

CITY OF LINDEN
Minutes for City Council Regular Meeting
Held at 7pm on Monday, August 10, 2015

CALL TO ORDER

The meeting was called to order at 7 p.m. by Mayor David Lossing. The meeting was held in the Council Chambers on the lower level of the Mill Building at 201 N. Main Street, Linden, Michigan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was recited by all present. A moment of silence in memory of those who have served on behalf of the United States was observed by all.

ROLL CALL

Present: Mayor David Lossing, Ray Culbert, Danielle Cusson, Brad Dick, Matt Chapman, Ed Ciesielski, Charlie Ross

Absent: None

Others Present: Paul Zelenak, City Manager and Matt McKone, Attorney

MINUTES

Motion by Culbert, second by Ross, to approve the minutes of the July 27, 2015 Regular City Council Meeting. Motion carried by full yeas vote.

PUBLIC HEARING/PRESENTATION

CORRESPONDENCE

CITIZENS COMMENTS

Lisa Varacalli – Calabria 517 E. Broad Street

Back to the Bricks – People love it and want to continue with this event. The road was shut down completely. It was detrimental to my business. My sons were not able to get to the business. 65% of my business was a loss for that day. I've never experienced that once in all my years. I did receive the letter from Paul and it did not worry me at the time. I would like access to my store.

Ross – Do you have a solution? Put cones with a sign to local business so they can access my business. This affects me financially.

CONSENT AGENDA

UNFINISHED BUSINESS

(A) CAS 40a-15 B & B Monitoring Well Agreement

To comply with state and federal regulations, the party responsible for the leak is responsible for corrective actions, and for filing a report with the state as to what they will be doing to make the corrective action within a time specified in the Section of the law dealing with these types of leaks. The agreement allows B&B to have access to property to conduct corrective action activities. Including locations for groundwater monitor wells, soil borings and soil gas points.

Motion by Chapman, second by Culbert, to accept the amended proposed Access Agreement between Quick Save Food Stores DBA Beacon and Bridge and the City of Linden. Motion carried.

NEW BUSINESS

(A) CAS 44-15 Forward 4 West Event

Motion by Ciesielski, second by Ross, to approve the Forward 4 West Event as submitted. Motion carried.

(B) CAS 45-15 Marihuana Ordinance No. 373

Cusson- Penalty 90 day misdemeanor, is it giving our police a little more leverage? Any concerns with HIPPA?
Culbert- Planning Commission has reviewed the ordinance with a lot of discussion.
Chapman- Does it follow the State Statue? Physical exchange with money? Thousand feet rule? Zelenak answered we do have a map.

Motion by Culbert, second by Cusson, to approve the Marihuana Ordinance No. 373. Motion carried.

YEAS: Dick, Lossing, Ciesielski, Culbert, Cusson, Ross

NAYS: Chapman

ABSENT: None

(C) CAS 46-15 Liquor License Ordinance

The City of Linden desires to create an ordinance which establishes the procedures for the approval of new Liquor Licenses in the City of Linden. Including the application, review committee, report to council, decision of term of license, objection to renewal hearing and severability.

The ordinance will establish those procedures for new Licenses only. This License procedure was established by the Liquor License Committee which was created by City Council.

Sutter- We need this in place.

Lisa Varacalli- This is not in place by the city already? How does this affect my business in 10 years? It is in a residential district, but commercial. All the points stated here are what we do for the State already.

Zelenak- It has to do with our one (1) license in the City.

(D) CAS 47-15 Hiring of New Part-Time Officer, Michael Brackrog

Motion by Lossing, second by Chapman, to approve the hiring of Officer Michael Brackrog to fill a vacancy part-time officer position. Motion carried.

(E) CAS 48-15 Resolution No. 12-15 Stormwater Management Contracts, Amendment III

Motion by Ciesielski, second by Cusson, to approve the Storm Water Management Contract and Resolution No. 12-15 for the NPDES Phase II Permit Cycle. Motion carried by full yea vote.

YEAS: Cusson, Culbert, Ciesielski, Ross, Dick, Chapman, Lossing

NAYS: None

ABSENT: None

(F) CAS 49-15 Permission to Band Ducks

The City of Linden has received a request from the Department of Natural Resources Wildlife Division to capture and band ducks as part of ongoing research for continental waterfowl management. The State is requesting permission to bait and band ducks at the Mill Pond. It may only take a couple of days or weeks depending on duck numbers.

Motion by Culbert, second by Dick, to allow the DNR Wildlife Division to band ducks at the Mill Pond. Motion carried.

(G) CAS 50-15 Road Committee Recommendations

A few months ago the City established a Road/Infrastructure Committee which is comprised of two members of City Council, the DPW Superintendent, the City Manager and the City Engineer.

In the development of a Road Funding Plan, we are reviewing funding alternatives, contribution percentages for homeowners, the City, the State of Michigan, dollars that are available in future budgets, and how the City infrastructure (i.e. water main, storm sewer and sanitary sewer projects) will influence and contribute to the potential projects.

Within the road paving plan we are prioritizing segments of roads and the year in which they will be paved / repaired. Road Funding Plan Flowchart which shows the areas that are being considered. Additionally included is Project Groups which identifies the project groups and ratings of roads in the city of Linden. Also discussion points from our last meeting which identifies segments first slated for repairs/repaving, segment funding contributions, and other items involved in the decision making process.

Culbert- Very valuable. I've learned a lot. Paser report was outstanding. We did talk a lot about percentages. The City has a major investment in water and sewer. HRC has prepared a lot of data.

Chapman- Great process.

Cusson- The areas identified on the plan, some are on the lower side needing repair?

Ross- Put on the agenda every 90 days for an update?

CITY MANAGER'S REPORT

City Manager, Paul Zelenak reported on:

Back to the Bricks Event: This years' event was the most successful event yet. There were more than 300 cars in the downtown. There were more than 100 turned away because of room availability and because some arrived after 5:00 PM. The event ran from 4pm-8pm. However we had cars lining up at 12:30 in town. The vehicles this year were down Broad Street from Bridge to the Cemetery. They were down Tickner from the Library to High Street. On Main and other locations scattered throughout town. The response we got from the 3,000 to 4,000 people in town was very positive. We will be meeting to look at ways to improve the event and make it bigger and better next year.

Farmers Market: The Farmers Market has been going on for a month now and has exceeded attendance expectations. The Farmers Market held last week in conjunction with Back to the Bricks event was a huge success. Vendors and attendees were very pleased.

Music by the Mill: This year we have had two concerts thus far. The first event on the water was a novelty and was well attended. There were parties along the pond. Kayakers, boats and canoeists took part in the festivities. And the feedback that I received by polling the attendees indicated that they would like to see this type of event happen again. The Music by the Mill held with the Farmers Market had record crowds and made the whole event even more successful.

Brick Replacement and Repair: They have begun the brick replacement in the downtown. Some of the repairs are directly the result of installation of the new street lighting. Additional repairs are being made where brick are in disrepair (i.e. the dam, street corners, bench locations, etc.) They have already made repairs to the brick wall that was damaged on Broad Street by High Street.

Parking Lot Sealcoating and Striping: We have received bids for the sealcoating and striping of the City parking lots in town. We will be bringing this before council at your next meeting.

Parking Study: As a result of looking at parking in the downtown, we are assessing whether we can add additional on street spaces at various locations in the downtown.

Block Wall / Guardrail: As you know at last meeting we received a signed letter from the individuals who maintain the planters in the block wall on Broad Street. We are reviewing their request and trying to determine how to make this corner safer. We have already lowered the speed limit in the area, and are looking at. We're looking into placing a less intrusive guardrail at the location as well if possible.

Office Closure: The City of Linden Offices will be closed on Friday, July 3, 2015 in observation of the July 4th Holiday.

CITY ATTORNEY'S REPORT

Nothing

DEPARTMENT REPORTS

Nothing

COUNCIL COMMENTS AND REPORTS

Dick- Art it Up on Wednesday, August 12th.

Culbert- Back to the Bricks a great turnout. More volunteers this year than previous year. Everyone did a great job.

Ross- World's Largest Sprinkler was a lot of fun. A great turnout and success.

Lossing- Shiawassee River Trail made it in the top 11. I emailed out the web link for this information. We did apply for a grant to Rivers, Trails, and Conservation Assistance Program through the National Park Service. Still getting letters of support for this grant application.

FINANCIAL REPORTS

Motion by Culbert, second by Ross, to approve accounts payable in the amount of \$39,567.71. Motion carried by full ye a vote.

YEAS: Culbert, Lossing, Cusson, Chapman, Ross, Dick, Ciesielski

NAYS: None

ABSENT: None

ADJOURNMENT

The meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Lynn M. Henry, City Clerk

Approved: _____