



**CITY OF EVART
REGULAR COUNCIL MEETING**

July 7, 2014

Meeting called to order at 7:00 p.m.

Present: **Mayor ProTem** - Casey Keysor; **Council** - Dan Elliott, BJ Foster, Gregg Sherman; **City Clerk** – Seraphim Bieri; **City Manager** - Zack Szakacs
Treasurer – Sarah Bigelow
Absent: **Mayor** – Eric Schmidt

Guests: < *some unidentified* > Wayne Stevens, David Brickey, Jim Eaton, James White – City Attorney, Pam Bowen, Chad Booher, Buck Vallad – Director DPW, Patrick Muczynski, Rick “Machlut”, Jonathon Hartoon, James Sims, Kendra Backing – Chief of Police, Terese Whitten

Citizenry Comments:

<<**David Brickey**>> VFW Post 7979 and AMVET Post 11 ... emphasizing that none of his remarks are to reflect a disrespect for police, however Friday’s 4th of July Parade was beyond unacceptable. He wonders who is responsible for lining things up. With the aging VFW marching behind the P.D., veterans were several times forced to shuffle step and reconfigure in order to avoid the Police Department ahead of them which appeared to be frequently loitering with parade-watcher-conversations and interaction with a dark police vehicle creating parade delays; children curbside were overheard questioning “why did the soldiers stop marching?”; Brickey pointing out to Council that with regard to flag etiquette “never is there to be someone in front of the stars and stripes” (hence their angst at attempting to modulate the situation). He then addressed the inappropriateness and nuisance nature of the loud rap music which played as they attempted to march (“one cannot march to rap”) – wondering if the dark police vehicle may have been the music’s source since he has been unable to discover post-parade who was playing it. **Chief Backing** assured all that under no circumstances was the police vehicle the source of the music, that truly none of the negative consequences had been intentional, adding that the department has been aggressively and successfully interacting with Evert schools and the curbside interplay was merely a positive extension of that. **Mayor pro tem Keysor** said that next year it will not happen again. **Szakacs** suggested that the possible music source was the DJ positioned on 6th Street near Main. The Chamber of Commerce was identified as the organizer of the annual event.

<<**Pam Bowen**>> *self identifies her family as residents at 6th/Cedar, in their sixties, husband with polio on disability, living on \$742 per month, facing deep concerns with the new Yard Waste bagging/fine policy. They have ten (10) maple trees and she asked a DPW worker familiar with their curbside piles, how many bags he thought they would need; his answer was 100 per pick-up. Mrs. Bowen states there is no way to afford that, adding that the one week alluded to in the City Manager’s (tax mailing) letter cannot anticipate Mother Nature’s leaf patterns. Keysor asks DPW Director to verify that there will actually be two weeks in the Fall. Bowen states that the compact nature of the volume of leaves in their yard prevents successful blowing. DPW Director Vallad suggests they blow or rake onto a tarp adding that the policy is an attempt to be more consistent in equipment and*

manpower usages. **Bowen** commends DPW for always being “great” at removing the roadside leaf mountains, adding that Mother Nature is not consistent in the patterns of foliage falling. **Keysor** expresses understanding and notes that the City is experimenting with budget saving measures. **Bowen** asks what she and her husband are supposed to do. The **Mayor pro tem** reassures her he’s sure Evert can provide them with bags and that residents are donating bags for others’ use, emphasizing that “we’ll work with you”.

<<**Wayne Stevens**>> observed that at the Parade the constant sounding of the Fire Department sirens created an echo effect downtown that was both hard on adult ears yet alone children’s, but it also frightened a lot of the little ones along the route. **Councilman Sherman** concurred, citing his own granddaughter’s experience Friday. **Szakacs** pointed out that Councilman Elliott serves on the Fire Board and all will be addressed.

<<**Terese Whitten**>> *self identifies* as being present on behalf of the GFWC Evert Women’s Club which for the past seven (7) years has worked hand-in-hand with the Police and Fire departments for a communitywide “National Night Out” event at Riverside Park. She prepared a proclamation with hopes the City would declare the 2014 August 5th event “officially sanctioned”. Discussion between the City Manager and Mayor pro tem as to whether to read the provided materials and vote at the July 21 Council Meeting or add this to this evening’s agenda. Whitten summarized the event as national and on U.S. military bases emphasizing positive approachability between local law enforcement and youngsters. **Szakacs** ultimately recommends addressing proclamation tonight.

<<**Jim Eaton**>> *self identifies* as the senior V.P. of VFW Post 7979 reminding all that for 17 years they have been trying to get a military machine for display and he can happily announce the acquisition of a helicopter which now must be fund-raised-for for transport from Pennsylvania and permanent display on appropriate cement base (securing propellers). < *applause breaks out* > To make room for it, the big oak will be cut at the VFW but the Woodcarvers (convention) are scheduled to assess the stump at month’s end, ultimately carving a soldier carrying a rifle in the remaining tree trunk.

<<**Wayne Stevens**>> wonders when the City which removed the flag pole from Riverside Park, plans to replace it. **City Manager** thought that Mr. Rohen of the VFW was fundraising for that project. He is informed that Rohen is not “of” the post. **DPW Director Vallad** is surprised at learning that the City removed one from Riverside; **audience member** notes it had been in the park for a good 100 years; **Szakacs** confirms the removal and reassures (having garnered Council’s unanimous consent) that the City will get one up. Rohen apparently already purchased the pole and Szakacs offers that if he/they want it erected the DPW will happily put it into place.

Moved by Sherman, seconded by Foster to amend the agenda ...
...adding to New Business the National Night Out proclamation
Passed unanimously

Moved by Elliott, seconded by Keysor approving the minutes of June 16, reflecting Bieri’s adjustments to spelling on page 7 and Szakac’s page 7 type-o changing “SRA” to “SRE” building ...
Passed unanimously

The LDFA - Director Melora Theunick not in attendance

The DDA – Director Al Weinberg, not in attendance

City Manager informs Council that:

1. DDA is taking off the month of July.
2. Council should not act upon the submitted DDA budget since the anticipated DDA tax revenues are approximately \$20,000 less than expected meaning the DDA itself should review how its budget will be adjusted.
3. Szakacs confirms with the Treasurer that in contrast, the LDFA's tax revenues are in keeping with expectations.

Unfinished Business:

- **AYSO Soccer Interest**

Szakacs confirms that the Glass Plant still has not responded to his land use inquiries, adding that their out-of-state Vice President who promised an assets tour has yet to check back with City Hall and the plant in general is being oddly silent and nonresponsive. If PGW waits too much longer, Szakacs will inform AYSO about the school options (high school for older players; northwest corner for youth). Keysor asks if there has been any forward movement on the Kessler property sports venue. Szakacs reminds him it was Keysor's own project to pursue. Site Use Reviews will be needed along with many additional steps.

- **DPW Equipment Leasing – Buck Vallad reporting**

He is awaiting quotes this week, to be then submitted to next week's Streets Committee.

- **Water Ordinance Revisions from OHM Engineering Consultants**

Keysor turns to the City Attorney for his assessment (from June 16 Council Meeting vote where Council approved contingent upon White's review). Jim White sees "no problems". City Manager wants a motion to adopt the language and City Clerk points out that previous Council vote endorsed it. It was determined that White (and not OHM) would take the OHM language and convert it to the format conforming to all previous White-generated ordinances and then present that for a future Council vote.

- **Parks and Recreation**

Chad Booher observes the many good ideas (dodge ball, archery, soccer) but lack of man-hours to execute; the Committee's recent Chairman resignation, his personal 13 year commitment and excitement at the activity and revenue potential for Evert to bring athletics back to town. Highlights the thought that with the "population bubble" of eligible youth athletes, this is the time to take action, call upon community volunteerism, and to run program funding "back through City Hall". Revisits success of such strategies during his youth (football field/Jack Bruggema with Blackledge out of Marion; Jaycees-VFW building). Booher researched revenue potentials – elsewhere they clear \$7-\$8,000. City Manager proudly notes Evert's upcoming Pony League events, laments Schools Superintendent's lack of willingness to loan out "the nicest fields"; has concern that Pony League can't even afford trophies yet alone supplementing City coffers. Booher and Szackacs exchange insurance figures with \$300/year versus Pony League's \$300/day rate. City Manager wonders how much Booher's programs are prepared to give back; "at \$50/youngster, 24 players, boys and girls, probably one to two grand". Sherman focuses conversation to the Hessler property's advancement requiring a single point person, and asks Booher if he knows of such a volunteer; Jason O'Dell is resoundingly volunteered by Booher. Elliott asks

if more people are needed on the Park & Rec Committee; Szakacs points out the need for an engineer. Keysor reminds Council of the expensive one who had generated the Kessler drawing, but Szakacs clarifies she was a landscape designer not an engineer and the land is in distinct need of fill and correcting. Keysor notes that vandalism diminishes when youthful community hands “community investment” has helped establish a project. Some discussion of the fill potentially coming from the LDF property on 100th. Vallad’s estimate is a need of some 280 cubic feet; Elliott suggests more is likely.

- **National Flood Insurance**

Szakacs reports that the City Attorney has signed off on it, he in turn will be getting with Anna and then back to Council for review.

New Business:

- **Calvary Baptist Vacation Bible School – Oak Street Closure**

- 1) Szakacs explains the church’s desire to cordon off their adjoining stretch of North Oak 9am-noon, August 4th – 8th, to allow youngsters to safely cross from the parking lot to the grass lot across the street.
- 2) Secondly he took this opportunity to recommend that all future street closure requests be decided by the Streets Committee vs. Council, streamlining the process.

Moved by Keysor, seconded by Sherman to both approve the church’s request and to convert the application process to a Committee review of an application (to be designed by the City Manager), bypassing Council altogether.

Roll Call Vote

Ayes: Elliott, Foster, Keysor, Sherman

Nays: (none)

Abstentions: (none)

Passed 4 -0

- **SRE Airport Building Authorization Resolution**

Under the Block Grant the City Manager needs authorization to execute contracts on Evar’s behalf for the Snow Removal Equipment (SRE) Building.

Moved by Elliott, seconded by Foster to empower Szakacs for the process ...

Roll Call Vote

Ayes: Elliott, Foster, Keysor, Sherman

Nays: (none)

Abstentions: (none)

Passed 4 -0

- **Teamsters Contract: July 1, 2014 – June 30, 2017**

Emails have yet to be received from them and therefore unable to move forward, item is moved to Unfinished Business for future consideration.

- **Webmaster Contract Extension – Kelly Marsh**

Szakacs announces that in addition to Marsh's expired contract at \$450.00 monthly, Council has just received a proposal from former DPW intern Jonathon Hartoon of Evert; Hartoon's \$1,000.00 monthly contract proposal is primarily for tech maintenance and repair.

Szakacs notes some concern that Marsh has relocated to Lansing and might be tempted to forego the Evert project, hence his call for a 12 month vs. 6 month extension. He also celebrated the good clean look of the Evert.org site and Evert's multimedia presence and his relief in not having to worry about the quality of work executed by Marsh. Ultimately though he recommends a six month extension to get City Hall through year' end.

City Manager is concerned that the Computer Tech service offered by Hartoon cannot be afforded in combination with Marsh. Keysor points out that the Hartoon services are apples-to-oranges vs. the Marsh services (repair of hardware/software upgrades vs. web presence). Hartoon readily offers to remove the \$200 portion allocated to web work which he had been lead to believe would no longer be being managed, and explains the disadvantages to customers of retaining a computer tech on an hourly wage (motivation is built in for "extended and repeated service visits"). Discussion suggested that Hartoon's services could be equally shared among City entities (LDFA, DDA, PD). Treasurer was consulted "it's not in the budget". Szakacs suggested postponing hiring Hartoon until January so that his written grammar skills could be checked, the DDA, etc. could be consulted, and the Marsh contract expired.

- **Municipal Employees' Retirement System (MERS) 457 Plan - Resolution**

Five page MERS generated letter and attached June 4 email presented by City Manager detailing the no-cost-to-the-City supplemental retirement savings program with Resolution language.

Moved by Sherman, seconded by Keysor to authorize City Manager to sign MERS papers for employee benefits...

Roll Call Vote

Ayes: Elliott, Foster, Keysor, Sherman

Nays: (none)

Abstentions: (none)

Passed 4 – 0

- **Request for Money for Car Club Banners**

City Manager identifies himself as the Treasurer of the local Moose Club describing the Moose's current effort to participate in the financial support of uniform new light-pole banners which would announce throughout town the annual (Labor Day Weekend) Old Car Show. He asks Council to contribute the \$800-\$900 it is estimated that the Moose, Chamber, car club itself would be paying for the upgraded look. Sherman asks which (of the two) Evert Car Clubs is Szakacs referring to. "The local, the original." Vallad cites the likely cost at \$149/per and adds that the City's Special Event Fund is at \$0. Foster remarks at the crowd drawn to St Ignac e's car events and the money they spend. When asked, the Treasurer responds "It's not in the budget." **Moved** by Elliott, seconded by Keysor to authorize the City Manager to talk to the organizers with the understanding that Evert can contribute no more than \$900...

Passed unanimously

- **Proclamation Proclaiming August 5, 2014 “National Night Out in Evert”**

Accepting the proclamation prepared by the Women’s Club (GFWC) with modifications to reflect correction of type-o’s and Mayor pro tem Keysor, in Mayor Schmidt’s absence...

Moved by Foster, seconded by Sherman to endorse the proclamation...

Passed unanimously

- **Treasurer - Sarah Bigelow reporting**

Submission of Manual Check Report through July 7, 2014; and Vendor List.

Moved by Foster, seconded by Keysor to accept Vendor List as submitted

Passed unanimously

- **City Manager – Zack Szakacs reporting**

Szakacs announces past weekend having been Treasurer’s wedding. City still waiting for information to filter in so Budget adjustments are still pending. Announces that the hotel tax idea is unlikely as it would require countywide participation; adds that multi-county option may still be an option and he will research. Notes the Flood Insurance process is moving forward. SRE building had pre-construction meeting. August is the hoped for target for Main Street DDA repairs – meaning businesses will need to use the back alley for parking. July 10 is meeting regarding the water towers. Szakacs asks Sherman to consult on offering senior employees a retirement incentive as budgets are restructured. Distributes the County’s packet detailing the millage they are seeking in November’s election, and distributes his June 17 – July 3 “City Manager’s Communication”.

Alludes to City Clerk’s distribution of nine points of clarification pertaining to Council’s changes to Cemetery Policy. Suggests that she doesn’t comprehend that the vote merely changed the details mentioned instead of substituting the approved recommendations for the entire policy. Bieri refutes that citing detailed conversations in City Manager’s office the day following the vote in which all agreed that the literal interpretation of the vote had to stand and that Szakacs had specifically requested the list to pair with his own. Bieri shared with Council several of the possible unintended changes: no more Veteran discount on headstone platforms (since they rejected the “in red ink” portion which called for a price increase on these); elimination of all Sunday burials (since the written language of what they approved specifically identified Weekend Rates as Saturday’s – while the former police separately defined Saturday and Sunday rates; that despite Foster’s enthusiasm to have the Perpetual Care fee included in each sale, the language they approved line itemed it as a separate charge). Sherman worked to alleviate the confusion by suggesting that simply for a clarity of executing the policy on a day-to-day process, Bieri needed official wording; she readily agreed. Council opted to have the Cemetary Committee refine the verbiage. Audience Member Rohen alluded to a Sears resident’s death the past weekend and he wondered if that individual would be eligible for burial in Forest Hill. Bieri confirms all are welcome to purchase graves regardless of residency; residency merely dictates cost. Elliott reaffirms that the City merely collects 10-15% of the actual operating costs from its Cemetery fee schedule even with the new rates enacted at the prior Council meeting.

- **Police Department / Annual Report – Chief Backing reporting**

1) Council expresses appreciation for the professionalism of her department's Annual Report (20 page spiral bound year-end summary). She will have its details posted on Facebook for citizen access. Chief Backing revisits the Veteran's earlier frustrations pertaining to the lineup and interruptive music of the Parade; she expresses her gratitude at their having attended the evening's meeting allowing the issues to be addressed directly, emphasizing that "the actions of that day may have relayed one thing but the intentions were never to infer disrespect". She clarifies that this was not her first but her ninth parade and that in future barricades can be relocated or the lineup order could be changed altogether.

2) Summarizes the Independence Day Holiday as without any major incidents, received aide from Michigan State Police and Sherriff's Department, the 5-K had more runners than years past – had been some concern when the race's organizer discovered an online reference to the 5-K being a "free" event which it was not.

- **Department of Public Works / Annual Report – Director Buck Vallad reporting**

- 1) Has a show-n-tell of the chemical reaction when galvanized pipe (brass and copper) are connected "galvanic corrosion"; this is what triggered the flooding of Riverside Park July 3rd forcing Vallad to miss the fireworks and have crews onsite until 3:00 a.m. attempting to right the situation in time for the next day's "Party in the Park".
- 2) Vallad notes that typically his Annual Report would be lengthier but the City Manager directed him to brevity this time.
- 3) Vallad has just achieved his S4S4 and Lab ... which Szakacs notes is one of the contractual milestones with the City, leaving only the Waste Water requirement which Vallad notes is May of 2015.

- **City Attorney – Jim White reporting**

Alludes to the progress on the National Flood project. Discussion ensues as to the Teamsters' assertion that they had sent negotiation details last Thursday to White but he has received nothing in his email.

- **Fire Board**

Minutes of May 21, 2014 submitted and not discussed.

Moved by Keysor, seconded by Sherman ...

... Adjournment at 8:13 p.m.

Passed unanimously