

City Commission  
February 16, 2015

Mayor Mark Warba called the regular meeting of the City Commission to order at 6:30 p.m.

Present: Commissioners Lynn Anderson, Tom Hogenson, Lorraine James, and Dan Rothstein; Mayor Mark J. Warba; City Attorney Eric D. Williams; City Manager Steve Sobers; and City Treasurer Jon Locke.

Absent: None

There were 36 persons in the audience to celebrate the special order of the day. Ten audience members stayed for the remainder of the meeting.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF THE AGENDA** – none.

**APPROVAL OF MINUTES**

Commissioner Hogenson moved, seconded by Commissioner Anderson that the minutes of February 2, 2015 meeting be accepted.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

**SPECIAL ORDERS OF THE DAY**

Public Safety Director Andrea Nerbonne presented a Director's Award to Russell Bell for his excellence in public service. He distributed smoke detectors door-to-door to Big Rapids residences and prepared a written document as to if a smoke detector was accepted or not.

**STUDY SESSION**

a. **City Assessor Position**

City Manager Steve Sobers presented the staff recommendation that Gail Dolbee be appointed to the City Assessor position. As of April 1, the contract for Assessing services with Dan Kirwin will expire. That will put the City in need of a Level 3 Assessor. Ms. Dolbee has gone through the State training classes and obtained the Level 3 classification. This appointment will be before the Commission as an action item at the next meeting.

Commissioner James would like to see a consistent performance review process performed, such as 30 day, 3 months, 6 months, 9 months, with a report back to the City Commission.

Mr. Sobers and City Treasurer Jon Locke are further reviewing the possible reorganization of the Assessing Office and Income Tax Office, placing them both in the same general area so that they might share clerical and technical support.

b. Discussion of Chamber of Commerce Building

The Chamber of Commerce has a committee looking at the possible relocation of the Chamber of Commerce operations to a larger facility. Their options include looking at existing buildings and possibly new construction. The lease they have with the City requires that if the Chamber leaves their current location before the end of the 65 year lease, the building becomes City property. In past discussions regarding relocating to the depot, the City was considering allowing them to keep any proceeds from the sale of the building to help with acquiring a new location.

The Chamber committee is inquiring if the money from the sale of the Chamber building could be used by them to secure a new location, which is opposite of what the lease states.

City Attorney Eric Williams stated that he has reviewed this lease a couple of times over the years. The lease states that the City becomes the owner of the building if the lease holder leaves before the 65 years are up. He would recommend against doing anything different from the lease. Because the lease is silent as to what happens after the end of the lease, there is opportunity for some discussions and negotiations at that time.

The building was built by the Chamber of Commerce. The Mayor questioned that if the land/building was sold, was there a way to determine the value of the land and the value of the building. The Chamber could receive the value for their building and the City could receive the value for the land. Mr. Williams stated that the City could review that, but if it is park land, that would not be an option. If it is not park land, the City could consider putting it up for sale.

Mr. Williams explained that the written lease provided for lease of the land at \$1. Technically the Chamber put up the building and rented the space for \$1 a year, so that they got the building value over the term of the lease. At this time, it is difficult for the City to come up with a way to do something with the value of the building contrary to the terms of the lease.

Commissioner Hogenson stated the Planning Commission and Park and Recreation Board should both weigh in on any discussion of this property.

Mayor Warba requested a legal opinion from the City Attorney regarding the terms of the lease and what the possibilities are if the Chamber were to leave early.

c. Department of Public Safety Police Radios

Public Safety Deputy Director Steve Schroeder presented information on the need to switch the current radio communication system to an 800 MHZ system. The FCC has narrowed the banding of the frequencies, which, at times, make the current radios unable

to transmit messages. On January 19, 2015, the current frequency for Mecosta County was compromised and taken out of service for a period of time. The use of the current system is creating safety concerns for the public safety (both police and fire) individuals. The 800 MHZ is currently in place and being used throughout the State. It uses a digital signal to transmit.

Central Dispatch is recommending that the county law enforcement agencies move to the 800 MHZ system. A radio has been selected for County use and Ferris and Central Dispatch are making the move to the new radios. The Sherriff Dept. and EMS are also looking to make the move.

City Treasurer Jon Locke stated that the cost to move all police and fire employees (except for part-paid firefighters) to the new radio system would be \$284,000. The City can lease the equipment over a period of five years for an annual payment of \$62,000. The lease rate is 3.92%. The CIP review committee ranked this General Fund request as the number one project that they felt they would like to see funded. At the end of five years, the City would own the equipment. If this is a priority for the City Commission, the City Treasurer will work it into the 2015/2016 budget.

## **PUBLIC COMMENT**

FSU student representatives, Victoria Hudgins and Kate Williams, addressed the City Commission on the following:

- The Big Event is scheduled for April 18<sup>th</sup>, starting at 9:00 a.m. The goal is to have 300 houses and 2,500 volunteers. To date, they have 154 houses.
- Blues and Barbeque Event is planned for Hemlock Park on April 19<sup>th</sup> from 3:00 – 6:00 p.m. There will be local bands to entertain the local community members and students. It is planned to have some local businesses and barbeque, with the effort to bridge the gap between Big Rapids community and Ferris.
- Women in the Workplace and Leaders Conference, with Viviane Pickard, President of the General Motors Foundations, as keynote speaker is scheduled for March 19<sup>th</sup> at 6:30 p.m.
- They questioned what they can do as FSU students and members of the student government to bridge the gap between the Big Rapids community and FSU students. Mayor Warba believes that the gap has narrowed in the last few years due the Town and Gown meetings and meeting with the student government.

Rep. Phil Potvin addressed the City Commission with the following:

- The Governor has submitted his version of the budget for 2015/2016. There are several tax credits, but how many it is unknown at this time.
- He is on the following committees: The Appropriations Committee, Chairman of the Appropriations Education Committee, Vice Chairman of the School Aid, Veterans Program, and Capital Outlay Committee, which in charge of all the State own buildings.
- He asked what the City was doing to distribute information on the May 5<sup>th</sup> vote. Mayor Warba stated that Economic Development Director Jim Sandy will be having one or more speakers at the Development Corporation meeting.

Mayor Warba stated that the City has put together a booklet of projects that are pending in the City. He would like Rep. Potvin to receive a copy of that. The City Commission is interested in doing something with the depot, but it is somewhat tied up by the DNR.

Rose Mary Jennings, 606 Bjornson, stated it was impressive to see all the public employees at this evening's meeting to honor Firefighter Russell Bell. She is very proud of the Public Safety employees.

**PUBLIC HEARING** - none

The City Commission took a five minute break.

**RESOLUTION NO. 15-11**

Commissioner Hogenson moved, seconded by Commissioner Rothstein the adoption of the following:

**RESOLUTION ACCEPTING CITY CLERK  
ROBERTA CLINE RETIREMENT NOTICE**

WHEREAS, Roberta Cline has served Big Rapids since her employment in June of 1969, and has completed 46 years of service with the City ending with her position as City Clerk, and

WHEREAS, confidence and trust in her abilities has been a hallmark and inspiration to others in her career, which included an appointment as interim City Manager in 2003, and

WHEREAS, most of all Roberta Cline has been a friend of the City and a steady hand in providing the highest level of service and recordkeeping to the Citizens and employees at an efficient cost, and

WHEREAS, the City Clerk serves at the pleasure of the City Commission, and

WHEREAS, Roberta Cline has submitted her letter of retirement effective August 1, 2015.

NOW, THEREFORE, BE IT RESOLVED that the City Commission celebrates her years of service and expresses thanks for her dedication and hereby accepts the letter of retirement submitted by City Clerk Roberta Cline and wishes her all the blessings and comfort that retirement can offer.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: February 16, 2015

**RESOLUTION NO. 15-12**

Commissioner Anderson moved, supported by Commissioner Hogenson, the adoption of the following:

**RESOLUTION OF INTENT TO APPLY FOR  
FINANCIAL ASSISTANCE FROM STATE OF MICHIGAN  
FISCAL YEAR 2016 UNDER ACT NO. 51 OF THE  
PUBLIC ACTS FOR 1951, AS AMENDED**

WHEREAS, pursuant to Act No. 51 of the Public Acts of 1951 (Act 51), As Amended, it is necessary for the City of Big Rapids' Dial-A-Ride Public Transportation System, established under Act 94, to provide a local transportation program for the state Fiscal Year of 2016 (October 1, 2015 through September 30, 2016) and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for the City of Big Rapids, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year; and

WHEREAS, the performance indicators for this agency have been reviewed and approved by the City of Big Rapids; and

WHEREAS, the City of Big Rapids, has reviewed and approved the proposed balanced budget, and revenue funding sources of estimated \$90,704.00 federal funds, \$206,021.00 estimated state funds, \$109,500.00 estimated local funds, \$80,000.00 estimated fare box funds, and \$75,000.00 in estimated other funds, with total revenues in an estimated amount of \$566,925.00.

NOW, THEREFORE, BE IT RESOLVED that the City of Big Rapids does hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HEREBY, appoints Stephen Sobers as the Transportation/Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for the state fiscal year of 2016 (October 1, 2015 through September 30, 2016).

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Date: February 16, 2015

**RESOLUTION NO. 15-13**

Commissioner Rothstein moved, seconded by Commissioner James, the adoption of the following Resolution:

**RESOLUTION DIRECTING STAFF TO PREPARE ESTIMATES  
AND DIAGRAMS AND TO ESTABLISH A PUBLIC HEARING DATE REGARDING  
2014/2015 SIDEWALK SPECIAL ASSESSMENT PROJECT**

WHEREAS, the City Commission of the City of Big Rapids determines that a public improvement through the new, replacement and repair of certain sidewalks, where required, is necessary and shall be initiated by Special Assessment and therefore;

BE IT RESOLVED, that a public improvement through construction of new sidewalk, replacement and repair of existing sidewalk, is necessary and shall take place within certain properties on the following streets:

|                                      |                           |
|--------------------------------------|---------------------------|
| 100 Block of Pemberton Ave.          | 100 Block of Madison Ave. |
| 300 and 400 Block of Marion Ave.     | 300 Block of Rose Ave.    |
| 200 and 300 Block of S. Stewart Ave. | 400 Block of Ives Ave.    |
| 400 Block of Rust Ave.               |                           |

BE IT FURTHER RESOLVED, that 50% of the expense shall be paid by each property owner benefited thereby, and 50% of the expense shall be paid by the City of Big Rapids, and that the property owner's expense shall be levied and paid in the manner following:

Full payment to be spread over a three (3) year term payable in three (3) annual installments with interest at the rate of five percent (5%) per annum on all unpaid sums with no interest charged until after the first installment of the special assessment.

BE IT FURTHER RESOLVED, that the said special assessment shall be upon each lot, premise and parcel of land abutting the public improvement on or next to the above list of properties proportionately to the improvement; the expense for said improvement is estimated to be \$3.75 per square foot for installation of four inch (4") thickness sidewalk, \$4.75 per square foot for installation of six inch (6") thickness sidewalk, and \$4.75 per square foot for installation of ramp.

BE IT FURTHER RESOLVED, that the Public Works Deputy Director shall prepare estimates and diagrams and that the estimates and diagrams be filed with the City Clerk for public examination, and the City Clerk shall publicize this public improvement in the Pioneer Press; and that the City Commission will meet on Monday March 2, 2015, at 7:30 p.m. in the Commission meeting room of City Hall to consider any objections.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: February 16, 2015

**RESOLUTION NO. 15-14**

Commissioner Hogenson moved, supported by Commissioner James, the adoption of the following:

**RESOLUTION REFERRING TO THE PLANNING COMMISSION  
FOR RECOMMENDATION OF DISCONTINUATION OF  
CITY OWNED PROPERTY**

WHEREAS, whenever the City has property, Parcel #54-17-11-200-010, that may not be needed, the City Commission has asked the Planning Commission to review this excess property and make a recommendation on its disposition, and

WHEREAS, this parcel of land is immediately adjacent to Parcel #54-17-11-100-003, which is to the east of the DNR property that has already been referred to the Planning Commission for determination of disposition, and

WHEREAS, Parcel #54-17-11-200-010 is landlocked to Parcel #54-17-11-100-003 and does not have road frontage and appears to be surplus property.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission refer Parcel #54-17-11-200-010 to the Planning Commission for a recommendation on their disposition.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: February 16, 2015

**RESOLUTION NO. 15-15**

Commissioner Anderson moved, seconded by Commissioner Hogenson, the adoption of the following:

**RESOLUTION ON MAYORAL APPOINTMENTS  
TO BOARDS AND COMMISSIONS**

BE IT RESOLVED, that the City Commission hereby confirms the following Mayoral appointment/recommendation:

**PARK AND RECREATION BOARD**

Megan Eppley appointed to an unexpired term ending May 2017

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: February 16, 2015

**ORDINANCE NO. 686-02-15**

Commissioner Hogenson moved, seconded by Commissioner Anderson, the adoption of the following ordinance:

**AN ORDINANCE AMENDING TITLE XI, CHAPTER 110,  
SECTION 110.18, AND CHAPTER 115, SECTION 115.04  
OF THE BIG RAPIDS CODE OF ORDINANCES**

WHEREAS, state law establishes the fee for a certificate of registration for dealers in precious metals and gems at \$50.00 and the City Code lists license fees of \$50, \$75 and \$100, for dealers in precious metals and gems, and

WHEREAS, the City Attorney recommends that the license fees for dealers in precious metals and gems be replaced with the statutorily prescribed fee of \$50 for the cost of processing the certificate of registration required by state law for dealers in precious metals and gems to operate locally,

**NOW, THEREFORE, THE CITY OF BIG RAPIDS ORDAINS:**

Section 1. That portion of Title XI, Chapter 110, Section 110.18(C) that lists the license fees for Dealers in Precious Metals and Gems is amended to read as follows:

|   |      |
|---|------|
| Dealers in Precious Metals and Gems (Chapter 115) |      |
| Certificate of Registration annual fee            | \$50 |

and all of the other text of Section 110.18 remains in full force and effect.

Section 2. Title XI, Chapter 115, Section 115.04 is amended to read as follows:

The dealer shall pay an annual fee of \$50.00 to cover the reasonable cost of processing and issuing the certificate of registration.

Section 3. The City Clerk is directed to publish this ordinance in the Pioneer.

Section 4. This ordinance shall become effective upon publication.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the ordinance adopted.

Dated: February 16, 2015

Published: February 20, 2015



**RESOLUTION NO. 15-16**

Commissioner Rothstein moved, seconded by Commissioner James, the adoption of the following:

**RESOLUTION AMENDING FISCAL YEAR 2014/2015 GENERAL APPROPRIATIONS ACT FOR THE USDA INTERMEDIARY RELENDING PROGRAM**

WHEREAS, the City of Big Rapids adopted FY 2014/2015 General Appropriations on June 2, 2014 per Resolution No. 14-62, and

WHEREAS, each year adjustments are made to revenue and expenditure accounts.

NOW, THEREFORE, BE IT RESOLVED, that the Big Rapids City Commission hereby approves the following budget amendments for Fiscal Year 2014/2015 for the USDA Intermediary Relending Program.

| Account Number  | Account Description       | Current Budget | Change    | Amended Budget |
|-----------------|---------------------------|----------------|-----------|----------------|
| Revenues        |                           |                |           |                |
| 589-000-529.010 | USDA Loan Relending       | \$0            | \$127,500 | \$127,500      |
| 589-000-675.010 | Contributions             | \$0            | \$11,300  | \$11,300       |
| 589-931-699.101 | Contribution from General | \$0            | \$11,300  | \$11,300       |
| Expenditures    |                           |                |           |                |
| 589-728-962.000 | USDA Loan                 | \$0            | \$150,000 |                |
| 101-966-999.589 | Contribution to USDA IRP  | \$0            | \$11,300  | \$11,300       |

BE IT FURTHER RESOLVED, that the City Manager is authorized to amend the FY 2014/2015 City of Big Rapids Budget.

Yeas: Anderson, Hogenson, James, Rothstein, Warba

Nays: None

The Mayor declared the resolution adopted.

Dated: February 16, 2015

**UNSCHEDULED BUSINESS**

Mr. Sobers commented on the following:

- Again recognized Firefighter Russell Bell for the two year journey to distribute smoke detectors to home owners in Big Rapids.
- The first Brownfield Redevelopment Authority meeting will be on Tuesday, February 17, at 7:30 a.m. at City Hall.

There being no further business to come before the City Commission, the Mayor declared the meeting adjourned at 8:22 p.m.

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Mayor Mark J. Warba

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Roberta R. Cline, City Clerk