

REGULAR MEETING  
Litchfield City Council - City Council Room  
February 14, 2012 - 6:30 PM

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

Roll Call: Present – Mayor Edwin Smith, Councilpersons Greg Chapman, Brenda Thomas, Jessica Bills, Rick Siebert, O. R. Smith, and Don Bannick.

Absent -

Also Present – City Manager-Doug Terry, Clerk-Susan Ballinger, Treasurer-Jill Pelham, Chief Michelin, DPW Superintendant-Tony Langhann, and Deputy Clerk/Treasurer Kelsey Burroughs. Bruce Blonde, Adam Blonde, Jeremy Crandall, Scott Brooks, and Gary Barnett.

Consent Agenda. Councilman Siebert moved to approve the Consent Agenda, supported by Councilman Smith. Motion carried.

**Call to the Public - None**

**Herring Road Farm Lease Bid Award** – Manager Terry explained to the public and board the process of awarding bids. Manager Terry stated that a question came from Mr. Caldwell which he questioned the procedure that the city performed when opening the bids, the city owns 72.5 acres of land that is leased out. In the past the city leased the property out for two years, the city rewrote the lease for a four year term. The bid was advertised in the paper and a copy of the lease agreement was on the counter in the office for review. On February 9<sup>th</sup>, 2012 the bids were opened and in your council packets is a listing of bid results. Mr. Caldwell questioned the form of which the highest bid from Mr. Blonde was received on. The high bid from Mr. Blonde was not in the same form as the rest of the bids that was turned in, the bid was put on a sheet of paper with his name, bid amount, phone number, and signature, while all other bids came in on the lease agreement paper. Manager Terry stated that the requirement was the bid was to be placed in a sealed envelope and opened in front of the public. When the bids were opened Mr. Blondes bid was in the amount of 252.00 per/acre. When I received phone calls both from Mr. Caldwell and a council member, I felt confident that the integrity of the bid process was reserved. We called Attorney, Roy Brandes and he verified that the city was correct in the way the bid process was handled and there was no question of inappropriate selection or recommendation of bid documents. So the city administration recommends the high bid from Mr. Blonde of 252.00 per/acre. Manager Terry asked the Mayor to allow any questions from the public that are present. Jeremy Crandall stated to the board that Manager Terry stated it right at the beginning of the meeting when he stated to pick up a lease agreement and Mr. Blonde brought back a piece of paper that contained his bid and not the lease agreement to me that is Mr. Blonde saying he does not agree to the terms of the lease agreement. Mayor Smith stated that Mr. Blonde will agree when he signs the lease agreement. Mr. Crandall stated that the city sent out lease agreements with highlights of were to sign and where to put the amount per/acre and I returned that paper isn't that right. Mayor Smith stated Mr. Blonde will also have to sign that lease agreement.

Councilman Smith moved to award the Farm Lease Agreement bid to Adam Blonde in the amount of 252.00 per/acre, seconded by Councilwoman Thomas. Motion Carried.

**Library Board Appointment – Alan Seybert** – Councilman Bannick motioned to appoint Alan Seybert to the Library Board, Seconded by Councilman Smith. Motion Carried.

**Lot Split 429 Pioneer Drive** – After a brief discussion by the board Councilman Smith moved to approve the lot split for Lot 9 and Lot 10(Parcel # 30-19-060-001-009) located at 429 Pioneer Drive, seconded by Councilwoman Thomas. Motion Carried.

**Proposed Easement Charter Communications** – Manager Terry stated to the board that in their packets are aerials and legal description of a proposed easement that would allow Charter Communications to put in a new line going back to the Cell Tower behind the Power Plant. This easement allows Charter to put in a buried cable along the nature trail. Our city attorney Kevin Shirk dealt with Charter's attorney's on the provisions of the easement agreement and worked out an agreement that is satisfactory for both parties. Mayor Smith asked where the description is. Manager Terry stated I have it on my computer, at the time council packets were being done on Thursday I had not received it yet. Mayor Smith stated that if we do pass this it must be part of the condition to have it before I will sign the easement agreement. Councilman Bannick moved to authorize the Clerk and the Mayor to sign the easement with Charter pending the attachment of the description of the easement, seconded by Councilwoman Thomas. Motion Carried

**Domestic Harmony Contract** – Councilman Smith moved to authorize the Mayor to sign the Contract with Domestic Harmony in the amount of \$300.00, seconded by Councilman Bannick. Motion Carried.

**Hawkes Drive Lift Station** – Manager Terry explained to the board that a check valve failed at the Hawkes Drive Lift Station and because of the age of that station Tony and I had a lot of problems trying to find one. After searching we were finally able to locate one from the City of Albion. We need to carry back up parts so that when a lift station goes down we only have minutes to get it up and running. The Hawkes Drive Station does not have a by-pass, so if we run out of time we could have sewage that would back up. My spending limit as Manager under Charter is \$1,000.00. The bill you have in front of is for \$1018.75, and I would like authorization to purchase the parts needed for the check valve. Councilman Smith moved to authorize the City Manager to authorize spare parts for the Hawkes Drive Lift Station in amount not to exceed \$1500.00, seconded by Councilwoman Thomas. Motion Carried.

**Bills for Approval** – Councilman Bannick moved to approve the bills in the amount of \$37,477.85 and charge to the proper accounts, seconded by Councilwoman Bills. Motion Carried.

**Police Report** – Chief Michelin updated the board that four of our officers' have attended drug training. Three of those officers' will also be attending a free pipeline safety course this month. The four officers' will be going to the Michigan State Police Training Academy for basic commercial vehicle training, which is also free training. The Litchfield School has requested our presence at games because some of the spectators are unable to show good sportsman ship. Officers will also be attending a three day street crime seminar; the department gets a \$100.00 reduction on those. Councilman Siebert asked about the police cars. Chief Michelin stated that he and Manager Terry are looking at 2013 Ford Taurus made just for police departments. We are going to get a chance to drive one for a trial period. Councilman Siebert moved to accept the police report and place on file, seconded by Councilman Chapman. Motion Carried.

**Public Works Report** – Superintendent Langhann stated he has to give a big thanks to the City of Albion for bailing them out with a check valve. Councilwoman Thomas asked if the West Saint Joe lift station is okay for now. Langhann stated that the force main blew a few weeks ago, but is patched up for now and it serves only eight homes, it's our oldest lift station left. Manager Terry stated that we will be working with Dubois & Cooper to replace that lift station. Langhann stated that his department has removed about 27 Ash Trees. Manager Terry stated in the last two years we have removed about 94 trees due to storms or disease and we need to start replanting. Manger Terry stated that he has called Glies to get a proposal from them, the County offers a tree planting program but there seedlings and in our experience seedlings just don't last in an urban environment. So over the next couple years we are going to try and replace trees along the right –a-way. Mayor Smith stated we need to see if we can get another grant from Consumers to help with that. Councilman Siebert asked if they are picking up Christmas Trees, Clerk Ballinger stated they need to be cut in half and Republic will then pick them up.

Councilman Seibert motioned to accept the Public Works Report and place on file, seconded by Councilman Smith. Motion Carried

**Treasurers Update** – Treasurer Pelham stated that she is currently collecting taxes and had a training session last month. In March Treasurer Pelham will be attending a Legislative Update Session in Lansing, which will give more information on the personal property status; also working with the department heads preparing to work on the budget.

**City Manager's Update** – Manager Terry informed the board the City has received new Flood Plain Maps from FEMA (Federal Emergency Management Agency) and FEMA has re-designated where Flood Plains are. In our community it has expanded its Flood Plain area, and now you are required to have Flood Insurance if you're within the Flood Plain. Manager Terry explained about the topographical areas, both Hi-Lex and Tenneco according to these new maps are now in a Flood Plain area and will be subject to Flood Plain Insurance. Our Fire Department worked hard over the last five years changing the ISO Rating from a seven to a five, which saves everyone a lot of money on their fire insurance. If we don't do anything with this our savings will be done away with, so I went to the TIFA Board to inform them of this. The TIFA Board members agreed that something needs to be done. Manager Terry stated that he has hired Feller & Finch Engineer Company out of Jackson to run topographical surveys and defending the city as far as floods, that will narrow the Flood Plain and save us a lot of money. TIFA authorized for Litchfield to enter into an agreement with an Engineer Company with a fee of around \$6000.00 for the purpose of doing a survey and defend us. Councilwoman Thomas asked they will file the exemptions to get them removed on a case by case or the whole area. Manager Terry stated the whole area. Mayor Smith stated it depends on the topo's if the topo's verify what FEMA has then we can't do much. But if we don't have our own topo's done then we can't go to them and say their wrong FEMA won't buy that.

Manager Terry stated that the Planning Commission will be meeting to discuss an Ordinance of allowing hunting within the City Limits, about 6 months ago the issue came up and we think we've come up with a balance allowing bow hunting within the City Limits, but in areas that are not residential or near buildings. That Ordinance will be coming in front of you in the near future.

Manager Terry informed the board that a variance request will be coming in front of the Zoning Board of Appeals at their next meeting in March. The request is from Mr. Snyder and he is requesting a 2 ft variance for an addition on the front of his home.

We are also working with the attorney on the Golf Course annexation, I'm working with Jill on the budget, and the lack of winter weather has saved us money. Financially, the city is doing okay, but within this next month things will start moving and we will be setting dates to meet with the budget committee.

Manager Terry showed the board the old pool pump impeller it was new in 2008, then he showed the board a new one and it cost \$900.00 to balance and replace. This is a critical part of the pool and if it isn't efficient it cost us money.

Councilman Siebert asked are you going to get some of the spare backup parts in the new budget too, Manager Terry stated yes, most the time we use certain things and we do a good job keeping those things on hand.

Mayor Smith stated that last month he had the board motioned to re-appoint Bill Nobles to the TIFA Board in error, because his term was not up yet, so could the board make another motion to reverse last month's motion. Councilwoman Thomas motioned to un-appoint Bills Nobles from the Tifa Board until next year when his term is up, seconded by Councilman Siebert. Motion Carried

**Committee Reports** – None

**Councilman Concerns:** - Councilman Siebert asked what the status of the clean up on Mill Street. Manager Terry stated that we have met with the property owner and a contractor that is going to go in and do the clean up. Mr. Norris signed an agreement to have it cleaned up.

**Adjournment** - Councilman Bannick motioned to adjourn at 7:30 pm, supported by Councilman Chapman. Motion Carried