

**Allegan, Michigan**

**July 14, 2014**

**Call to Order** Mayor McDaniel called the regular meeting of the Allegan City Council to order at 7:03 PM.

**Pledge of Allegiance**

**Roll Call**

Present: Councilmembers: Gratz, Ingalsbee, Leverage, Tripp, Zeter, McKenzie, Mayor McDaniel

Absent: None

Others

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

**Approval of Minutes** Councilmember Leverage, supported by Councilmember Gratz, made a motion to approve the Regular City Council meeting minutes of June 23, 2014. Motion passed with Mayor McDaniel abstaining. Councilmember McKenzie, supported by Councilmember Ingalsbee, made a motion to approve the Special City Council meeting minutes of July 1, 2014. Motion passed by acclamation.

**Mayor's Report** Mayor McDaniel thanked Mayor Pro tem McKenzie for filling in as Mayor while she was on vacation.

**City Manager's Report** City Manager R. Hillard indicated that MDOT officials have offered the "Mill District Trail" to the City with MDOT to have use of it to access the riverbank on Grand Street. Council discussed. Mayor McDaniel would like staff to proceed with MDOT to work toward an agreement. Both Councilmembers Gratz and McKenzie liked the idea. Based on City Council's direction, staff will proceed. He also reminded Council that he will be on vacation next week and won't be in the office until July 28<sup>th</sup>.

**Petitions and Public Comment** Fred Schubert, 406 N. Main, talked about numerous problems he has with Michigan Township Services. He doesn't feel they are doing their job with code enforcement. He shared photos with Council of various houses in his neighborhood with violations. He wants something done. Mayor McDaniel stated that she would follow up with staff at Michigan Township Services.

**Communications** Tony McGhee from Abonmarche talked about the project ideas and granting opportunities for the Riverfront Improvements Project. Councilmember Zeter, supported by Councilmember Tripp, made a motion to proceed with the grant opportunity that will be submitted to the State by Abonmarche. Motion passed by acclamation.

City Manager R. Hillard reviewed the 2<sup>nd</sup> Story Apartment Opportunity for 155 Brady Street. Councilmember Ingalsbee voiced her displeasure in selling this city owned property, she was under the impression that City Hall would be relocating to this location and feels that is what everyone understood at the time of the purchase by the City. Council discussed placing the entire building for sale or just the 2<sup>nd</sup> floor. Councilmember McKenzie thinks that placing stipulations on the building are too severe. Councilmember Tripp feels the entire building needs to be listed for sale. Councilmember Tripp, supported by Councilmember Zeter, made a motion to list the entire building located at 155 Brady Street for sale. Motion passed with Councilmember Ingalsbee voting no.

Councilmember Leverage, supported by Councilmember Gratz, made a motion to approve the request received from Keith Behm, Allegan Garden Tour to place signage on City property at various locations from July 3, 2014~July 20, 2014. Motion passed by acclamation.

Councilmember Ingalsbee, supported by Councilmember Zeter, made a motion to approve the request received from Joe Leverage to place signage on City property at various locations from July 15, 2014~July 15, 2015. Motion passed with Councilmember Leverage abstaining.

Councilmember McKenzie, supported by Councilmember Leverage, made a motion to approve the request received from Christina Thompson to use a portion of the riverfront for a book release party and a band on Friday, August 1, 2014 from 4:00pm~9:00pm. Motion passed by acclamation.

Councilmember Leverage, supported by Councilmember Tripp, made a motion to approve the request received from the Michigan Fiber Festival, Hastings, Michigan to hold the 18<sup>th</sup> annual Michigan Fiber Festival at the Allegan County Fairgrounds on August 13, 2014~August 17, 2014. Motion passed by acclamation.

Councilmember Leverage, supported by Councilmember McKenzie, made a motion to approve the request received from the Thomas-Linn-Jackson Neighborhood to have a Block Party on August 9, 2014 from 3:00pm~7:00pm and for the closure of a portion of Thomas and Linn Streets. Motion passed by acclamation.

### **Hearings**

### **Programs**

**Resolutions**

**RESOLUTION 14.25**

**Authorizing Year-End Budget Adjustment**

**WHEREAS**, in order to ensure all budgeted fund and activities for the 2013-2014 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 Zeter, supported by Councilmember Gratz, made a motion to approve Resolution 14.25 as presented. Motion passed by acclamation.

**RESOLUTION 14.26**

**Resolution Authorizing the Crack Sealing and Pavement Marking Improvements at the Padgham Field Airport as Further Defined In Contract No. 2014-0792**

**WHEREAS**, the City of Allegan was awarded a contract (No. 2014-0792) as defined in Contract No. B-26-0002-2314 from the Michigan Department of Transportation; and

**WHEREAS**, this project involves improvements for the benefit of the Padgham Field Airport;

**NOW, THEREFORE, BE IT RESOLVED**, that the Allegan City Council hereby approves the project and authorizes City Manager Robert Hillard to sign all documents on behalf of the City of Allegan.

Councilmember Ingalsbee, supported by Councilmember Leverage, made a motion to approve Resolution 14.26 as presented. Motion passed by acclamation.

**RESOLUTION 14.27**

**Additions to the City of Allegan Municipal Policy Manual**

**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

**WHEREAS**, additions to Appendix F, City Council Rules of Procedure shall be incorporated into the Allegan Municipal Policy Manual and read as attached.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council that the above stated additions to the City of Allegan Municipal Policy Manual be adopted as recommended by the City 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.

Councilmember McKenzie, supported by Councilmember Tripp, made a motion to approve Resolution 14.27 as presented. Motion passed by acclamation.

### **RESOLUTION NO. 14.28**

#### **A RESOLUTION TO APPROVE THE ASSIGNMENT OF AN EXISTING HANGAR LEASE TO A&B VENTURES, LLC**

**WHEREAS**, On July 27, 1994, Dodgen Aircraft Refinishing, Inc. executed a ground lease with the City to facilitate the construction and use of a 6,400 square foot hangar at Padgham Field Airport (the “Red Hangar”); and

**WHEREAS**, the lease term extends to August 27, 2024, and, under the terms of the lease, prior to the proposed sale of the Red Hangar, the City is required to approve the assignment of the lease to the proposed purchaser; and

**WHEREAS**, A&B Ventures, LLC (“A&B”) has made an offer to acquire the Red Hangar for its use in renovating, maintaining, storing and operating proprietary aircraft; and

**WHEREAS**, A&B has requested that the City Council approve the assignment of the lease to it; and

**WHEREAS**, the City Council is amenable to the requested assignment of the lease to A&B for the remainder of its current term.

#### **NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:**

1. The City Council approves the assignment of the July 27, 1994, ground lease, a copy of which is attached and made a part of this resolution by reference, to A&B Ventures, LLC, for the remainder of its current term (expires August 2024), with all terms and conditions of said lease remaining in full force and effect.
2. The City Manager and the City Attorney are authorized and directed to take any and all steps necessary to facilitate the approved assignment, including, without limitation, executing, completing, filing, and recording on behalf of the City a lease assignment or other necessary document.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

Councilmember Leverage, supported by Councilmember McKenzie, made a motion to approve Resolution 14.28 as presented. Motion passed by acclamation.

**Ordinances** Mayor McDaniel introduced Ordinance 443 of 2014 for final reading and decision. This ordinance is amending the City's zoning ordinance. Councilmember Ingalsbee, supported by Councilmember Leverage, made a motion to approve Ordinance 443 as presented. A roll call vote was taken: Gratz-no; Ingalsbee-yes; Leverage-yes; McKenzie-yes; Tripp-no; Zeter-yes; Mayor McDaniel-no. Motion passed.

**Permits/Licenses/Agreements/Grants** Councilmember McKenzie, supported by Councilmember Gratz, made a motion to approve the Garbage Removal Service License with Chef Container, LLC., Holland, Michigan. Motion passed by acclamation.

Councilmember Tripp, supported by Councilmember McKenzie, made a motion to approve the Garbage Removal Service License with Republic Services, Inc., Jenison, Michigan. Motion passed by acclamation.

**Requests for Payments** Councilmember McKenzie, supported by Councilmember Gratz, made a motion to approve the request for payment received from TJM Services, Allegan, Michigan for change orders to the Veteran's Memorial Park Project in the amount of \$4,847.75. Motion passed by acclamation.

**Requests for Purchases, Services and Equipment** Councilmember Tripp, supported by Councilmember Gratz, made a motion to approve the request for services received from Siegfried Crandall, Portage, Michigan for the 2014 Audit in the amount of \$22,500.00. Motion passed by acclamation.

Councilmember Ingalsbee, supported by Councilmember Leverage, made a motion to approve the request for services received from Valentine Excavating, Fennville, Michigan for the demolition of 104 Ida in the amount of \$5,900.00. Motion passed acclamation. **(Requires Budget Adjustment)**

Councilmember Leverage, supported by Councilmember Gratz, made a motion to approve the request for services received from Valentine Excavating, Fennville, Michigan for the demolition of 619 N. Main in the amount of \$6,700.00. Motion passed by acclamation. **(Requires Budget Adjustment)**

Councilmember Tripp, supported by Councilmember Gratz, made a motion to approve the request for services received from Valentine Excavating, Fennville, Michigan for the demolition of 128 Grove in the amount of \$6,900.00. Motion passed by acclamation. **(Requires Budget Adjustment)**

Councilmember Tripp, supported by Councilmember Ingalsbee, made a motion to approve the request for services received from Bolle Contracting, Clare, Michigan for the demolition of 313 Spruce in the amount of \$7,625.00. Motion passed by acclamation. **(Requires Budget Adjustment)**

Councilmember Tripp, supported by Councilmember Gratz, made a motion to approve the request for services received from Milbocker & Sons, Allegan, Michigan for the water main river crossing project in the amount of \$101,070.00. Motion passed by acclamation. **(Requires Budget Adjustment)**

Councilmember McKenzie, supported by Councilmember Ingalsbee, made a motion to approve the request for services received from Abonmarche, Benton Harbor, Michigan for survey work on the Riverfront Improvements Project in the amount of \$9,500.00. Motion passed by acclamation.

**Reports/Minutes of City Boards** Mayor McDaniel presented the following reports and minutes: Arts & Entertainment Activity Report for May & June, 2014; the Downtown Development Authority minutes from June 12, 2014 and June 25, 2014; Community Development Department Activity Report for June, 2014; Wastewater Treatment Plant Activity Report for June, 2014 and Historic District Selection Subcommittee minutes from July 1, 2014.

Councilmember Ingalsbee discussed the minutes from the Historic District Commission meeting held on July 7, 2014.

DPW Director A. Haskin discussed the minutes from the Parks Commission meeting held on July 7, 2014.

**Appointments** Councilmember Leverage, supported by Councilmember Ingalsbee, made a motion to appoint Bruce Campbell to the Economic Development Corporation to fill an unexpired term until September, 2017. Motion passed by acclamation.

Councilmember McKenzie, supported by Councilmember Leverage, made a motion to appoint Marcia Neigebauer to the Downtown Development Authority for a three (3) year term. Motion passed by acclamation.

Councilmember Ingalsbee, supported by Councilmember Zeter, made a motion to appoint Marcia Neigebauer to the Historic District Commission for a three (3) year term. Motion passed by acclamation.

### **Unfinished Business**

**Approval of Payroll and Accounts** Councilmember McKenzie, supported by Councilmember Zeter, made a motion to approve payroll in the amount of \$90,379.85 and accounts payable in the amount of \$424,237.96. Motion passed by acclamation.

**Department Supervisors Report** DPW Director A. Haskin talked about the mill and re-surface project between Monroe and Cutler Streets that MDOT would like the City to administer.

**Council Comments** Councilmember Leverage reminded everyone about the Bluesin On Up Concert on July 18<sup>th</sup> at the Griswold and the Garden Tour on July 19th.

Councilmember Gratz invited everyone to attend the Black Rock Medieval Fest as the Allegan Jaycees will be working the beer tent.

Councilmember Tripp thanked DPW Director A. Haskin and his staff for doing a great job of making the City look nice.

Councilmember Zeter announced the old generator has been removed from the Mill District.

Mayor McDaniel adjourned the meeting at 8:26pm.

**Respectfully submitted,**

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

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