

**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: Ingalsbee, Leverage, McKenzie, Tripp, Zeter, Mayor McDaniel

Absent: Gratz

Others

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

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

**Approval of Minutes** Councilmember Tripp, supported by Councilmember Zeter, made a motion to approve the Regular City Council meeting minutes of October 13, 2014. Motion passed by acclamation.

**Mayor's Report**

**City Manager's Report**

**Petitions and Public Comment** Robin Wall, 227 James Street requested that something be done on James Street. Property owners need to be held accountable along with the tenant. She stated that 82 police calls were made involving this neighborhood last year and something needs to be done

Joe Leverage, 148 Mill District Road apologized to the City Council and commissions and committees. He has nothing against business owners and only wants to better the City of Allegan, but doesn't want apartments on the lower level on the riverfront. He agrees that a building owner can do what they want with their building, but that would be their choice to change. He is looking for positive changes.

**Communications** Councilmember Zeter, supported by Councilmember McKenzie, made a motion to approve the request received from the Allegan Area Arts Council to place banners on City property for Holly Daze! Christmas Concert from November 7<sup>th</sup> through December 7, 2014. Motion passed by acclamation.

City Manager R. Hillard explained that two properties, 315 Hubbard and 313 Spruce were not purchased at the tax sale auctions through the Allegan County Treasurers Office and now the County is offering them to the City for the cost of the 2014 taxes. The City

has the option of refusing to accept the properties. Councilmember Tripp requested a cost for the demolition of 315 Hubbard from staff. Council discussed. Mayor McDaniel stated that further conversation is needed with demo costs furnished for each structure.

Mayor McDaniel introduced the topic of allowing Lower Level Garden Apartments on the Riverfront. She presented a letter from Tom Meiser who is in support of not allowing this type of zoning.

Tessa Thomas, 321 Grant read a letter against this proposed zoning change.

Mike Villar, 128 Hill stated he owns three buildings in the downtown and all have been remodeled and all have been improved and have tenants in them. He would like to improve the lower level of his building and invest \$80,000 in order to live in. He feels that we have too many vacant main level buildings in the City right now, so maybe the zoning ordinance should be changed to allow this use.

Jack Ephofen, 502 River agrees with Mike Villar, things need to be changed. He likes Trowbridge Street being two-way and great job to Councilmember McKenzie for her recent quotes in the paper.

Douglas Langhorst, 241 Hubbard feels that C-1 has no standards as of yet and that the City needs to establish the property lines with a survey and more information is needed to clarify the "gray areas."

Bruce Campbell, 233 James commented there must be a better use for these buildings and not in favor of lower level apartments. He also questioned what is Michigan Township Services doing with the two places on James Street? He feels the City is not getting their monies worth from them. He talked about a child that wanders the street and the numerous break-ins.

Marcia Wagner, 137 Brady would like clarification of low income apartments...this term scares her.

Jim Kauppi, 239 Knapp believes it is questionable to have apartments on the lower level on the Riverfront.

Councilmember McKenzie agrees with the comments from Mike Villar and Douglas Langhorst. She thinks our antiquated rules don't make sense and that building/business owners should be allowed to do what they want with their buildings. Enforcement of the City's zoning ordinance is needed.

Councilmember Ingalsbee is not in favor of apartments that retail is needed and the City needs to move forward positively. Maybe apartments could be an option in the future.

Councilmember Leverence agrees that an owner occupied building apartment is different than a tenant occupied apartment.

Mayor McDaniel feels that we need to fill the empty buildings on Locust Street and then work on the Riverfront vacancies.

Councilmember Tripp thanked Mike Villar for wanting to invest in his building and advised him to take his request for a lower level apartment to the Zoning Board of Appeals.

Mayor McDaniel would like the definition of the C-1 district, the zoning for the district and the survey. She is in support of owner occupied apartments.

Councilmember McKenzie, supported by Mayor McDaniel, to table this request until more information can be gathered. A roll call vote was taken: Ingalsbee-no; Leverage-no; McKenzie-yes; Tripp-no; Zeter-no; Mayor McDaniel-yes. Motion failed 4-2.

**Hearings** Mayor McDaniel opened the public hearing at 7:52pm for the sale and conditional transfer of property to the Township of Allegan. Douglas Langhorst, 241 Hubbard Street, asked if the City would be losing taxes on this proposed sale. City Manager R. Hillard stated yes. Councilmember McKenzie, supported by Councilmember Ingalsbee, made a motion to close the public hearing at 7:55pm. Motion passed by acclamation.

- a. Councilmember Leverage, supported by Councilmember Ingalsbee, made a motion to approve the Development Cooperation Agreement between the City of Allegan and Allegan Township. Motion passed with Councilmember Zeter voting no.
- b. Councilmember Leverage, supported by Councilmember Ingalsbee, made a motion to approve the Real Estate Purchase and Development Agreement between the City of Allegan and Allegan Township. Motion passed with Councilmember Zeter voting no.

## **Programs**

## **Resolutions**

### **RESOLUTION 14.35**

#### **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 2.0% COLA for an annual salary of \$95,633.56 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.

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Councilmember Leverage, supported by Councilmember Tripp, made a motion to approve Resolution 14.35 as presented. Motion passed by acclamation.

Councilmember Ingalsbee, supported by Councilmember Zeter, made a motion to approve Resolution 14.36 which is a change in the Standard Lighting Contract with Consumers Energy. This will allow for 2 new lights to be placed installed on Crescent and Ely Streets. Motion passed by acclamation.

### **RESOLUTION 14.37**

#### ***Authorizing 4th Quarter Budget Adjustments***

**WHEREAS**, in order to ensure all budgeted fund and activities for the 2013/2014 budget year end within budget parameters; and

**WHEREAS**, the City of Allegan Finance Director is authorized to make the necessary adjustments to complete this action; and

**BE IT RESOLVED**, the following attached 4<sup>th</sup> Quarter Budget Recommendations are authorized for adjustment and shall reflect the 2013/2014 adopted budget;

Councilmember Tripp, supported by Councilmember Leverage, made a motion to approve Resolution 14.37 as presented. Motion passed by acclamation.

### **RESOLUTION 14.38**

#### ***Authorizing 1<sup>st</sup> Quarter Budget Adjustments***

**WHEREAS**, in order to ensure all budgeted fund and activities for the 2014/2015 budget year end within budget parameters; and

**WHEREAS**, the City of Allegan Finance Director is authorized to make the necessary adjustments to complete this action; and

**BE IT RESOLVED**, the following attached 1<sup>st</sup> Quarter Budget Recommendations are authorized for adjustment and shall reflect the 2014/2015 adopted budget;

Councilmember Leverage, supported by Councilmember Ingalsbee, made a motion to approve Resolution 14.38 as presented. Motion passed by acclamation.

**Ordinances** Mayor McDaniel introduced Ordinance 445 for first reading. City Manager R. Hillard explained this ordinance will regulate further the removal of snow and ice from sidewalks in the City and that a notice would be placed in the Allegan County News. Councilmember Leverage commented a letter also needs to be sent to all business owners within the downtown. Councilmember Ingalsbee, supported by Councilmember Zeter, made a motion to take this item back to the Public Safety Committee for further discussion and clarification. Motion passed by acclamation.

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

**Requests for Payments** Councilmember McKenzie, supported by Councilmember Tripp, made a motion to approve Change Order No. 1 from Prein & Newhof, Grand Rapids, Michigan for the Water Main River Crossing engineering at the Trestle Bridge in the amount of \$3,756.58. Motion passed by acclamation. **(Requires Budget Adjustment)**

Councilmember Leverage, supported by Councilmember Tripp, made a motion to approve Change Order No. 1 from Milbocker & Sons, Allegan Michigan for additional boring for the Water Main River Crossing Project in the amount of \$3,836.50. Motion passed by acclamation. **(Requires Budget Adjustment)**

**Requests for Purchases, Services and Equipment** Councilmember Leverage, supported by Councilmember Tripp, made a motion to approve the request for purchase received from Steensma Lawn & Power, Plainwell, Michigan for a V-plow for a one-ton dump truck at the Department of Public Works in the amount of \$4,909.00. Motion passed by acclamation.

**Reports/Minutes of City Boards** Councilmember Zeter discussed the Life EMS 3<sup>rd</sup> Quarter Activity Report.

Mayor McDaniel presented the Wastewater Treatment Plant Activity Report for September, 2014.

Councilmember Ingalsbee discussed the minutes from the Historic District Commission meeting held on October 6, 2014.

Councilmember Leverage reviewed the minutes from the Downtown Development Authority meeting held on October 9, 2014.

Councilmember Tripp discussed the minutes from the Planning Commission meeting held on October 20, 2014.

### **Appointments**

### **Unfinished Business**

**Approval of Payroll and Accounts** Councilmember McKenzie, supported by Councilmember Leverage, made a motion to approve payroll in the amount of

\$95,295.94 and accounts payable in the amount of \$63,423.34. Motion passed by acclamation.

**Department Supervisors Report** DPW Director A. Haskin talked about the street re-paving projects. He indicated that the re-construction on Della Court continues and that staff is currently vacuuming leafs.

Finance Director T. Stull stated the audit has been completed and will be presented at an upcoming meeting.

**Council Comments** Councilmember Leverage thanked everyone in attendance tonight and that it is great to have citizens express their opinions.

Councilmember Ingalsbee commented that Trowbridge Street looks great after the re-paving and as an FYI to everyone; the USPS requested the drive up mail box be placed at its current location.

Councilmember Tripp was excited to see all the citizens in the audience tonight.

Councilmember Zeter announced the Allegan High School Band will be performing at State this weekend at Ford Field and wished them the best of luck.

Mayor McDaniel thanked all who attended the meeting tonight and that their opinions do matter.

Mayor McDaniel adjourned the meeting at 8:31pm.

**Respectfully submitted,**

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

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