

REGULAR COUNCIL PROCEEDINGS

CITY OF FLAT ROCK, MICHIGAN

MONDAY, AUGUST 17, 2015

The regular meeting of the Flat Rock City Council convened at the Municipal Building on the above date at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Dropiewski, Council Members: Beller, Bergeron, Martin, Tefend, Thomas, and Wrobel

ALSO PRESENT: City Clerk Meaghan Bachman, Fire Chief Bill Vack, Police Chief John Leacher, Recreation Director Rodney Wade, Treasurer Brian Marciniak, Economic Development Director Liz Hendley, City Engineer Russ Wittman, Building Director Larry Dishaw, City Attorney David Grunow

3. APPROVAL OF MINUTES:

Resolution 08-17-01

Motion by Martin
Supported by Wrobel

RESOLVED, to approve the minutes of the regular City Council meeting of August 3, 2015 as presented

Motion carried unanimously

4. CITIZENS TO BE HEARD:

Sue Farrar, Chairman of the Beautification Commission reminded all of the Fall City Wide Garage Sale on September 12th and 13th, 2015.

Kaitlin, a volunteer and adoptee of the Flat Rock Animal Shelter spoke of Katt Stock, Director of the Animal Shelter. She noted Katt volunteers her own time and vehicle to run the shelter without any compensation from the city. She noted Katt does a wonderful job and is very dedicated to the shelter and the animals. She suggested the city hire Katt or compensate her in some manner for all the work she does.

John Moyer, resident of Flat Rock spoke of the Little Free Library Program that communities are participating in. The programs concept is based on “take a book return a book” and the books are housed in a small wooded library which is placed at various locations within the city. Mr. Moyer is interested in the program and asked if one could be placed in front of his home.

5. REPORTS FROM DEPARTMENT HEADS:

Treasurer Brian Marciniak noted taxes are due by August 31, 2015.

Recreation Director Rodney Wade announced youth basketball signup is September 10th from 6:00 – 8:00 PM.

Fire Chief Bill Vack noted lighting struck close to City Hall Building and caused damage to the generator's control circuit. It is now in the process of repair.

Building Director Larry Dishaw thanked Liz Hendley for bringing in Honeywell for a free, three (3) month energy assessment of City Hall. He noted the police department women's locker room project will start this week.

Police Chief John Leacher recognized five officers with life-saving awards for efforts that directly resulted in saving the lives of residents. Officers Craig Natt, Joshua Bouchard, Jerry Page and Elijah Lowery, along with Sgt. Christopher Gamino, were honored as lifesavers for their work in crisis situations. While there have been numerous incidents this year requiring police intervention from officers throughout the department, efforts in three emergency situations are being recognized as extraordinary by the department.

6. REPORTS FROM COUNCIL MEMBERS:

Council Member Rick Tefend spoke of Katt Stock, Animal Shelter Director asking if the city can compensate her in some way and noted she does a great job.

Council Member Ken Wrobel spoke of Katt Stock, Animal Shelter Director asking if the city can make her a contract employee. He noted she does a fabulous job and should be compensated. Mayor Dropiewski noted he will see what we can do.

Council Member John Bergeron commented Aspen Blvd. is now better since the grinding of concrete and smoother ride.

Council Member Dawn Thomas noted Katt Stock, Animal Shelter Director goes above and beyond and would like her to be a contractual or a part-time employee. She noted a gas card would be beneficial too.

7. MAYOR'S COMMENTS:

Mayor Dropiewski thanked all who attended, participated and volunteered in the Curzin' Flat Rock Car Show this past weekend. He noted the event was a lot of fun and had good weather.

The Mayor announced the entertainment lineup for Riverfest on September 18th, 19th, and 20th and encouraged all to attend. He noted fireworks will be on Friday night.

Mayor Dropiewski noted the Woodruff Road Chip Sealing Project is about three (3) weeks away. He also noted the Burger King ground work has begun.

8. UNFINISHED BUSINESS:

None

9. **NEW BUSINESS**

Item 9-A- Progress Payment No. 2 – Aspen Blvd. Road Re-Construction - Hard Rock Concrete

Resolution 08-17-02

Motion by Tefend
Supported by Thomas

RESOLVED, to approve Progress Payment No. 2 – Aspen Blvd. Road Re-Construction - Hard Rock Concrete in the amount of \$233,564.94

Motion carried unanimously

Item 9-B- Progress Payment No. 3 – Division Street Sanitary Sewer and Road Re-Construction – Lake Michigan Site Development

Resolution 08-17-03

Motion by Martin
Supported by Thomas

RESOLVED, to approve Progress Payment No. 3 – Division Street Sanitary Sewer and Road Re-Construction – Lake Michigan Site Development in the amount of \$265,866.45

Motion carried unanimously

Item 9-C-Progress Payment No. 3 - Huron Woods Road Re-Construction – G.V. Cement Contracting

Resolution 08-17-04

Motion by Martin
Supported by Tefend

RESOLVED, to approve Progress Payment No. 3 - Huron Woods Road Re-Construction – G.V. Cement Contracting in the amount of \$248,460.63

Motion carried unanimously

Item 9-D-Change Order Consideration for Windsor Avenue – Huron Woods Road Reconstruction

Resolution 08-17-05

Motion by Thomas
Supported by Martin

RESOLVED, the Windsor Avenue pavement replacement project from Meadows to 120 feet north of Meadows will have an estimated cost of \$31,100, based on the contract prices for the current Huron Woods project. The scope of work includes removal of existing concrete pavement, installation of edge drains, placement of aggregate base and placing new concrete. This work is

similar to the current Huron Woods project and will be added work to the current Huron Woods pavement replacement contract as a change order.

The benefits of completing the project by change order include:

- Bidding, advertising and award times are eliminated. The contractor could schedule to start work by the end of the month, in August.
- The contract, Insurance, and bonds would still be in force and will not require time to obtain, receive, review, and approve.
- Since this is a simple, short, straight, well-draining section of pavement, using existing specifications and bid documents, our survey and design work along with our fees could be minimized. The approved survey, design, and bidding fees are 7%. For this specific project, the fees could be reduced to 2% or less, saving the City approximately \$1,500.

BE IT FURTHER RESOLVED, the Flat Rock City Council approves a change order for approximately \$31,100.00 to add Windsor Avenue Pavement Replacement to the current Huron Woods paving contract with G.V. Cement; the final change order amount will be based on as-built measurements.

Motion carried unanimously

Item 9-E - BS&A Software Annual Service and Support Invoice

Resolution 08-17-06

Motion by Thomas
Supported by Martin

RESOLVED, to approve the BS&A Software Annual Service and Support Invoice in the amount of \$10,560.00

Motion carried unanimously

Item 9-F- Traffic Control Order 15-006 – Meadows Street

Resolution 08-17-07

Motion by Martin
Supported by Wrobel

RESOLVED, Meadows Street shall be closed to thru traffic from just east of Dover to Olmstead Road beginning August 10, 2015, and shall remain closed to thru traffic until September 14, 2015. Meadows Street may be reopened sooner in the event construction is completed prior to the end date cited above. Complete periodic closures of either eastbound or westbound Meadows will take place during the project

Motion carried unanimously

Item 9-G -Permission to Purchase One (1) Goodwin 6” Trash Pump

Resolution 08-17-08

Motion by Martin
Supported by Thomas

RESOLVED, to approve the purchase one Godwin CD150M 6" trash Dri-Prime Pump with accessories from AIS Construction Equipment. This is a critical piece of emergency backup equipment for the sanitary sewer lift stations. This purchase is funded by sewer and water, and is under MiDeal contract pricing. The total cost of the purchase is \$37,818.25

Motion carried unanimously

Item 9-H-Electrical, Plumbing and Mechanical Contract Inspector Fee Schedule

Resolution 08-17-09

Motion by Thomas
Supported by Wrobel

RESOLVED, to approve the fees paid to the part- time electrical, plumbing and heating inspectors – Fees will be a minimum of \$50.00 and up to 50% of the permit fee

Motion carried unanimously

Item 9-I-City Hall Key System Replacement

Resolution 08-17-10

Motion by Thomas
Supported by Martin

RESOLVED, to approve the City Hall key system replacement to the Slag concept, the same as we have at the Community Center; the project will be approximately \$5,600. It will improve accountability, use fewer keys for operation and limit access to secure areas to only authorized personnel.

BE IT FURTHER RESOLVED, the bid process shall be waived.

Motion carried unanimously

Item 9-J-Resolution Authorizing Installment Purchase Agreement for new Ambulance

Resolution 08-17-11

Motion by Thomas
Supported by Beller

WHEREAS, the City Council of the City of Flat Rock, County of Wayne, State of Michigan (the "City") determines it to be necessary for the public health, safety and welfare of the City and its residents to acquire a 2015 E-450 Ford Ambulance (the "Equipment") in an amount of One Hundred Sixty-Four Thousand Eleven Dollars (\$164,011); and

WHEREAS, under the provisions of Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the City is authorized to enter into any contracts or agreements for the purchase of the

Equipment to be paid for in installments over a period of not to exceed the useful life of the Equipment acquired as determined by resolution of the City; and

WHEREAS, the outstanding balance of all purchases by the City under Act 99, exclusive of interest, shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City at the date of such contract or agreement; and

WHEREAS, purchase of the Equipment pursuant to an installment purchase agreement will not result in the outstanding balance of all such purchases in excess of the limitation contained within Act 99 as set forth above; and

WHEREAS, the City has received an offer from Monroe Bank & Trust (the Bank") to finance the Equipment through an installment purchase agreement at the rate of 3.20% per annum; and,

WHEREAS, the City Council wishes to delegate to the Treasurer to arrange for the financing of the Equipment with the Bank pursuant to an installment purchase agreement within the parameters set forth herein.

NOW THEREFORE, BE IT RESOLVED THAT;

1. The Treasurer is hereby authorized to arrange for the financing of the Equipment with the Bank pursuant to an installment purchase agreement. Interest on the agreement shall be 3.20% per annum, the aggregate principal amount of the agreement shall not exceed One Hundred Sixty-Four Thousand Eleven Dollars (\$164,011), and the term of the agreement shall not exceed five (5) years. The Mayor, City Clerk, Treasurer or their designee are each hereby authorized to execute the agreement, when in final form, and deliver it to the purchaser.
2. The useful life of the Equipment is hereby determined to be not less than five (5) years.
3. The Mayor, City Clerk, Treasurer or their designee are each authorized to execute such additional documentation as shall be necessary to effectuate the closing contemplated by the agreement.
4. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and the interest coming due under the agreement during such fiscal year.
5. The City covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the agreement from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.
6. The acquisition of the Equipment and the approval of the agreement hereby are found and declared to be for a valid public purpose and in the best interest of the health and welfare of the residents of the City.
7. The City hereby designates the agreement as a "qualified tax exempt obligation" for purposes of deduction of interest expense by financial institutions pursuant to the Code.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded to the extent of such conflict

Motion carried unanimously

Item 9-K-Resolution Requesting Reallocation of Asset by MERS

Resolution 08-17-12

Motion by Beller
Supported by Thomas

RESOLVED, WHEREAS, the City of Flat Rock has been a participating municipality in the Municipal Employees' Retirement System of Michigan ("MERS"); and

WHEREAS, pursuant to Municipal Employees' Retirement Board requirements, since December 31, 1994, asset accounting had been separate for each division, instead of aggregate for the entire municipality; and

WHEREAS, over time, significant disparities have arisen in the City's MERS plan as a result of allocating the fair market value of plan assets on a divisional basis instead of on an aggregate basis, which disparities the City of Flat Rock wishes to eliminate; and

WHEREAS, in order to address the anticipated increase in unfunded liability for pensions to be provided participants in the defined benefit plan that is likely to occur as a result of diminished contributions to that plan, the City wishes to reallocate certain divisional market assets between the two divisions;

NOW THEREFORE BE IT RESOLVED, that the governing body of City of Flat Rock, a participating municipality as defined in the Municipal Employees' Retirement Act as remodified by Act No. 427 of the Public Acts of 1984, as amended, and as the employer, hereby requests MERS to reallocate the total market value of assets of \$96,707 of Employer Assets from Division 13's Admin Employees after 9/1/11 Employer Reserve to Division 11's Department Heads Employer Reserve as of September 1, 2015 enabling the actuary to prepare the 2015 actuarial valuation with the transferred assets

Motion carried unanimously

Item 9-L-Grant Agreement for the Help America Vote Act, Between the State of Michigan and the City of Flat Rock for Five (5) Accessible Voting Booths

Resolution 08-17-13

Motion by Martin
Supported by Thomas

RESOLVED, to authorize the City Clerk, Meaghan Bachman to enter into the Grant Agreement with the Help America Vote Act, Between the State of Michigan and the City of Flat Rock for Five (5) Accessible Voting Booths in the amount of \$950.00

Motion carried unanimously

10. CITIZENS TO BE HEARD (ADDITIONAL COMMENTS):

NONE

11. LATE CORRESPONDENCE:

Item 11-A-City Hall Boiler Alternate #3

Resolution 08-17-14

Motion by Martin
Supported by Beller

RESOLVED, to approve alternate #3 for portion of the City Hall boiler bid for \$5,930.00; the alternate is the filtering system needed to extend the life of the system

Motion carried unanimously

12. ADJOURNMENT:

Resolution 08-17-15

Motion by Beller
Supported by Thomas

RESOLVED, to adjourn the regular City Council meeting of August 17, 2015 at 8:07 PM

All voting yes; motion carried unanimously

JONATHAN DROPIEWSKI, MAYOR

DATE: _____
Approved

**MEAGHAN K. BACHMAN
CITY CLERK**