



**CITY OF EVART
REGULAR COUNCIL MEETING**

November 3, 2014

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

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

Guests: Joe “Guffy” “Sinclair” (?), Travis Douglas, Brandy Dimond, Bill Bradley, Brenda Bradley, Buck Vallad – Director DPW, Patrick Muczynski, Lane Johnston, Jim White – City Attorney, Antonio Coleman

Citizenry Comments:

(no remarks)

Moved by Keysor, seconded by Sherman to amend the agenda ...

Adding to “New Business” the City Manager’s review of resident Jennifer Joyce’s Water/Sewer refund request and Mayor’s addition of business owner Bill Bradley’s water rate concerns ... **Passed** unanimously

Moved by Keysor, seconded by Elliott to accept the minutes of 10/20/14 ...

Passed unanimously

The LDFA - Director Melora Theunick, not in attendance

The DDA – Director Al Weinberg, not in attendance

Unfinished Business:

- **Landlord Tenant Ordinance**

Under cover letter dated November 3, 2015 City Manager distributed a 39 page draft accompanied by 19 pages of addendums, figures and considerations. Szakacs calls upon Council to review and then create a Committee buoyed by 3 to 4 landlords, a couple of lay individuals and one or two Council members for a total of approximately seven (7) committee members. He recommends the winter months for Ordinance review and drafting, remarking that RED highlights are primary points of decision within the draft distributed this evening. Sherman asks if it is tabled in light of State’s tweaking; Szakacs notes that the relevant state senate bill is at the end of its process and we should move forward.

New Business:

- **Authorization to Sign Engineering Contract for Airport Grant**

Szakacs explains that C&S Engineering Services will be addressing the remaining Federal Grant projects (pavement repairs/lighting), cautions that unless or until Evart is identified as “home base” for 10 helicopters or additional airplanes, the only dollars we are likely to see beyond this current Grant would be for health/safety issues. **Moved** by Keysor, seconded by Elliott to empower City Manager to sign applicable contracts ... **Passed** unanimously. Mayor asks for verification that the aircraft need not physically be hangered in Evart; “correct”. Asked how many are currently registered here – “none”. Belle Tire owner is again referenced as a potential future “occupant” having recently invested in multiple

helicopters for his flight school, although they are currently registered to Farmington Hills, Michigan. Szakacs describes current pending project as approximately \$240,000 of which the engineering portion is \$28,000. He concludes by noting that SRE building is almost completed.

- **Businessman Bill Bradley's Continued Water Bill Concerns**

Bradley distributes single page chart with overview of Ready-to-Serve Fees in nine communities (Big Rapids, Marion, Cadillac, Clare, Ionia, Mt. Pleasant, Reed City, Roscommon, Ewart), noting that in his research only two are higher than Ewart's new rates. Elaborates to say that many, when a multiple-occupancy situation exists, charge the full rate only once with reduced rates to the attached multiple-users. Bradley requests three month refund for carwash (\$194.56/month = \$526.58 total, *once he deducted the \$19/mth fee he used to pay*) on the principle that he was charged when others were not.

>> FOSTER wants confirmation that the comparative businesses were also 2-inch lines. "yes" says Bradley, although City Manager points out it was reduced to 5/8 and DPW Director agrees the other business was re-purposed with smaller line. Discussion surrounds the timeframe of the size reduction. Foster reaffirms that personally he understands the refund request.

>> MAYOR acknowledges that Bradley would have sold the property (as he just has), earlier had he realized the Utility expense of a closed business. Reaffirms personal belief that the "Water/Sewer Program" is fair and yet is so new still reflects "glitches". Emphasizes his own discomfort at suddenly facing three Ready-to-Serve fees at his Main Street property as well as with the abandoned property he just purchased (which is destined for demolition). Schmidt summarizes that he believes the fine tuning needs to be done at Committee level and that glitches do need fixing.

Moved by Schmidt, seconded by Sherman to grant the \$526.58 refund ...
Mayor requests Roll Call Vote.

ROLL CALL VOTE:

Ayes: Schmidt, Sherman
Nays: Elliott, Foster, Keysor
Abstentions: (none)

Failed with 3 – 2 majority

>> Discussion resumes with Bradley offering to do more research and present to the Committee. Mayor questions if his Reed City numbers are 'apples to oranges'. Keysor points out the City's nearly \$250,000 debt still owed on Sewer Plant.

>> Bradley frustrated with the "excessive" amounts both collected and spent for Ewart's Water and Sewer as compared with previous eras; Szakacs notes that "ALL" that exists in savings is \$56,000/Sewer and \$800,000/Water and that that disappears rapidly, citing the just-completed Pine Street Project at a cost of \$240,000. Keysor adds that "back in 2009 and 2010" (figures cited by Bradley) there was a \$600,000 balance in the Sewer account but it was spent-down paying bills.

>> DPW Director confirms they are still operating under a decades' old budget despite inflation. Adding that Ice Mountain spent their own money replacing the most recent well at a \$400,000 expense, and that the City does have parallel responsibility for the other wells, so draining the \$800,000 savings balance can occur too readily. Lastly, Vallad disputes that increased equipmental rental fees are a negative. He clarifies that this is primarily reflecting new accuracy in record keeping. Elliott reinforces the assertion that past figures failed to reflect hours/rates and that these new figures are in their own right still an under-reporting since they utilize the State's own "per hour" reimbursement fee (which by design is set at a minimum so that Lansing need not reimburse contractors at anything other than the low end of the scale).

- **Resident Jennifer Joyce’s Sewer Credit Request**

Szakacs explains that there was a confirmed outdoor leak at the water hose (130 North Oak Street) and doing the math, he is in favor of granting a Sewer refund of \$214.13, but that his powers are limited to \$100 credits without Council approval. Mayor wonders if it wouldn’t be more prudent to extend City Manager’s discretion to a higher dollar threshold. Szakacs offers \$500. Foster counters that the Council oversight of \$100+ is healthy, keeping Council “in the loop” and aware of the frequency of such incidents.

Moved by Keysor, seconded by Foster to grant refund as requested ...

Passed unanimously

- **Treasurer - Sarah Dvoracek reporting**

Submission of Manual Check Report through November 3, 2014; Revenue/Expenditure Report 7/1/14—10/31/14, and Vendor List ...

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

Passed unanimously

Mayor opted to bring attention to his inclusion in the current Vendor list, explaining it reflected reimbursement for donuts served at 2nd Annual Haunted Park. The Haunted Park, in its two years, has netted \$1200 FOR EACH: Evert Park & Rec and Evert’s 4th of July fund (this year’s grossed nearly \$1,900, net \$1,526), he reported.

- **City Manager – Zack Szakacs reporting**

1) Announced that MEDC has decided to allow DIG Grant extension, no doubt in part, thanks to letters from State Senator Darwin Booher and Representative Joel Johnson. Szakacs doubts we will be asked to spend extra dollars. City Clerk asks if the new completion deadline is our requested one of June 30, 2015: “yes”.

2) Under cover letter dated 10/29/14 a 19-page packet is distributed with DEQ (Michigan Department of Environmental Quality) feedback and the Evert Water Survey, all of which Szakacs emphasizes reflect superlative results – especially when compared with recent years. “A zero for 2014 when in 2011 it was a constant threat of fines”. Sherman asked how much in 2011 did the City have to spend for outsourced aide: “about \$26,000, according to City Manager”; DPW extended the answer to include OHM Water studies and says the bills were between \$30,000--\$40,000.

3) Distributed letter dated 10/29/14 detailing plan for DPW to hire seasonal employee now that crew is down to five. (29 hr maximum at \$12/hr, no benefits; potentially winter and summer, on “as needed” basis)

- **Department of Public Works – Buck Vallad, reporting**

>> Vallad promises names at the next Council meeting, so that acknowledgements can be made for the Free Methodist Church’s industrious volunteer efforts – raking leaves at Forest Hill Cemetery.

>> Reports that the debut of Week I of “Free Curbside Leaf Pickup” began with major equipment failures. Suggests that an auction item tomorrow is a vacuum and a return to that sort of appliance here in Evert would be preferable, noting that that would allow for the sale of current machinery which leaves significant leaf-debris trails in its wake. As of tonight, DPW is almost done with its first sweep of the North end of Evert.

>> Well Efficiency Study results aren’t in yet although there is a 64% improvement from the latest well cleaning so they may be able to accomplish one more before year’s end.

- **City Attorney – Jim White reporting**

Addressing police matters. Is requesting all Ordinance language back to 2009 in order to reconcile new Water/Sewer Ordinance accordingly – finds it hard to believe it has been six years since that code debuted. Notes that November 18 is the Water/Sewer Committee meeting with Consultant John Tanner in attendance.

- **Police Department – Chief Kendra Backing, not in attendance**

- **City Clerk and Elections**

Bieri reminded all that tomorrow the Polls would be open from 7am to 8pm. She had placed (Michigan League of Women Voters) non-partisan Voter Guides in Council chambers.

Moved by Keysor, seconded by Sherman ...

... Adjournment at 7:32 p.m.

Passed unanimously