

**CITY OF LINDEN**  
**Minutes for City Council Regular Meeting**  
**Held at 7pm on July 22, 2019**

Monday, July 22, 2019

7:00 P.M.

**CALL TO ORDER**

The meeting was called to order at 7pm by Mayor Pro Tem Ray Culbert. 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 for first responders and in memory of those who have served on behalf of the United States was observed by all.

**ROLL CALL AND INTRODUCTION**

**City Council Present:** Pam Howd, Ray Culbert, Dave Franz, Brad Dick, Brenda Simons, Heather MacDermaid

**Absent:** Mayor Danielle Cusson

**Others Present:** Scott Sutter, Interim City Manager, Michael Gildner, City Attorney

**APPROVAL OF MINUTES**

Motion by MacDermaid, supported by Dick to approve the minutes from the June 24, 2019 Regular City Council Meeting. Motion carried. 6-0

Motion by Dick, supported by Howd to approve the minutes from the July 8, 2019 Special City Council Meeting. Motion carried. 6-0

**PUBLIC HEARINGS/SPECIAL PRESENTATIONS**

Public Hearing- Byram Lake Weed Assessment

Culbert opened the public hearing at 7:02 PM.

No comments

Culbert closed the public hearing at 7:03 PM.

**CORRESPONDENCE**

The Mayor Pro-Tem noted receipt of Beacon and Bridge Preliminary Site Plan, the plans will go to Planning Commission August 5<sup>th</sup> and then to Council on August 26<sup>th</sup>.

**CITIZENS' COMMENTS – NON-AGENDA ITEMS ONLY**

None.

**CONSENT AGENDA**

None.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**(A) CAS 35-19 Resolution No. 17-19 A Resolution Determining To Make A Weed Control Improvement in the Byram Lake**

Several Byram Lake Drive property owners have expressed their interest in continuing an improvement program on Byram Lake which includes aquatic plant herbicide treatments and harvesting. Under the provisions of Chapter 3.04 of the City of Linden’s Municipal Code, proceedings for such improvements may be initiated by a petition of owners having at least fifty percent of the privately-owned frontage abutting the proposed improvement. Such a petition is not binding upon, but only advisory to, the City Council.

The city council may, by resolution, determine to make the improvements and to defray the whole or any part of the cost of the improvement by special assessment upon the property especially benefitted in proportion to the benefits to the land. By such resolution, the city council shall approve the report, including the map or drawing, plans, specifications and cost estimate as originally presented or as revised, corrected, amended or changed, determine the estimated cost thereof, determine to make the improvement, designate the lands and premises constituting the special assessment district, state what proportion of such cost shall be paid by special assessment upon the property especially benefitted and what portion, city; and direct the city assessor to prepare a proposed special assessment roll in accordance with the resolution by the City Council.

Motion by Howd , supported by MacDermaid that the City Council conduct the required public hearing and, if appropriate, adopt Resolution No. 17-19, which announces the determination to make the improvement. If the proposed resolution is adopted, the City Assessor shall prepare a proposed assessment roll (which would require another public hearing before officially confirmed). Motion carried. 6-0

**YEAS: Dick, MacDermaid, Franz, Simons, Culbert, Howd**

**NAYS: None**

**ABSENT: Cusson**

**(B) CAS 36-19 New Police Vehicle**

The City is looking to purchase a new Police Car. Berger Chevrolet has been awarded the State of Michigan bid for the vehicle we wish to purchase. The Tahoe costs \$43,980.38. This includes the police equipment for the vehicle.

Members asked about the mileage on the current vehicle and the timeline to receive the new vehicle.

Motion by Howd, supported by MacDermaid that the City Council approving the purchase of one (1) Chevrolet 2020 Tahoe with police equipment at a cost not to exceed \$43,980.39 from Berger Chevrolet. Motion carried 6-0.

**YEAS: Dick, MacDermaid, Franz, Simons, Culbert, Howd**

**NAYS: None**

**ABSENT: Cusson**

**(C) CAS 38-19 License for Equipment Use: Genesee County 911**

The Genesee County 9-1-1 Consortium Commission owns pager equipment that it wishes to allow the City of Linden Fire Department to use. This agreement ensures that the City Fire Departments shall maintain this equipment in good condition, excluding normal wear and tear. The 911 Consortium shall be responsible for the maintenance and repair of the equipment, unless it is damaged as a result of the action or inaction of the City of Linden's employees or contractors, in which case the City of Linden would reimburse the 911 Consortium for the cost of any necessary repairs or replacement.

Members commented on the past pagers that were used by the department.

Motion by Howd, supported by Simons that the City Council agree to the license agreement for equipment use with the Genesee County 9-1-1 Consortium. Motion carried 6-0.

**YEAS: Dick, MacDermaid, Franz, Simons, Culbert, Howd**

**NAYS: None**

**ABSENT: Cusson**

**CITY MANAGER'S REPORT**

**Back to the Bricks:** This year the event will be on August 7<sup>th</sup>. We are planning for more cars this year. Which will be accommodated again by additional space at Linden Elementary School.

**National Night:** The National Night Out, honoring Public Safety personnel, will be held on Tuesday, August 6<sup>th</sup>, at Hyatt Elementary.

**B&B Gas Station:** The City has received conditional rezoning, special land use and preliminary plan applications along with a preliminary site plan for City review for the B&B gas station expansion. We will be bringing this to the Planning Commission at the August 5<sup>th</sup> meeting. At the August 26<sup>th</sup> Council meeting, City Council will be able to consider the Planning Commission's recommendation and approve or deny the conditional rezoning request.

**Wage Resolution:** On May 13<sup>th</sup>, 2019, the City Council passed the wage resolution for fiscal

year 2019/2020. The wage for DPW Laborer (A) was \$18.00 per hour. The 3% wage increase for this position was inadvertently missed and it should have been \$18.54 per hour.

Members discussed needing to approve a new resolution for the new wage for the DPW (A) wage amendment; Gildner reviewed it is acceptable to approve the wage without an amended resolution.

**Deputy Clerk:** We will be scheduling interviews for the Deputy Clerks position for next week.

### **CITY ATTORNEY'S REPORT**

Gildner briefly reviewed working on the City Manager contract; ordinances regarding misdemeanors and going on to properties within the city limits.

### **DEPARTMENT REPORTS**

The Council reviewed the Police, Fire, and Code Enforcement, Building Department monthly activity reports.

### **COUNCIL COMMENTS AND REPORTS**

Howd asked if National Night Out needs volunteers; set up starts around 11:30-12:00. She also commented on giving notice for civil infractions.

Sutter thanked all the volunteers that came out to help at the staining project.

Dick briefly commented on the paving patch program; and patch and roll that is happening in the City of Fenton.

Franz commented on the police report and the number of warnings that are being handed out; he also asked what the warnings being handed out are regarding.

### **FINANCIAL REPORTS**

Franz asked about a check that was written for the IRS back in December.

Members commented on the Eagles Wooden park payment.

Motion by MacDermaid, supported by Simons to approve the accounts payable in the amount of \$225,318.41. Motion carried 6-0.

**YEAS: Dick, MacDermaid, Franz, Simons, Culbert, Howd**

**NAYS: None**

**ABSENT: Cusson**

### **CLOSED SESSION**

#### **City Manager Contract**

Motion by Culbert, supported by Dick to enter into closed session to discuss letter from City Attorney at 7:37 PM. Motion carried 6-0.

**YEAS: Dick, MacDermaid, Franz, Simons, Culbert, Howd**

**NAYS: None**  
**ABSENT: Cusson**

Motion by MacDermaid, supported by Simons to return to open session at 8:13 PM.

**YEAS: Dick, MacDermaid, Franz, Simons, Culbert, Howd**  
**NAYS: None**  
**ABSENT: Cusson**

Members scheduled a special meeting for July 29, 2019 at 6:00 PM to approve the City Manager Contract.

**ADJOURNMENT**

The meeting was adjourned at 8:15 PM

Respectfully Submitted,

\_\_\_\_\_  
Tessa Wightman, City Clerk

Approved: \_\_\_\_\_