



**CITY OF EVART
REGULAR COUNCIL MEETING**

September 15, 2014

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

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

Guests: Travis Douglas, Elijah Walter, Jim White – City Attorney, Kim Booher,
Steven Rossito

Citizenry Comments:

<<Kim Booher>> ...self identifies as current candidate for Circuit Judge since Judge Nickels is ineligible to run again. She invites critical looks at her caseload and review by those currently in the court system when comparing her to her opponent, adding her tenure as a “born and raised” local whose practice has been in/before the very court for which she is vying. Booher acknowledges her failed attempt for same office eight years prior and invited Council questions. Foster notes his consistent exclusion from juries and asks if his notoriety would also keep him from serving in her court – “yes”.

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

- (1) Adding City Manager’s DIG Grant Main Street/Pocket Park - power charging station bid acceptance ... and ... his receipt of now “even lower” bid recommended by consultants for the Pocket Park hexagonal gazebo ...
- (2) Mayor’s discussion of a Volunteer Youth Group ...

Passed unanimously

Moved by Keysor, seconded by Sherman to accept the minutes of September 2 ...

Passed unanimously

The LDFA - Director Melora Theunick, not in attendance

The DDA – Director Al Weinberg reporting

- 1) DDA had hired two summer staff for support of Musicales and Farmers’ Market plus “beautification projects” (Library flowerbed on US 10 / staining Depot deck, stage, benches/ the “garden” at Depot / staining DDA deck.
- 2) Musicales (final was August 15) “great year numbers-wise” citing “out of town or tourist” attendance across eight (8) performances + the Wildcat Block Party 8/28/14 adding up to 1,268 who identified a home address in excess of 30 miles of Evart.
- 3) Fundraising – DDA received two (2) grants coupled with corporate funding, appeal letters to previous donors, and day-of Musicales hat-passing for total of \$21,632 ... expenses totals \$19,787 so Weinberg declares the summer a success.
- 4) Ribbon Cuttings citywide have included the South Main Street Salon, Spur Shack, with 9/29/14 @ noon slated for the 7th Street Coffee Shop (Cruikshank building), and the Huff building now houses Jack of All Trades (internet, stamps, coins). Evart Pharmacy now open with aide from DDA facade funds and Weinberg is in active conversation with M&J Furniture and building owner Gary Kaberle brokering a move-in deal for Main Street.
- 5) DDA currently seeking bids on roof repair of Corner Cupboard Café; first bid process

failed to garner any contractors.

6) DDA approached by citizen wondering why RVs prohibited on Main Street – Weinberg wonders is this true (NO). Advocates that with the forthcoming restriping and curbing of Main Street there will be several otherwise un-usable parking zones which might well serve the City to be painted specifically for motorcycles, RVs, golf carts. City Attorney asserts that Gators/golf carts are illegal on the road, but City Manager and Sherman affirm that that is not the case if properly stickered for city streets (US 10 travel is prohibited)

7) City Clerk asks DDA Director for some of his figures to be explained: “How much *hat-passing* money collected at Musicales?” (season yielded \$1,122 - 4th of July donations going directly to Fireworks fundraising); “How much did the private letter mailings garner?” (\$2,125); “Please compare this year’s attendance to last year’s numbers.” (4,362 this year vs. low 3,000’s in 2013).

Unfinished Business:

- **2014/15 Goals**

City Manager redirects conversation to October 6, awaiting attendance of Councilman Elliott, although noting that last year many (too many) were taken on and he continues to believe a shorter, “do-able” list is more prudent for 2014/15.

New Business:

- **IT – Information Technology Proposal reviewed by City Treasurer**

Dvoracek presents ten page detail from I.T. Right company (partner firm to BS&A Software) with her own summation cover letter noting that anti-virus protection alone (not currently uniform nor omnipresent in Evert city government) could be procured at a savings of nearly \$600/year; email and webhosting (even including the one-time setup fee of \$275) saves Evert \$4,900/year; computer support, repair, 24hr troubleshooting (service currently grossly underprovided and at considerably high hourly rates with significant response time-lags) at monthly fee of less than \$460; and finally – upgrading City Hall server to accommodate all previously approved accounting software changes \$1,485 (one-time fee). Her recommendation is for the \$6,255.00 to be spent for fiscal 2014/15 in the City’s best fiscal interest (using General Fund dollars), with appropriate budgeting for subsequent fiscal years for this technology bundle.

>> Mayor summarizes that this is “last bit of (technology) housekeeping”. “yes”

>> Keysor wants confirmation this cancels use of NetOne, Dan Joyce, Kelly Marsh? “yes”

>> Sherman wonders if this is the final such request. **City Manager** advises Council that an inventory program will also be sought in the near future, elaborating with aide of **City Treasurer** at how “a small fortune” of seemingly “throw-away” dollars keeps being spent on quick runs to the hardware instead of possible tighter controls on tools already in circulation and/or simply tools inconveniently “back at the yard” instead of “in hand”. **Foster** cites own business and recent commitment to maintaining 4-sets of tools and not “impulse purchasing” when tool is temporarily out-of-reach. **Szakacs** points out that currently one DWP worker prefers to use his own tools, while others utilize City-issued tools. **Mayor** offers option of each employee being issued “his” bag of tools and the accompanying responsibility for them. **Treasurer** summarizes that a centralized inventory program is almost universally used in other municipalities and that here it would save tremendous dollars while providing auditors with welcomed transparency. **City Manager** notes that the pending question of this computer and inventory streamlining was one of former Mayor protem/Councilwoman Jean Duey’s dreams.

Moved by Foster, seconded by Keysor to approve the Treasurer recommended IT package...

Passed unanimously

- **DIG Grant Bids for Electrical Charging Station**

Szakacs presented city's consultants' Fleis & Vandenbrink's review of three bids, recommending ABM Electrical Power Services (of Irvine, California) at the lowest \$4,925 over the Overland Park, Kansas and the Grand Rapids, Michigan firms.

Moved by Foster, seconded by Schmidt to approve the bid...

Passed unanimously

- **DIG Grant Bids Revisited for Pocket Park Gazebo**

Szakacs described this afternoon's communication from Fleis & Vandenbrink in that in the wake of Council choosing F&V's previous project recommendation, they have received a 4th and more attractive bid, which F&V now recommend. The new quote from Playworld Midstates of Midland, MI comes at a sizable savings. City Clerk is concerned that bid acceptance was published; all agree this is a non-issue.

Moved by Keysor, seconded by Sherman to approve the bid (*) ...

Passed unanimously

() Upon drafting minutes of this meeting, Bieri reviewed Consultant's submission to Council and discovered a dollar-discrepancy (\$748.00) between Playworld's own bid sheet (\$13,142.00) and F&V's 9/10/14 cover letter from Rick Stout detailing the four companies and his recommendation of Playworld (at \$13,890.80). October 1st telephone research with Mr. Stout confirmed the discrepancy, could not determine source for incorrect figures (tax calculation did not address this, although Stout initially thought it might), and ultimately Stout reassured City Clerk that the true and accurate figure of this bid is the lower figure NOT found on the cover page, i.e. the \$13,142.00.*

- **New Youth Group Resource**

Mayor Schmidt has discovered that citizen Michelle Gray is in charge of a group of 15 to 20 youngsters for whom she is in search of weekly volunteer projects. He lamented that DPW accepted their effort on one weekend for Guyton Park and then informed Gray there were no other needs for their team. Schmidt says Council needs to consider these youngsters as available and viable, according to their moderator, "in all kinds of weather" – citizen shoveling, City projects, etcetera.

- **Treasurer - Sarah Dvoracek reporting**

Submission of Manual Check Report through September 15, 2014; Summary of All Funds Report as of 8/1/14 and Vendor List.

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

Passed unanimously

>> Debut of Treasurer's "Highlights", covers August and September 2014; Dvoracek solicits questions, there are none.

- **City Manager – Zack Szakacs reporting**

1) Distributes spiral bound draft of Master Plan for review by Council at October 6 meeting,

noting that once they approve it, it is set in stone. Mayor scoffs that it took 2 ½ years to generate? Szakacs responds that it is well presented, highly affordable and any changes must be submitted “now”.

2) Ventra now has 14 of 29 presses changed to the reclamation system with goal of October 1 for 100%, Szakacs hinting at it almost being time to enact postponed water rate increases. Keysor suggests the City simply set a start-date this evening. Clerk asks what Council wants to do if Ventra misses its deadline; “charge them anyway”.

Moved by Keysor, seconded by Schmidt to begin new water rate for Ventra and citizens on October 1, 2014...

Passed unanimously

3) Mayor asks if Dairy has had any real estate price conversations with the City yet. “no” City Manager does note however Dean’s internal communications is lacking, their accounting department failed to notify another department about the monthly \$2300 to Evert (penalty for failure to notify City) and that explains why the City received angry communications about “being billed” after issued already been resolved. City Assessor is still having difficulty reconciling the numbers provided by Deans, so that remains on the table; Tax Tribunal visit is always a looming possibility.

4) Flood Insurance – we published as required, it now rests with AnnaMarie once they sign off, it will be supervised by the county.

5) Foster asks about status and regulations governing Dairy’s private well, wondering if it should be capped. Szakacs will pursue the conversation with the DEQ.

6) Distributes six page handout addressing Michigan tax-capturing with questionable oversight.

7) City Manager’s Communication for Aug 25 – Sept 12 submitted for Council review.

- **Police Department – Chief Backing reporting**

She reports successful fire arms training at Dave Fowler’s range. Shares enthusiasm for Mayor’s letter of support for Safety Millage which is on social media page. Treasurer cautions that PD’s planned public meeting in support of the millage (10/8/14) should not have been scheduled for the Depot as auditors will be spread-out throughout the venue. Revisits Reserve Officer Program, having found that training Evert’s two is reasonable if we piggyback on the Sheriff’s program; Backing asks Council if they desire the PD to move forward on this – “yes”. Bieri asks if the “piggybacking” comes with any affiliated fees – “no cost to Evert; individuals will end up spending \$2300 however”. Szakacs notes that this program is leaps ahead of “auxiliary” it is virtually the next step to being an officer.

Written report submitted for Council review.

- **Department of Public Works – Director Buck, not in attendance**

City Manager points out forthcoming 8am Water/Sewer meeting next Wednesday; written report submitted.

- **City Attorney – Jim White reporting**

Summarizes his attention on Ordinances then directs attention to the legal quandary of what level of narcotic exposure in a driver equates to accepted DUI-alcohol levels. City Manager wonders what levels make an employee a risk; Sherman notes that at Ventra/“Evert Products”, even a doctor ordered sleep medicine cannot be in one’s system if it impedes the ability to safely operate machinery.

Moved by Keysor, seconded by Sherman ...

... Adjournment at 7:56 p.m.

Passed unanimously