

REGULAR MEETING
Litchfield City Council - City Council Room
August 20, 2019, 2019 - 6:30 PM

Mayor- O.R. Smith called the meeting to order at 6:30 PM.

Roll Call: Present – Mayor Smith, Councilpersons – Don Bannick, Rick Siebert, Dan Efstathiou, Kevin Collins and Jessica Bills.

Absent: Andy Reynolds

Also Present – City Manager - Douglas Terry, Treasurer/Finance Director - Jill Barrett, Clerk – Susan Ballinger, Police Chief. –Dan Roberts, DPW Supervisor- Tony Langhann, Deputy Clerk – Lauren Skelly, Attorney-Tom Thompson, Ed Smith, Matt & Cindy Paletis, Richard Luna, Gary & Gloria Goheen and Abe Dane.

Absence – Councilman Collins moved to excuse the absence of Councilmember Andy Reynolds, supported by Councilman Siebert. Motion carried.

Consent Agenda – Councilman Siebert moved to approve the consent agenda with correction made to July Meeting Minutes and place on file, seconded by Councilman Efstathiou. Motion carried.

Call to the Public- Mrs. Paletis asked if board members have read the report from Aaron Davenport regarding the Mill Race. Mayor, Smith stated that the Mill Race is on the agenda and we will discuss it then if that's ok. There were no more comments from the public.

Public Hearing IFT- Newco/Nex Solutions- Mayor Smith opened the public hearing at 6:34 p.m. Clerk Ballinger informed board members that with the closing of Nex Solutions this allows the city to revoke any existing IFT's and that was the administration's intention, but at this time there has been a change of ownership to a company called Precision Prototype which allows the new owner the option to transfer the existing IFT to their company and the new owners have stated that it is their intent to do so. So, at this point in time there is no need to revoke the current IFT and the administration will be bringing the "Transferred IFT" application to the board in the near future. With no further comments/questions, Mayor Smith closed the public hearing at 6:36 p.m.

Public Parking Discussion – City Attorney, Tom Thompson – Attorney Tom Thompson informed the board of the city's ability to address current public parking citations. Mr. Thompson stated that the city's current ordinance deals with private property and the question is under what circumstances can the city have a car towed from public property. The city adopted the State of Michigan Motor Vehicle Code which allows our police department to have any vehicle that is in violation to be towed at the owner's expense, as long as the department follows the State Vehicle Code. After further discussion, it was the consensus of the board to have the Litchfield Police Department move forward with the towing of vehicles from public property according to the State of Michigan's Motor Vehicle Code.

Mill Race Update – Manager Terry stated that recently a town meeting was held where residents could come in and talk about their concerns on the Mill Race. The board has a letter from Jones & Henry which gives a breakdown of what progress has taken place and what their options are for the Mill Race. The estimated cost from Jones & Henry would be \$423,000. The question from the administration is how much further does the board want the administration to go in studying the Mill Race. The Engineer's estimate to re-line the Mill Race was a little over a million dollars.

Councilman Siebert asked what is the city's responsibility for the Mill Race. Manager Terry stated it is considered a waterway by the State of Michigan. Councilman Siebert stated than is not considered the city's property correct. Manager Terry stated that is correct even though it runs thru the city.

Litchfield residents addressed the board regarding their concerns of the Mill Race being dried up and the affect it's had on their properties. After further discussion amongst the board members and the residents, it was the consensus of the board to table this discussion until the next meeting allowing the board members to look into the findings of the engineers. Mayor, Smith stated that the board has to consider the health and safety of the entire city as a whole.

Resolution 2019-18 – Purchase of Property – Manager Terry informed the board that TIFA felt it would be a benefit to own the property owned by Helen Faulkner with a total of around 50 acres, said property is located off Herring Road right behind the Deli Market on M-49. , TIFA felt owning that section of property would benefit our industrial park and compliment the 72 acres that is currently owned by the city. TIFA was awarded the purchase rights of the Helen Faulkner property for an amount of \$280,000. Tifa will purchase the property and by resolution that property will be annexed into the city and ownership of said property will be transferred to the city. That property will be farmed as is the current 72 acres.

Councilman Bannick moved to approve Resolution 2019-18 to purchase the property, support by Councilman Collins. Motion carried.

First Reading Ordinance 2019-03 Fireworks Ordinance – Clerk Ballinger stated that this ordinance is being updated according to the State of Michigan's new hours to which a person can ignite fireworks and that no action is required at this time.

I.T Right Server Upgrade – Councilman Bannick moved to approve the purchase of the server equipment in an amount of \$4785.00, supported by Councilwoman Bills. Motion carried.

Review DPW Truck Proposals - Councilman Siebert moved to accept the bid for the amount \$155,416.11 for the International truck with accessories, supported by Councilman Collins. Motion carried.

Discussion on Generators – Councilman Bannick moved to approve the proposal from Wade Electro to purchase three generators in an amount of \$64,825 that includes the \$20,000.00 contribution from TIFA, supported by Councilwoman Bills. Motion carried.

Councilman Bannick moved to rescind his previous motion to approve the proposal from Wade Electro to purchase three generators in an amount of \$64,825 that includes the contribution from TIFA, supported by Councilman Collins. Motion carried.

Councilman Bannick moved to approve the proposal from Wade Electro to purchase one generator in an amount of \$26,950.00 that includes the \$20,000.00 contribution from TIFA, supported by Councilman Collins. Motion carried.

Councilman Collins moved to approve the purchase of two generators in an amount of \$37,875.00, supported by Councilwoman Bills. Motion carried

Councilwoman Bills moved to authorize Mayor Smith to enter into an agreement to allow Semco to install natural gas at the city's two lift stations and at city hall, supported by Mayor, Smith. Motion carried

Mill Street Discussion – Councilman Bannick moved to authorize city administration to prepare bid documents for advertisement for replacement of Mill Street, supported by Councilwoman Bills. Motion carried.

MERS HCSP Participation Agreement Authorize Mayor to Sign - Councilman Siebert moved to authorize the Mayor to sign MERS Agreement, supported Councilman Collins. Motion carried.

Review and Discuss 5 year Recreation Survey – Clerk Ballinger stated that the City’s 5 year Recreation Plan has expired and must be renewed with the State of Michigan in order for the city to be able to apply for grants in the future. Part of the process for submitting the plan to the State of Michigan the city is to allow our residents to have input on what they would like to see in the city’s future recreation plan. Therefore, the State asks that a survey be sent out as a way for our citizens to have some input on the city’s recreation plan. So, tonight in front of the board is an updated survey as requested at our previous meeting and with the board’s approval city administration will move forward with the mailing of the survey.

It was the consensus of the board to have the city administration move forward with mailing out the presented survey and move forward with the process of renewing the city’s recreation plan process.

Bills for Approval – Councilman Bannick moved to approve the bills in the amount of \$59,857.17 and charge to the proper accounts, seconded by Councilman Collins. Motion carried.

Police Report – Councilman Siebert moved to approve the police report as presented and place on file, seconded by Councilwoman Bills. Motion carried.

Public Works Report – Councilwoman Bills moved to accept the public works report as presented and place on file, seconded by Councilman Siebert. Motion carried.

Treasurers Update – Treasurer Jill Barrett informed the board that she is working with property taxes and filed jeopardy on Newco which makes their personal property taxes due immediately with anticipation of Newco closing their business. Treasurer Barrett is also working to close the city books for the June 30, 2019 fiscal year end.

City Manager’s Update – Manager Terry stated that the administration has been notified that the city should receive the grant agreement on the pool by the end of September. The engineers did inform administration that they’ve brought the pool construction back within budget, but until we are able to go out for bid we don’t know for sure.

Manager Terry stated the 2019 Sweet Corn Festival was a success and Litchfield Rotary made a little over \$6,000 and that money goes back into the community.

Manager Terry informed the board the city has a water line break on Marshall Street and we are working to get that repaired.

Manager Terry stated that he knows there are projects that have been requested that he hasn’t been able to get to, but the administration will get to those requests and get them accomplished.

Correspondence –None

Committee Reports – None

Councilpersons Concerns – Councilman Bannick asked who put up the signs about the horses and stated he doesn't feel they are necessary. Manager Terry stated we receive complaints both ways and the city administration welcomes and appreciates the Amish community. At the same time we have other ordinances that have people pick up after their dogs. It has been requested to put in tie up areas for the Amish and we are going to do so, we just have to make sure it's on city property. In the past, we have put out cans and shovels just to have them disappear. So, what we want to do is place the tie up area in a place that is the most discrete. The other problem we have is DPW is taxed with the labor we have. Mr. Yoder of the Amish community came in and said that he talked with some of the families to get the message out to have their community make efforts to clean up after their horses. The City of Marshall requires horses to wear diapers. So, we put out signs to try and remind people to clean up after their animals.

Adjournment – Councilman Siebert moved to adjourn at 8:17 p.m., seconded by Councilman Collins. Motion carried.