

Allegan, Michigan

October 14, 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, Leverage, McKenzie, Tripp, Mayor McDaniel

Absent: Day

Others

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

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

Approval of Minutes Councilmember Tripp, supported by Councilmember McKenzie, made a motion to approve the Regular City Council meeting minutes of September 23, 2013. Motion passed by acclamation.

Mayor's Report Mayor McDaniel talked about the 175th Anniversary party and thanked Joe Leverage for organizing a great party. She talked about the concert at the Presbyterian Church this past weekend and about the Secret Spaces tour a few weeks back.

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

Petitions and Public Comment

Communications Mayor McDaniel announced Halloween Trick or Treating will be on Thursday, October 31st from 5:30pm~7:30pm within the City of Allegan.

Councilmember Leverage, supported by Councilmember Ingalsbee, made a motion to approve the request received from the First Congregational Church, 323 Cutler Street to place a sign on City property on Cutler Street, to advertise their free weekly meals to the community, for one year from the date of approval. Motion passed by acclamation.

Hearings Mayor McDaniel opened a public hearing at 7:05pm for the Applications for Industrial Facilities Exemption Certificates for L. Perrigo located at 506 Eastern Avenue and 655 Hooker Road. There was no public comment.

Councilmember Ingalsbee, supported by Councilmember Tripp, made a motion to close the public hearing at 7:06pm. Motion passed by acclamation.

RESOLUTION 13.36

Resolution Approving Application of L. Perrigo Company for an Industrial Facilities Exemption Certificate for Improvements at 506 Eastern Avenue

Whereas, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearings held on September 26, 1977 and September 22, 2008, the Allegan City Council by resolutions established the Industrial Development Districts; and

Whereas, L. Perrigo Company has filed an application for an Industrial Facilities Exemption Certificate with respect to improvements to be acquired and installed within the Industrial Development; and

Whereas, before acting on said application, the Allegan City Council held a hearing on October 14, 2013, at the Griswold Auditorium, 401 Hubbard Street, at 7:05pm, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

Whereas, construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before September 11, 2013 the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

Whereas, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Allegan; and

Whereas, the aggregate SEV of real and property exempt from ad valorem taxes within the City of Allegan, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Allegan that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of the certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 225 of the Public Acts of 1978, shall not have the effect of substantially impeding the operations of the City of Allegan, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Allegan.

2. The application from L. Perrigo Company for an Industrial Facilities Exemption Certificate, with respect to a new facility or rehabilitation facility on the following described parcel of real property situated within the Industrial Development District, to wit: located at 506 Eastern Avenue, Allegan, MI 49010 is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of 12 years.

Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve Resolution 13.36 as presented. Motion passed by acclamation.

RESOLUTION 13.37

Resolution Approving Application of L. Perrigo Company for an Industrial Facilities Exemption Certificate for Improvements at 655 Hooker Road

Whereas, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearings held on September 26, 1977 and September 22, 2008, the Allegan City Council by resolutions established the Industrial Development Districts; and

Whereas, L. Perrigo Company has filed an application for an Industrial Facilities Exemption Certificate with respect to improvements to be acquired and installed within the Industrial Development; and

Whereas, before acting on said application, the Allegan City Council held a hearing on October 14, 2013, at the Griswold Auditorium, 401 Hubbard Street, at 7:05pm, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

Whereas, construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before September 11, 2013 the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

Whereas, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Allegan; and

Whereas, the aggregate SEV of real and property exempt from ad valorem taxes within the City of Allegan, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Allegan that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of the certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 225 of the Public Acts of 1978, shall not have the effect of substantially

impeding the operations of the City of Allegan, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Allegan.

2. The application from L. Perrigo Company for an Industrial Facilities Exemption Certificate, with respect to a new facility or rehabilitation facility on the following described parcel of real property situated within the Industrial Development District, to wit: located at 655 Hooker Road, Allegan, MI 49010 is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of 12 years.

Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve Resolution 13.37 as presented. Motion passed by acclamation.

Mayor McDaniel opened the public hearing at 7:08pm for the Application for Personal Property Exemption Certificate for L. Perrigo located at 655 Hooker Road. There was no public comment.

Councilmember Tripp, supported by Councilmember McKenzie, made a motion to close the public hearing at 7:08pm. Motion passed by acclamation.

RESOLUTION 13.38

Approving a New Personal Property Exemption Application for L. Perrigo Company, located at 655 Hooker Road

WHEREAS, pursuant to P.A. 328 of 1998, as amended, after a duly noticed public hearing held on November 10, 2008, the City Council of the City of Allegan, an eligible distressed area as defined in Section 11 of the State of Housing Development Authority Act of P.A. 346 of 1966, by resolution, established a Industrial Development District on September 22, 2008; and

WHEREAS, L. Perrigo Company, a manufacturing eligible business, has filed an application for Exemption of New Personal Property; and

WHEREAS, before acting on said application, the City Council of the City of Allegan held a public hearing held on October 14, 2013 at Griswold Auditorium 401 Hubbard Street, at 7:10pm, at which the applicant, the City Assessor and a representative of the effected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of Allegan finds and determines that the granting of the Exemption of New Personal Property, for a twelve year period, currently in force under P.A. 328 of 1998, as amended, shall not have the effect of substantially impeding the operation, or impairing the financial soundness of the taxing unit which levies ad valorem property taxes in the City of Allegan; and

The Application submitted by L. Perrigo Company, is for an Exemption of New Personal Property that will be located at 655 Hooker Road situated within the City of Allegan, in an Industrial Development District, established on September 22, 2008;

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

Councilmember Ingalsbee, supported by Councilmember Clark, made a motion to approve Resolution 13.38 as presented. Motion passed by acclamation.

Programs Councilmember Clark, supported by Councilmember Tripp, made a motion to approve the Downtown Façade Improvement Program Amendments. Motion passed by acclamation.

Resolutions

RESOLUTION 13.34 A RESOLUTION AMENDING THE CITY MANAGER'S CONTRACT

WHEREAS, the City Manager receives an annual performance evaluation and it may be necessary to review and make adjustments to the City Manager's employment contract; and

WHEREAS, the City Council of the City of Allegan desires to make adjustments to a portion of the City Manager's contract; and

THEREFORE, BE IT RESOLVED, that the City Council, the governing body of the City of Allegan, a municipality, hereby recognizes the following amendments to the City Manager's contract with the City of Allegan:

This section shall now read:

7. Salary.

The City shall pay Mr. Hillard a 1.5% COLA for an annual salary of \$93,758.39 starting the first payroll period after the resolution is approved by City Council. This salary may be increased from time to time by action of the City Council.

Councilmember Clark, supported by Councilmember Leverage, made a motion to approve Resolution 13.34 as presented. Motion passed by acclamation.

RESOLUTION 13.35

A resolution adopting the City of Allegan & Allegan Township Joint Recreation Plan 2014-2018

WHEREAS, the Parks Commission of the City of Allegan and the Allegan Township Planning Commission have reviewed the Joint Recreation Plan; and

WHEREAS, after due notice in the Allegan County News, a paper of general circulation in the City of Allegan, a public meeting was held on September 25, 2013 at 7:00pm at the Griswold Auditorium, 401 Hubbard Street for the purpose of hearing comments related to the Joint Recreation Plan; and

NOW THEREFORE BE IT RESOLVED, the Allegan City Council hereby adopts the City of Allegan & Allegan Township Joint Recreation Plan as a guideline for improving recreation for the community.

Councilmember Clark, supported by Councilmember Tripp, made a motion to approve Resolution 13.35 with an addition of adding the word **“Interest” to the sentence of “City of Allegan Sinking Fund**, as this appears on pages 30, 31 and 32 of the plan. **The sentence will now read “City of Allegan Sinking Fund Interest”**. Motion passed by acclamation.

RESOLUTION 13.39

A Resolution of Support to Adopt the Main Street Approach to Downtown Revitalization and Economic Development

WHEREAS, the Main Street approach to economic development was created by the National Trust for Historic Preservation over thirty five years ago in order to ensure the preservation of traditional downtown business districts, the historic buildings that comprise these districts and the local businesses that operate within them; and

WHEREAS, the Main Street approach to downtown revitalization focuses comprehensively on four key areas; those being Design, Promotion, Economic Restructuring and Organization; and

WHEREAS, the Main Street approach to downtown revitalization is guided by the principles of comprehensive action, incremental progress, self-help, strong public-private partnerships, focusing on existing assets, quality, changing attitudes about downtown and immediate and constant action to revitalize the downtown shopping area; and

WHEREAS, the local Main Street organization will rely heavily on volunteer efforts of local business owners, property owners and community residents to complete the tasks set forth in the Main Street Program; and

WHEREAS, the Main Street approach has encouraged reinvestment in downtown business districts throughout the nation.

WHEREAS, The City of Allegan Downtown Development Authority recommends to the City Council adoption of the Main Street approach to economic development and the guiding principles of Main Street in its organization, function, structure and direction of Downtown Development Authority business.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Allegan will adopt the Main Street approach to economic development and the guiding principles of Main Street in its organization, function, structure and direction of Downtown Development Authority business.

Councilmember McKenzie, supported by Councilmember Leverage, made a motion to approve Resolution 13.39 as presented. Motion passed by acclamation.

Ordinances

Permits/Licenses/Agreements/Grants Councilmember McKenzie, supported by Councilmember Ingalsbee, made a motion to approve the License Agreement between Consumers Energy Company, Jackson, Michigan and the Michigan Mountain Biking Association, Montague, Michigan for the mountain bike path located in the City of Allegan. Motion passed by acclamation.

Requests for Payments

Requests for Purchases, Services and Equipment Councilmember Clark, supported by Councilmember Ingalsbee, made a motion to approve the Change Order No. 1 received from Owen Ames Kimball in the **credited amount of \$6,742.00** in regards to the Wastewater Treatment Plant Septage Receiving/UV Station. Motion passed by acclamation.

Councilmember Tripp, supported by Councilmember Ingalsbee, made a motion to approve the request for purchase received from Bauer Construction, Hudsonville, Michigan for new weather seals on the large hangar door at the Padgham Field Airport in the amount of \$3,294.90. Motion passed by acclamation. **(Requires Budget Adjustment)**

Councilmember Ingalsbee, supported by Councilmember Clark, made a motion to approve the Change Order No. 1 received from C&R's Out on a Limb Tree Care, Bangor, Michigan for additional tree removal work in the amount of \$4,050.00. Motion passed by acclamation.

Reports/Minutes of City Boards Mayor McDaniel presented the Arts & Entertainment Activity Reports for August and September, 2013.

Councilmember Ingalsbee discussed the minutes from the Public Safety Committee meeting held on September 23, 2013.

Councilmember Leverage reviewed the minutes from the Economic Development Corporation meeting held on October 2, 2013.

Councilmember Ingalsbee presented the minutes from the Historic District Commission meeting held on October 7, 2013.

Appointments Mayor McDaniel, supported by Councilmember Clark, made a motion to appoint Mayor McDaniel, Councilmember Tripp and City Manager R. Hillard to the Zoning Board of Appeals Selection Sub-committee. Motion passed by acclamation.

Unfinished Business

Approval of Payroll and Accounts Councilmember Clark, supported by Councilmember McKenzie, made a motion to approve payroll in the amount of \$179,386.47 and accounts payable in the amount of \$625,688.52. Motion passed by acclamation.

Department Supervisors Report Wastewater Treatment Plant Superintendent D. Sweeris talked about the MSTA Conference that was held at the plant.

Department of Public Works Director A. Haskin commented the N. Main Street resurfacing project is complete. The T-Hangar project at the Padgham Field Airport is nearly complete. He stated the fall clean-up went very well. He announced that Milbockers will be starting work on a retaining wall on Grand Street this week.

Council Comments Councilmember Leverage thanked DPW Superintendent A. Haskin and R. Ellis for all the work that was done prior to the 175th Anniversary Celebration. She also thanked all the sponsors.

Councilmember Ingalsbee talked about what a great day Saturday turned out to be. She thanked Joe Leverage for all his work in putting this event together.

Councilmember Clark thanked Councilmember Leverage and her husband, Joe for making the 175th Anniversary Celebration happen and to all the councilmembers who participated. He liked seeing so many new faces on Saturday. He thanked the Allegan Jaycees for spreading out the new mulch at the playground at Jaycee Park and also thanked DPW Director A. Haskin and his staff for facilitating the annual fall clean-up. He would also like to see inflatable bounce houses at the next July 3rd Jubilee for kids to enjoy.

Councilmember McKenzie had a great weekend.

Councilmember Tripp received numerous positive comments on the 175th Anniversary Celebration.

Mayor McDaniel liked seeing all the new faces in town this past weekend. The party was a great opportunity to speak with everyone. She also thanked all who organized and volunteered.

Mayor McDaniel adjourned the meeting at 7:40pm.

Respectfully submitted,

Lori K. Vander Clay
Deputy City Clerk

The City of Allegan is an equal opportunity provider and employer