

**Present:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl

**Absent:** Pitts.

**Work session of Alma City Commission began at 5:30 p.m.**

City Manager Schooley presented the July 5, 2019 Newsletter for discussion:

### **Agenda Items**

#### **Request for Purchase**

Police Department Contract with Axon Enterprises for Tasers: The police department has a budgeted request for a 5-year officer safety plan contract with Axon Enterprises. The contract covers tasers, holsters, live cartridges, training cartridges, batteries, holsters, and Evidence.com a cloud-based software program for digital evidence management. The agreement also includes officer body cameras over the five-year period. Total contract amount for the 5-year contract is \$120,718.78. First year payment is \$20,590.78.

Police Department budgeted request for purchase in the amount of \$73,008 to Signature Ford to purchase 2 Ford Explorers for the Department. This is the first new purchase of an SUV type vehicle. As discussed during the budget process, the SUV has become the most efficient patrol vehicle in terms of maintenance and housing all of the necessary equipment for modern policing. Signature Ford is a **State of Michigan MiDeal** vendor.

### **Informational**

#### **Sisters of Mercy Request**

The Sisters of Mercy contacted City Attorney Costanzo in early June proposing they be able to keep babydoll sheep at their property on Michigan Avenue for use as emotional assistance animals in treatment for patients. I asked Mr. Costanzo to further research the matter in accordance with the City of Alma Ordinance (10/1 – Keeping of Animals Generally). The ordinance specifically states “except as otherwise provided in this Code, it is unlawful for any person to keep or maintain horses, colts, mules, cows, goats, sheep, or any swine, or any fur-bearing animal other than cats and dogs within the city limits. The Sisters of Mercy acknowledged the ordinance but were of the belief that the Federal Legislation known as the Fair Housing Act may supersede our ordinance. Mr. Costanzo has written a response to the Sisters of Mercy advising that he believes the request falls outside the prevue of the Fair Housing Act, and thus has denied the request.

#### **Legislation Addressing Speed Limits Signed by Governor Whitmer**

Governor Gretchen Whitmer signed into law HB 4118 addressing residential speed limits This bill rectifies an issue that was created in 2016 when legislation that passed, unintentionally eliminated the presumed residential speed limit of 25 mph in a traditional city and village grid system.

The law will now allow a speed of 25 miles per hour on a highway segment that is part of the local street system as designated by a local jurisdiction, and approved by the State Transportation Commission, and that is within land zoned for residential use by the governing body of an incorporated city or village under the Michigan Zoning Enabling Act, unless another speed is fixed and posted.

Administrator Williams and Chief Overla have indicated that they would be documenting directed patrol in the area once again to determine average speeds at various times.

#### **Recreational Marijuana Emergency Rules Issued**

The Marijuana Regulatory Agency (MRA) issued the emergency rules for recreational marijuana last week. The promulgation of rules is required per the Michigan Regulation and Taxation of Marihuana Act passed by voters last November. The rules provide municipalities and prospective licensees with the framework in which to operate if they choose to participate in the recreational marijuana industry.

The MRA plans to start accepting license applications November 1, 2019. The agency is hoping the four-month period between issuing the rules and accepting applications will give municipalities the needed time to make decisions whether they want to allow marijuana businesses in their communities. If a municipality doesn't have

an ordinance in place that prohibits such businesses, the MRA is obligated to issue a license to any qualifying business that applies for a marijuana business license.

Under the new rules, the following license types were created in addition to the licenses listed in the MRTMA:

- **Marijuana Event Organizer**
- **Temporary Marijuana Event**
- **Designated Consumption Establishment**
- **Excess Marijuana Grower**

The Michigan Municipal League will be hosting a webinar on July 16, 2019 at 10:00 a.m. to discuss the rules. I have registered for the event.

The emergency rules are effective today and will remain in effect for six months. The emergency rules may be extended once for another six months.

### **Conservation Park Improvements**

I have included photos of projects David DeGraff has completed for Pine River/Conservation Park in the last 9 months. Mr. DeGraff has added a message board with a map of both parks, which provides an opportunity for visitors to see the scope of the park land, and what this area has to offer. The entrance sign into the parks has been updated; one of the sign boards was changed to Conservation Park, and a sign board was added for the Barbara Osterman Cabin, and an address for the park. Visitors can now plug this address into Google or Apple maps, which will bring them to the entrance of the parks. The pedestrian bridge on the Riverwalk just west of the restrooms was vandalized a few years ago. One of the wire panels was taken, a replacement was ordered, and Mr. DeGraff installed the panel. The community is very fortunate that Mr. DeGraff has taken this area under his care, and we are very grateful he has decided to use his talents to improve Pine River Park and Conservation Park.

### **Wright Mansion Inspection**

On July 5<sup>th</sup> Aeris Ripley, Aaron Hale, and I met with Gratiot County Building Inspector Tony Miller at the Wright Mansion property. We had obtained permission from the property owner to access the building for a Dangerous Building Inspection to be completed. Mr. Miller will complete his report and forward it to our office for presentation to the full Commission. It is my belief that the report will be completed by our July 23<sup>rd</sup> meeting. We will also be making further contact with the property owner to discuss the findings. Our hope is to have the property owner present for that meeting.

### **Community Chat Reminder**

Just a reminder that we will be hosting our first Community Chat on July 10<sup>th</sup> from 5:30 pm – 7 pm at Riverside Park. The purpose of the chat is to give citizens the opportunity to chat with staff and Commissioners about the community. No agendas or formal question and answers sessions. Staff will do the cooking and be available to chat with residents about concerns, ideas, or visions for Alma. Anyone who can make it is invited. I believe the more staff and administration available the better!

Upcoming Chat Dates: All 5:30 pm – 7 pm

July 10<sup>th</sup> – Riverside Park

July 24<sup>th</sup> – King Park

August 22<sup>nd</sup> – Wright Park

### **Wright Park Paving**

Hopefully you had a chance to see that the paving around the new play area in Wright Park has been installed. It looks great and we need to thank the Dream Park Committee once again for all of the hard work that went into completing this project. I know it has been a struggle getting to the finish line with all of the rain last Fall and this Spring. The City grounds crew will start restoration on the area once things have had a short time to settle.

The City Commission Work Session concluded at 6:00 p.m.

**Alma, Michigan**  
**July 9, 2019**

Mayor Mapes called a regular meeting of the Alma City Commission to order at 6:00 p.m. at the Alma Municipal Building.

**Present:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**Absent:** Pitts.

Mayor Mapes asked the City Commission and members of the audience to stand and recite the Pledge of Allegiance.

Motion by Commissioner Piccolo as supported by Commissioner Allman to approve the minutes of the June 25, 2019 regular meeting.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

Public Services Director, David Ringle presented reports with regards to closing out the Special Assessment Districts set for Sanitary Sewer Leads on Ely Street, Sanitary Sewer Leads on Euclid Avenue and sidewalks on Lincoln Avenue.

A Public hearing was held at 6:00 p.m. to review Special Assessment District #2 for 2017 on the construction of Sanitary Sewer Leads on Ely Street between Moyer Avenue to S. State Street.

Public Services Director, David Ringle presented a report with regards to finalizing the Special Assessment District #2 for 2017 for the construction of sanitary sewer leads on Ely Street. All costs are split 50/50 between the City and the property owners. Ely Street was reconstructed as part of the CIP project and sanitary sewer leads were replaced. If it was found that there was a new plastic sewer line already installed, the property owner would be exempt from the special assessment. The estimated cost for the Ely Street project was \$8,750.00 with \$4,375.00 assessed to the property owners and \$4,375.00 assessed to the City of Alma. The actual cost of the project is \$3,948.00. The property owner's and City's share is split 50/50 based on the actual footage of installed sewer lead and the flat rate costs of the installation.

Mayor Mapes opened the floor for comments.

There being no comments, Mayor Mapes called for a motion to close the public hearing.

Motion by Commissioner Piccolo as supported by Vice-Mayor Harrington to close the public hearing at 6:08 p.m.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

The following preamble and resolution were offered by Vice-Mayor Harrington as supported by Commissioner Piccolo:

**Whereas**, the Commission has met for the purpose of reviewing the special assessment roll prepared for the purpose of defraying the private properties' share of the cost of acquiring and constructing a public improvement in Special Assessment District No. 2 of 2017 of the City, and

**Whereas**, the Commission has heard all persons interested in said special assessment roll and has carefully reviewed the same and is satisfied that said special assessment roll results in the assessments against each lot and parcel of land in the special assessment district being in accordance with the benefits to be derived.

**Now, Therefore Be It Resolved:**

1. Said special assessment roll for the Ely Street Sanitary Sewer Leads Construction Project which is hereby designated Special Assessment District No. 2 of 2017, is hereby confirmed and ratified as prepared by the City Assessor.
2. Said Special Assessment District No. 2 of 2017 shall be divided into (5) five equal annual installments, the first installment to be due on October 1, 2019, and the subsequent installments to be due and payable on the 1<sup>st</sup> day of December each and every year thereafter. The whole of said special assessment, or any part thereof, may be paid at any time after the date of confirmation until October 1, 2019, without interest or penalty. Unless paid within the aforesaid time, the deferred installments on said special assessment roll shall bear interest at the rate of 4.969% from the date of confirmation of said special assessment roll.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

### **Resolution Declared Adopted.**

A Public hearing was held at 6:09 p.m. to review Special Assessment District #3 for 2017 for the construction of Sanitary Sewer Leads on Euclid Avenue between E. Superior Street and the railroad tracks.

Public Services Director, David Ringle presented a report with regards to finalizing the Special Assessment Districts #3 for 2017 for the construction of sanitary sewer leads on Euclid Avenue. All costs are split 50/50 between the City and the property owners. Euclid Avenue was reconstructed as part of the CIP project and the sanitary sewer leads were replaced. If it was found that there is a new plastic sewer line already installed, the property owner would be exempt from the special assessment. The total estimated cost for the Euclid Avenue project is \$26,250.00 with \$13,125.00 assessed to the property owners and \$13,250.00 assessed to the City of Alma. The actual cost of the project was \$14,756.80. The property owner's and City's share is split 50/50 based on the actual footage of installed sewer lead and the flat rate costs of the installation.

Mayor Mapes opened the floor for comments.

There being no comments, Mayor Mapes called for a motion to close the public hearing.

Motion by Commissioner Allman as supported by Commissioner Piccolo to close the public hearing at 6:11 p.m.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

The following preamble and resolution were offered by Commissioner Allman as supported by Commissioner Mott:

**Whereas**, the Commission has met for the purpose of reviewing the special assessment roll prepared for the purpose of defraying the private properties' share of the cost of acquiring and constructing a public improvement in Special Assessment District No. 3 of 2017 of the City, and

**Whereas**, the Commission has heard all persons interested in said special assessment roll and has carefully reviewed the same and is satisfied that said special assessment roll results in the assessments against each lot and parcel of land in the special assessment district being in accordance with the benefits to be derived.

### **Now, Therefore Be It Resolved:**

1. Said special assessment roll for the Euclid Avenue Sanitary Sewer Leads Construction Project which is hereby designated Special Assessment District No. 3 of 2017, is hereby confirmed and ratified as prepared by the City Assessor.

2. Said Special Assessment District No. 3 of 2017 shall be divided into (5) five equal annual installments, the first installment to be due on October 1, 2019, and the subsequent installments to be due and payable on the 1<sup>st</sup> day of December each and every year thereafter. The whole of said special assessment, or any part thereof, may be paid at any time after the date of confirmation until October 1, 2019 without interest or penalty. Unless paid within the aforesaid time, the deferred installments on said special assessment roll shall bear interest at the rate of 4.969% from the date of confirmation of said special assessment roll.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

### **Resolution Declared Adopted.**

A Public hearing was held at 6:12 p.m. to review Special Assessment District #1 for 2018 for the construction of sidewalks on Lincoln Avenue from Marshall Street to the south terminus of the City Limits.

Public Services Director, David Ringle presented a report with regards to finalizing the Special Assessment Districts #1 for 2018 for the construction of new sidewalks on Lincoln Avenue. All costs are split 50/50 between the City and the property owners of both sides of Lincoln Avenue. Lincoln Avenue was reconstructed as part of a MDOT project and sidewalks replacements were approved as part of the project by setting the Special Assessment District by means of a Public Hearing on December 13, 2016. This was approved in order to complete the engineering drawings for the reconstruction project. The project was completed in the Fall of 2018. The total estimated cost for the Lincoln Avenue Sidewalk project is \$83,453.42 with \$41,726.71 assessed to the property owners and \$41,726.71 assessed to the City of Alma. The actual cost of the project was \$64,762.36. The property owner's and City's share is split 50/50 based on the actual front footage of the property owner's lot on both the east and west sides of Lincoln Avenue. Constructing sidewalks on Lincoln makes the area a more walkable area.

Mayor Mapes opened the floor for comments.

Chris Taylor, 708 Lincoln addressed the Commission that not only was he representing himself but his neighbors Sarah Dehring and George Smith. He believes that this sidewalk across the street from their properties holds no benefit to them. It will not be maintained from Gate #2 of the Fairgrounds to Gate #1. No one uses this section of sidewalk, from Gate #2 to Marshall Street the sidewalk is used. He was told by a contractor at the time of construction that this project was part of a grant and the property owners would not be affected. He and the other property owners are protesting this Special Assessment and would like their names removed from the District.

Karla Griffith, 712 Lincoln states she doesn't need the sidewalk and can't believe she is going to be charged for the sidewalk placement. Who has to maintain the sidewalk in the winter are they responsible when the sidewalk is across the road from their properties?

Public Services Director, David Ringle answered that the sidewalks were not part of the grant for the reconstruction of Lincoln Avenue. He feels that the contractor misspoke. The adjacent property owners to the sidewalk are responsible for the maintenance and that property owner is the Fair for Youth.

Mr. Taylor again questioned who benefits from having this sidewalk, no one uses it.

Vice-Mayor Harrington explained that having sidewalks in a community helps it as a whole. Sidewalks are a betterment to neighborhoods. They make it more livable. We as a Commission approved sharing the costs of the sidewalks for all property owners because even if the sidewalk is not adjacent to your property, you as the resident would benefit in having a sidewalk to use.

Commissioner Piccolo spoke that people will use the sidewalk to stay out of the car traffic on Lincoln. This is a neighborhood sidewalk. This neighborhoods will endure longer than us.

Commissioner Stahl asked for clarification on who is responsible for the cost of sidewalk construction.

City Attorney Costanzo explained that the costs of the sidewalk are shared 50% by the City and the property owners for both sides of the street share the costs at 50 percent.

Mayor Mapes added that having sidewalks has shown to raise property values. We plan for the future of Alma to make Alma a better Community.

There being no further comments, Mayor Mapes called for a motion to close the public hearing.

Motion by Commissioner Allman as supported by Commissioner Piccolo to close the public hearing at 6:30 p.m.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

The following preamble and resolution were offered by Vice-Mayor Harrington as supported by Commissioner Piccolo:

**Whereas**, the Commission has met for the purpose of reviewing the special assessment roll prepared for the purpose of defraying the private properties' share of the cost of acquiring and constructing a public improvement in Special Assessment District No. 1 of 2018 of the City, and

**Whereas**, the Commission has heard all persons interested in said special assessment roll and has carefully reviewed the same and is satisfied that said special assessment roll results in the assessments against each lot and parcel of land in the special assessment district being in accordance with the benefits to be derived.

**Now, Therefore Be It Resolved:**

1. Said special assessment roll for the Lincoln Avenue Sidewalk Construction Project, which is hereby designated Special Assessment District No. 1 of 2018, is hereby confirmed and ratified as prepared by the City Assessor.
2. Said Special Assessment District No. 1 of 2018 shall be divided into (5) five equal annual installments, the first installment to be due on October 1, 2019, and the subsequent installments to be due and payable on the 1<sup>st</sup> day of December each and every year thereafter. The whole of said special assessment, or any part thereof, may be paid at any time after the date of confirmation until October 1, 2019, without interest or penalty. Unless paid within the aforesaid time, the deferred installments on said special assessment roll shall bear interest at the rate of 4.969% from the date of confirmation of said special assessment roll.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

**Resolution Declared Adopted.**

Motion by Vice-Mayor Harrington as supported by Commissioner Allman to approve the following items on the Consent Agenda for payment: \$12,240.00 to I. T. Right for annual license for Microsoft Office 365 and \$28,000.00 to to I. T. Right for annual service contract fee for 72 desktop computers and 4 servers.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None

Motion by Commissioner Allman as supported by Vice-Mayor Harrington to approve the request for purchase in the amount of \$120,718.78 to Axon Enterprise, Inc. for a 5 year contract for the purchase tasers and body cameras for the Alma Police Department with the first payment of \$20,590.78 submitted with the approval of the contract.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

Motion by Commissioner Allman as supported by Vice-Mayor Harrington to approve the request for purchase in the amount of \$73,008.00 to Signature Ford to purchase (2) 2020 Ford Explorer Police Utility Vehicles for the Alma Police Department.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

The following preamble and resolution were offered by Commissioner Allman as supported by Commissioner Piccolo:

**WHEREAS**, Under PA206 of 1893, The governing body of a local tax collecting unit may allow, by resolution, a qualified property owner to file a written request with the July or December Board of Review to claim a Principal Residence Exemption as determined by the date an affidavit claiming the exemption was filed under subsection 2 (MCL 211.7cc);

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that pursuant to PA206 of 1893, The **City of Alma, Gratiot County** authorizes a qualified property owner to file a written request with the July or December Board of Review to claim a Principal Residence Exemption as determined by the date an affidavit claiming the exemption was filed under subsection 2 (MCL 211.7cc);

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

#### **Resolution Declared Adopted**

Motion by Commissioner Mott as supported by Commissioner Allman to approve a resolution recognizing Celebrate Ministries, Inc. of Alma Michigan as a nonprofit organization operating in the community for the purpose of obtaining a Charitable Gaming License for the purpose of holding a raffle.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

The following preamble and resolution were offered by Vice-Mayor Harrington as supported by Commissioner Mott:

**Whereas**, the City of Alma, acknowledges that owning a pet is a privilege and should result in a beneficial relationship for both the owner and pet, and

**Whereas**, the City of Alma, also acknowledges that the benefits of pet ownership come with obligations, and Responsible Pet Owners provide for their pet's needs in many ways, and

**Whereas**, Responsible Pet Owners need to prevent the pet from negatively impacting other people, animals and the environment through proper waste disposal, noise control, prevention of unplanned breeding and not allowing the pet to stray or become feral, and

**Whereas**, Responsible Pet Owners need to make sure the pet is properly identified (i.e., tags, microchips, tattoos, clear photographs) and that the information is kept up to date, and

**Now, Therefore, Be It Resolved That**, the Alma City Commission finds that Responsible Pet Ownership is desirable, and represents the goals, objectives and strategies of the City of Alma, and hereby encourages the resident of Alma to practice responsible pet ownership.

**Be It Further Resolved That**, the City attests to the existence of, and commits to the Establishment of Responsible Pet Ownership among its citizens.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo and Stahl.

**No:** None.

**Resolution Declared Adopted.**

Motion by Commissioner Piccolo as supported by Vice-Mayor Harrington to approve Ordinance #811 to amend the Zoning Map of the City of Alma as it appears in Section 32-32 of the Ordinances of the City of Alma. The premises located at parcel # 2951-352-001, 352-003, 352-004 and 352-766 currently zoned R-1 Single Family Residential District be and hereby are rezoned to R-3, Multi-Family Residential District.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo and Stahl.

**No:** None.

Motion by Commissioner Allman as supported by Commissioner Piccolo to introduce Ordinance #812 to amend Chapter 60 of the Ordinances of the City of Alma Specifically: Subsection (a) of Section 60-111 relative to residential and non-residential Planned Unit Developments Standards, and Subsection (a), (g), (h), (i), (k), and (n) of Section 60-112 relative to General Design Standards.

Aeric Ripley explained that under a Planned Unit Development (PUD), the Planning Commission could establish criteria for development of selected areas in line with the Commission's long term vision. The PUD can speed up the approval process for developers as well as let a developer know what the long-term vision might be. These amendments will allow the developer more options in density. There are a number of potential uses in Alma. A PUD may provide an easier path for repurposing properties in Alma.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo and Stahl.

**No:** None.

Motion by Vice-Mayor Harrington as supported by Commissioner Allman to approve the final Change Order #2 to McGuirk Sand-Gravel, Inc. for the 2017 Capital Improvement Project construction of Ely and Euclid and to approve the disbursement of the final payment application in the amount of \$29,795.55. This is the retainage held until the project is closed out.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo and Stahl.

**No:** None.

Motion by Vice-Mayor Harrington as supported by Commissioner Piccolo to receive the following reports and place them on file: Alma Transportation Center report of June 2019; Alma Police Department report of June 2019 and the Building Permit Report of June 2019.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo and Stahl.

**No:** None.

Motion by Commissioner Allman as supported by Commissioner Piccolo to approve Warrant No. 20-01 and to authorize the City Treasurer to issue checks in payment of all claims.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo and Stahl.

**No:** None.

Vice-Mayor Harrington wanted to express that the Commission's intentions are to act in the best interests of the City. She wishes to thank the staff of the City for their hard work. She appreciates them.

Commissioner Mott wanted to remember three valuable Citizens that passed away this week. Kathy Francis, Dave McMacken and Dale Greer. He asked for a moment of silence.

Commissioner Allman echoed Commissioner Mott's comments.

Commissioner Piccolo stated that the Commission and citizens works for the greater good.

City Attorney Costanzo wanted to thank the Build A Dream Park Committee for their efforts in creating the Dream Park, it is great for all children.

City Manager Schooley wanted to remind all of the Community Chat at Riverside Park tomorrow at 5:30 p.m. Please be alert to the weather before coming. Storms are predicted.

Mayor Mapes echoed the comments on the loss of valuable citizens. They worked hard for the community.

Mayor Mapes opened the meeting for Public comments.

Tim Lambrecht, County Commissioner informed the Commission on the activities of the Board. They hired a full time officer for Animal Control. The fee for bringing in stray animals is \$10.00 not \$20.00 and talk is to drop that fee to \$5.00. The Airport issue is still being studied. They have requested a bid from ProNexus to do a study on the operations of the Airport. The County has a new Medical Examiner. They are contracting with a physician from Flint. The final thing is the County's equalization issues. They are in the process of appraising properties to get the County in compliance with the State. He will be meeting with City Managers and the County Park Board on the County and City Parks next week.

Lynn Ludy expressed her thanks to Mr. Lambrecht for nominating Dave McMacken as Gratiot County Historian.

Laurie Wilson 517 Michigan, St. Louis wanted to thank everyone for their prayers and would like us all to continue.

Motion by Commissioner Piccolo as supported by Vice-Mayor Mapes to adjourn the meeting at 7:10 p.m.

**Yes:** Allman, Harrington, Mapes, Mott, Piccolo & Stahl.

**No:** None.

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Gregory S. Mapes, Mayor

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Sheila Letourneau, City Clerk