverage-no; Councilmember McKenzie-no; Councilmember Tripp-no; Mayor McDaniel-yes. Motion passed 4-3.

Ordinances Mayor McDaniel introduced Ordinance 435 of 2013 which is amending Chapter 23 of the Code of Ordinances, City of Allegan, to regulate signage within the City of Allegan.

Councilmember Leverage requested that Section 23.5 #4 be either reworded or removed completely. She feels that item will limit options for future merchants and businesses.

City Manager R. Hillard will check with the City Attorney for options.

Councilmember Leverage, supported by Councilmember Day, made a motion to approve Ordinance 435 for first reading and to remove #4 from Section 23.5. Motion passed by acclamation

Permits/Licenses/Agreements/Grants Councilmember Day, supported by Councilmember Ingalsbee, made a motion to approve the site plan application for 740 Grand Street from Bauer Construction Group, Hudsonville, Michigan. Motion passed by acclamation.

Councilmember Ingalsbee, supported by Councilmember Day, made a motion to approve the Assessor Contract between Daniel R. Scheuerman and the City of Allegan from July 1, 2013 through June 30, 2014. Motion passed by acclamation.

Councilmember Day, supported by Councilmember Ingalsbee, made a motion to approve the MDOT Contract for the 10 Unit Hangars at the Padgham Field Airport. Motion passed by acclamation.

Councilmember Clark, supported by Councilmember Tripp, made a motion to approve the Term and Conditions of Accepting the Airport Improvement Program Grants. Motion passed by acclamation.

Requests for Payments

Requests for Purchases, Services and Equipment Councilmember Clark, supported by Councilmember Leverage, made a motion to approve the request for services received from Kennedy Industries, New Hudson, Michigan for a SCADA upgrade for the Wastewater Treatment Plant in the amount of \$99,760.00. Motion passed by acclamation.

Councilmember Clark, supported by Councilmember Tripp, made a motion to approve the request for services received from A-1 Asphalt, Wayland, Michigan for the re-paving of the perimeter walking path at the Allegan Sports Complex in the amount of \$91,067.00. Motion passed by acclamation.

Councilmember Day, supported by Councilmember Clark, made a motion to approve the request for services received from Lee Finlayson, Grand Rapids Fire Department for Confined Space Rescue Training for the Department of Public Works in the amount of \$3,600.00. Motion passed by acclamation.

Councilmember Leverage, supported by Councilmember Day, made a motion to approve the request for services received from USA Earth Works, Martin, Michigan for the demolition of the structure located at 433 Hubbard Street in the amount of \$6,550.00. Motion passed by acclamation. **(Requires Budget Adjustment)** Councilmember Ingalsbee requests advance notice of the demolition date, in order to have windows removed from the structure.

Reports/Minutes of City Boards Mayor McDaniel reviewed the City of Allegan Planning Commission 2013 Annual Report.

Mayor McDaniel discussed the Community Development Activity Report for May, 2013.

Councilmember Clark reviewed the minutes from the Airport Advisory Board meeting held on June 3, 2013.

Councilmember McKenzie discussed the minutes from the Economic Development Corporation meeting held on June 5, 2013.

Councilmember Clark presented the minutes from the Finance Committee meeting held on June 10, 2013.

Mayor McDaniel reviewed the minutes from the Public Works Committee meeting held on June 10, 2013.

Councilmember Leverage discussed the minutes from the Downtown Development Authority meeting held on June 13, 2013.

Councilmember Tripp reviewed the minutes from the Joint Planning Commission meeting held on June 17, 2013.

Appointments

Unfinished Business

Approval of Payroll and Accounts Councilmember Day, supported by Councilmember Clark, made a motion to approve payroll in the amount of \$89,937.79 and accounts payable in the amount of \$234,184.52. Motion passed by acclamation.

Department Supervisors Report Wastewater Treatment Plant Superintendent D. Sweeris announced the second Septage Receiving Station construction will be starting July 1st.

DPW Director A. Haskin commented his staff continues to work on brush pickup and getting ready for July 3 Jubilee.

Council Comments Councilmember Leverage commented on the great excitement being generated from the Riverfront Design Meetings. She thanked City Manager R. Hillard for creating this excitement and for the Positively Allegan website.

Councilmember Ingalsbee announced her attendance at the recent Hillside Learning Center Graduation Ceremony.

Councilmember Clark thanked City Manager R. Hillard for his continued hard work. He announced his attendance at the Local Officials Conference. He encouraged all Councilmembers to educate themselves on the Smart Meters that Consumers Energy wants to place in homes.

Councilmember Tripp thanked DPW Director A. Haskin and his staff for getting the limbs and downed trees from the recent storms, taken care of so quickly.

Councilmember Day requested staff send a card to Phyllis Drozd on her recent retirement from AAESA board.

Mayor McDaniel adjourned the meeting at 8:35pm.

Respectfully submitted,

Lori K. Vander Clay
Deputy City Clerk

