The regular meeting of the Flat Rock City Council convened at the Municipal Building, 25500 Gibraltar Road, Flat Rock, Michigan 48134, on the above date at 7:30 p.m.

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL OF COUNCIL MEMBERS:**

   PRESENT ELECTED OFFICIALS:
   Mayor Mark A. Hammond
   Council Members: Bergeron, Martin, Maul, Pardo, Wrobel

   ALSO PRESENT: City Attorney Matthew Zick, City Clerk Meaghan Bachman, Police Chief Glen Hoffman, Fire Chief James Katona, Economic Development Director Liz Hendley, Recreation Director Rodney Wade, Treasurer Joanne Beard, DPS Director Justin Danosky.

   **Resolution 02-18-20-01**

   Motion by Wrobel
   Supported by Martin

   RESOLVED, that Flat Rock City Council hereby excuses Council Member Tefend as absent at the regular City Council meeting of February 18, 2020.

   Motion carried unanimously 6-0

3. **APPROVAL OF MINUTES:**

   **Resolution 02-18-20-02**

   Motion by Martin
   Supported by Bergeron

   RESOLVED, to approve the minutes of the regular City Council meeting of February 3, 2020, as presented.

   Motion carried unanimously 6-0

4. **CITIZENS TO BE HEARD:**

   None
5. **REPORTS FROM DEPARTMENT HEADS:**

   Recreation Director Rodney Wade noted boys basketball playoffs and dad/daughter dance will take place this upcoming weekend.

6. **REPORTS FROM COUNCIL MEMBERS:**

   City Council Member John Bergeron asked everyone to be careful driving around Bobcean and the High School. He noted people drive in the wrong lane, go over the speed limit and pull out in front of other cars.

   City Council Member Ken Wrobel noted he visited the Police Department and felt very welcomed.

7. **MAYOR COMMENTS:**

   Mayor Hammond announced a work session will take place on Thursday, February 27, 2020 at 6:00 PM, in conference room “A” at City Hall. The purpose of the meeting is to discuss the Community Center.

   The Mayor discussed the Gibraltar Road bridge (built in 1928) over Silver Creek, noting how it failed an inspection with Wayne County. The bridge has weight restrictions and will be studied by Wayne County Engineers. The Mayor noted a conference call is scheduled with Wayne County next week and will have updated information.

   Mayor Hammond spoke of tree trimming around the City. He also noted manhole maintenance will be done in the near future and will update as more information is available.

8. **UNFINISHED BUSINESS:**

   **Item 8-A-Mayoral Appointment – Elected SEMCOG Delegate**

     **Resolution 02-18-20-03**

     Motion by Martin
     Supported by Wrobel

     RESOLVED, to appoint Mayor Hammond as the Delegate and Council Member Pardo as the Alternate.

     Motion carried unanimously 6-0

   **Item 8-B-2nd and Final Reading - Zoning Ordinance Amendment**

     **Resolution 02-18-20-04**

     Motion by Martin
     Supported by Hammond

     RESOLVED, to suspend the 2nd and final reading of the Zoning Ordinance Amendment.

     Motion carried unanimously 6-0
Motion by Martin
Supported by Bergeron

RESOLVED, to adopt Zoning Ordinance Amendment Article 6.00 – Site Development Standards Applicable to Specific Uses, Landscaping Contractor Yards, as reflected below.

Z. LANDSCAPING CONTRACTOR YARDS

Landscaping Contractor Yards may be permitted where the nature of the business will not negatively impact adjacent nonagricultural uses and does not pose an environmental hazard. Landscaping Contractor Yards include operations necessary to install and maintain plant materials off-site and build outdoor living and activity spaces, including storing vehicles to transport plants, soils, and other outdoor construction materials.

The following regulations shall apply to all Landscaping Contractor Yards:

- **Screening:** A masonry screen wall must be provided along any property line where the adjacent property is zoned for residential use, in accordance with Section 5.08;

- **Greenbelt:** A landscaped greenbelt with a minimum width of twenty (20’) feet is required adjacent to any street, in accordance with Section 5.03;

- **Display Areas:** Landscaping Contractor Yards may be open to the public for office uses and for example display areas. Publicly accessible outdoor display areas must be paved;

- **Building:** Buildings must be permanently constructed. Temporary construction trailers are not permitted;

- **Bulk Materials:** Soil, mulch, fertilizer, and similar loosely packaged or bulk material storage must be contained and covered to prevent materials from blowing onto adjacent properties. Bins for the materials storage must meet the same setback regulations as the principal building;

- **Outdoor Storage:** Outdoor storage must be strictly and clearly accessory to the contractor’s principal office use of the property. Only products, materials and equipment owned and operated by the principal use are permitted for storage;

- **Composting:** Composting is not permitted within Landscaping Contractor Yards;

- **Site Enclosure:** The entire site, exclusive of access drives, must be enclosed with a six (6’) foot high chain link fence or masonry wall, constructed in accordance with Section 5.08;

- **Off Street Parking and Loading:** All areas subject to vehicular use shall be paved in accordance with Section 4.01 D.4. (surfacing and drainage) unless the Planning Commission allows compacted asphalt millings because of heavy/tracked equipment operation. Section 4.01 D.5 (curbs and wheel chocks), and Section 4.01 D.6. (lighting) apply to off-street parking and loading areas for this use;

- **Fuel Storage:** Temporary and permanent fuel tanks are prohibited; and

- **Vehicle Maintenance:** Maintenance performed on vehicles associated with the contractor operation must be conducted entirely within an enclosed building. No recreation, inoperable, or junk vehicles may be stored on-site.

Motion carried unanimously 6-0
9. **NEW BUSINESS**

**Item 9-A-Progress Payment No. 10 and Change Order – Phase IV Sanitary Sewer Reconstruction Project**

**Resolution 02-18-20-06**

Motion by Wrobel  
Supported by Martin

RESOLVED, to approve Progress Payment No. 10 and Change Order in the amount of $25,046.42 to M.K. Construction Co. Inc., for the Phase IV Sanitary Sewer Reconstruction Project.

Motion carried unanimously 6-0

**Item 9-B-Vehicle Purchase for the Police and Fire Department**

**Resolution 02-18-20-07**

Motion by Martin  
Supported by Maul

RESOLVED, to approve the purchase of a 2020 Ford F250 from Crest Ford for the Fire Department in the amount of $33,193.00. This vehicle will be replacing the 2016 Ford Explorer which is being sold to the Police Department for $17,952.00.

BE IT FURTHER RESOLVED, to waive the formal bid process for this purchase due to this being a Michigan state bid price.

Motion carried unanimously 6-0

**Item 9-C-Fire Insurance Withholding Program**

**Resolution 02-18-20-08**

Motion by Maul  
Supported by Wrobel

WHEREAS, the provisions of Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, and the provisions of Act 217 of the Public Acts of 1998, provide that a portion of certain casualty losses for fire or explosion otherwise payable by insurers may be withheld in escrow by participating municipalities in order to secure repair, replacement or removal of damaged structures which violate the City of Flat Rock health or safety standards; and

WHEREAS, the City of Flat Rock has determined that participation in said program would protect and promote the public health, safety and welfare and wishes to be included in the list of participating municipalities published by the Commissioner of Insurance; and,

WHEREAS, the City of Flat Rock desires to implement all procedures necessary to administer said program by designating City of Flat Rock official for administration of the program and establish an escrow account for said purpose.
NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. That the City of Flat Rock does hereby become a participating municipality in the program providing for the escrow of fire insurance as established by Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, or as established by Act 217 of the Public Acts of 1998, and does declare its intention to uniformly apply the provisions of Section 2845 or Section 2227 to all property within the City of Flat Rock.

2. That the City of Flat Rock official responsible for the administration of Section 2845 or 2227 of said Acts and any rules promulgated by the Commissioner of Financial and Insurance Services is hereby designated as follows: Joanne Beard, City Treasurer.

3. That the City of Flat Rock Official shall establish an escrow account with the First Merchants Bank for the purpose of receiving and holding deposits of money received from insurers pursuant to Section 2845 or 2227 of said Acts, which account shall be separately maintained from all other accounts and may be an interest bearing account.

Motion carried unanimously 6-0

Item 9-D-Consultant Agreement for the Operation of the Department of Public Services

**Resolution 02-18-20-09**

Motion by Wrobel
Supported by Tefend

RESOLVED, to approve the Consultant Agreement for the Operation of the Department of Public Services between the City and Clark Inspections Service LLC. The Consultant Agreement term is for Twenty-Four (24) months with the option to be terminated by either party with or without cause, with Thirty (30) day written notice. The rate of pay is Forty-Two Dollars ($42.00) per hour.

Motion carried 5-1 with Maul voting no

10. **CITIZENS TO BE HEARD:**
None

11. **LATE CORRESPONDENCE:**

Item 11-A-Memorandums of Agreement - Ralph C. Wilson Jr. Foundation Grant

**Resolution 02-18-20-10**

Motion by Martin
Supported by Maul

RESOLVED, to approve the Memorandums of Agreement - Ralph C. Wilson Jr. Foundation Grant as presented.

Motion carried unanimously 6-0
12. **ADJOURNMENT:**

**Resolution 02-18-20-11**

Motion by Hammond  
Supported by Martin

RESOLVED, to adjourn the regular City Council meeting of February 18, 2020 at 8:14 p.m.

Motion carried unanimously 6-0

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MARK A. HAMMOND, MAYOR

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MEAGHAN K. BACHMAN, CITY CLERK

Approved as presented at the March 2, 2020 Regular City Council Meeting