

Draft Copy

**CITY OF EVART
REGULAR COUNCIL MEETING**

June 2, 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 Bigelow

Absent: (none)

Guests: Chris Maddox (AYSO 872), Colt Outman (AYSO 872), Ralph Carlson, Vern Beemer, James White – City Attorney, Patrick Muczynski, Jennifer Joyce, John Joyce, Buck Vallad – Director DPW, Miranda Lorenz, Melora Thuenick – Director LDFA, Ryan Douglas

Citizenry Comments:

(no remarks)

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

...adding Street Closure 4th between Pine & Hemlock; County Treasurer's foreclosure list; relocating the Service Officer PD program to June 16th Unfinished Business

Passed unanimously

Moved by Foster, seconded by Sherman approved the minutes of May 19, reflecting page 4 City Manager item #6 date change ... **Passed** unanimously

The LDFA - Director Melora Theunick reporting

Their Board is considering donating land to Habitat for Humanity – creating homes and tax payers. The recent airborne Poker Run (Big Rapids Airport event) tied into Evart successfully after rain-delays; 15 to 16 participant aircraft; locals migrated to tarmac having seen multiple fly-ins; LDFA served all breakfast. There will be an LDFA-sponsored free training day on Social Media – all are welcome (Tuesday, June 24, 1-5pm).

The DDA – Director Al Weinberg not in attendance.

Unfinished Business:

• **Brush / Debris Curbside Service – Streets Committee Recommendation**

DPW Director Buck Vallad distributed a Streets Committee letter calling for:

- 1) an end to un-bagged leaf/grass trimmings pick-up; biodegradable bags now mandatory
- 2) minimal \$50 fine for loose leaf piles in roadway
- 3) additional \$50/hr reimbursement to City for cleanup
- 4) risk of Blight Ordinance violation for same leaf/clippings
- 5) brush must be neatly stacked with trunks facing the street

- 6) brush/limbs cannot be left roadside more than two (2) weeks in advance of scheduled pick up
- 7) failure to adhere to brush policy invokes similar \$50 fine/Blight violations/clean up reimbursement

He entreats Council to discuss this at the June 16 meeting and invoke new policy effective with the start of the fiscal year, July 1, 2014.

- **Cemetery Rate Recommendations**

City Manager will be presenting figures at the June 16 Council Meeting and reminds Council that a grave purchased 100 years ago still eats up current City Budget dollars for grooming/maintenance.

- **National Flood Insurance Program**

Szakacs reports that Evert is not up to standards and with great aide from Anna Marie (county) he will be making a presentation with recommendations at the June 16 Council, having met with City Attorney regarding corresponding ordinances.

- **Mecosta Conservation District – Hazardous Waste Disposal Program**

City Manager met with Nestle (Ice Mtn) and they declined underwriting this Evert expense since they already donate to the program independently. Szakacs points out we have paid in the past, DPW Director revisits his enthusiastic endorsement of the money it saves the City directly (paint & light bulb disposal) as well as aiding citizens individually, but Szakacs reminds Council the \$1,000 has not been budgeted for.

Moved by Foster, seconded by Schmidt to again contribute to the Conservation District's disposal program ... **Passed** unanimously

New Business:

- **AYSO Soccer Interest in the Industrial Park**

Mayor had been contacted by AYSO, he wondered if there was a conflict having soccer in airport zone, considered alternate locales (Wing Street), etc. LDFA Director shows enthusiasm for overall idea while unable to commit to three year usage and somewhat hesitant about cars mistaking runway for parking zone, inviting AYSO to forthcoming LDFA Board meeting. Chris Maddox and Colt Outman of AYSO answered questions about size of field (ideally 2 to 4 acres), typically 30 to 40 vehicles per game, number of fields, clarifying that initially they sought one for U5-U19 with six fields to be developed over several years. Eight years ago the organization had 117 players now 400 with 500 likely next year; began in Reed City but in 2004 budgetary constraints left the organization homeless prompting fields now in Luther, Tustin, Reed City and with more Evert players, they are seeking a local presence (AYSO footing all expenses, even offering the City concession sales). City Clerk asks if Evert provided area to re-create the "all fields in one city" concept they enjoyed prior to Reed City's land sale, would they be interested. "No – now geographic diversity has priority." Elliott suggested the field behind the Middle School. Vallad the field next to Glass Plant. Szakacs the Hessler property by cemetery. Theunick the meadow at Riverside East (can't due to camping). The North Main Street lot was considered but public vote for athletic facility/parking would be required. AYSO says they'll take what they can get – Spring, Fall or both ... same locales or different ... they'll match property size to age –appropriate field sizes. Council encouraged City Manager to approach glass company for use of their flat spacious side area

- **Utility Bill Late Fees**

- 1) In a letter dated May 29th the expense to the City to collect delinquent water/sewer

bills reflects a monthly loss of \$37.85 without including labor or ink costs. The City Manager recommends increasing the 50-cent fee to \$2.00.

2) Mayor asks why not simply save all expense and add fee(s) to next bill instead of separate mailings. Szakacs explains that legally notice must be given in steps prior to shut-offs and the delay in collecting seriously delinquent bills (especially from the Dept. of Human Services on behalf of the indigent) would also be significant.

3) Sherman supports Mayor's position and suggests perhaps ordinances need reviewing. Treasurer notes that out of about 600 utility customers approximately 189 are not paid on time.

4) Bieri suggests a more meaningful yet not punitive penalty of \$5 instead of \$2 if Council is going to go through the effort to increase fees – asking why still charge a money-losing figure.

Moved by Keysor, seconded by Elliott to increase the late utility late fee to \$5.00 ...

Passed unanimously

- **Returned Check Policy**

City Manager would like to establish a policy. Suggests \$25.00 fee for any/all insufficient fund notices and closed accounts, with subsequent payments (after two such returns) to be made exclusively by cashiers check or cash, and the initial bounced payment to be made in cash. Treasurer emphasized the pressing need in the face of repeated closed account usage in recent cases. Elliott proposes \$35 fee.

Moved by Foster, seconded by Elliott to impose a policy as detailed in Szakac's May 29 proposal but with a \$35.00 fee ...

Roll Call Vote

Ayes: Elliott, Foster, Keysor, Schmidt

Nays: Sherman

Abstentions: (none)

Passed 4-1

- **Republic Service – Trash Collection Contract Extension**

Szakacs presents evolution of current extension option. In anticipation of November expiration of current contract, he sought one year extension at current terms which they countered with three year contract reflecting zero increases year one and years two & three discounted increasing at a lesser percentage (2.5% vs. 3.0%) than the current contract imposed in the later years. Keysor asked about the "hidden" rate hike "gas surcharge", Szakacs explained all companies have that stipulation and previous provider invoked it far more frequently. He added that with Republic City Hall has received fewer citizen complaints and that their dumpsters are preferable. **Moved** by Keysor, seconded by Foster to authorize City Manager to sign the renewal contract ... **Passed** unanimously

- **DPW (Department Public Works) Equipment Leasing**

(a) Vallad details potential renewed lease for the primary heavy equipment piece in use by the City (loader). In letter of May 28 he reviews Streets Committee considerations as the five year buyback contract reaches its 4th year. Vallad emphasizes the generous offer available through Ellen's Equipment of McBain for a loader and backhoe. Elliott notes multiple ways for Evert to judge "best move" – Equity 99 at the bank; USDA loan; all predicated on real numbers reflecting what machinery is needed used and replaced and he has concern that our buckets (etc.) are CAT specific and should we no longer be able to afford that high dollar machinery, none of our city-owned accessories will fit replacement tractors/backhoes. Championing the Ellen's option, Buck asks where locally can any city-owned big equipment be sent for repair (inferring long distance/big price tag). Adds that

“beware of the bid process”, it can and has brought in inferior equipment with more hours wear and tear.

(b) Vallad also alludes to Street Committee discovery that the City’s radios are on an obsolete frequency and will require replacement. In lieu of new purchases, High School will allow City to piggyback on its tower free-of-charge unless/until Superintendent Hyde and the School Board decide to expand their own usage. This saves \$6,000.

- **Riverside Park Pavillion Rental**

City Manager just discovered in the wake of a Memorial Day Weekend episode, that there has apparently been a longstanding policy to charge Pavilion occupants on weekends even if they migrate to the unoccupied site seeking shade or seating without having previously had/made a weekend reservation. (Reservations do require rental fee on weekends.) It had been presumed that if one was willing to risk not having access, and instead showed up on the day of the event, no fee would be imposed. (July 7, new policy forthcoming.) Foster expressed concern at how a resident would know that the Pavilion was already reserved. Szakacs alludes to reservation book and Park Hosts’ markers. Mayor cites example of his event not having been logged; City Manager notes that it was an Ann Pattee error not an error in the system, emphasizing that while there has been a past era of dual bookings and camping reservation mistakes, it now is in the capable hands of the Park Hosts.

- **Street Closure Request – 4th Street, June 21st**

City Manager says the 3-on-3 Tourney will need this all day closure between Pine and Hemlock to accommodate play; if rain develops, they will be moving indoors to the High School and Middle School gymnasiums.

Moved by Schmidt, seconded by Sherman to close Pine Street as requested ...

Passed unanimously

- **Treasurer - Sarah Bigelow reporting**

- 1) Foreclosure List (dated April 15, 2014) received from County Treasurer offering Evert the option to purchase various parcels. City Manager recommends only buying “Corner Cupboard Café” (201 North Main Street) for the \$5,157.39 and in turn the DDA is poised to reimburse the City and take possession. Foreclosure of 327 North River was discussed but Keysor and Elliott adamantly warned against taking on the zinc, lead, PCB contamination.

Moved by Schmidt, seconded by Sherman to authorize City Manager to purchase Corner Cupboard Café building ...

Passed unanimously

- 2) Request made for a fee to be imposed on mortgage and title companies seeking bill research. Bigelow notes the time it requires and the passé attitude of companies seeking the City to do their work for them (often requesting duplicate information). She seeks a \$15 fee. Bieri calls upon Council to impose a \$20 fee since it is institutional and not citizen-targeted.

Moved by Sherman, seconded by Schmidt to establish a \$15 fee ...

Passed unanimously

- 3) Submission of Manual Check Report May 22 through June 2, 2014; Revenue/Expenditures Report for July 1, 2013 through June 30, 2014; and Vendor List.

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

Passed unanimously

- **City Manager – Zack Szakacs reporting**

- 1) Notes the inclusion of Fire Board Minutes; Fire Dept. will need money by July
- 2) Still awaiting insurance provider's quotes for Police Department Axillary program.

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

Three page June 2 correspondence to City Manger distributed, outlining details of proposed "Service Officer" program.

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

U.S. 10 today was a sewer structure failure. He is working on new discharge permit. Well head signs (of a decade earlier) are in the process of being installed by DPW. Hydrants will be flushed on June 15 & 16. All bridges have been inspected post-flood and despite significant gravel relocation, all underpinnings have been approved by OHM engineers; only minor undertakings are necessary. Pine Street culverts will need doing. Mayor asks if hydrant cap colors can be other-than-purple so as not to conflict with eventual Wildcat color scheme. Foster suggests painting just the nut. Vallad will investigate.

- **Department of Parks and Recreation – Director Mark Wilson not in attendance**

City Manager reports Jarret is successfully filling in; the 3-on-3 Tourney only requires two new nets and a manageable total of six items from the City and as their event evolves over time they look forward to underwriting some of the physical improvements to City facilities. Mayor adds that he knows the Chamber is looking into acquiring backboards. Riverside East will soon have 15 camp sites, construction is underway.

Moved by Keysor, seconded by Sherman ...

... Adjournment at 8:07 p.m.

Passed unanimously