

Mayor Greg Mapes called a regular meeting of the Alma City Commission to order at 6:00 p.m. The virtual meeting was held via Zoom.com and livestreamed through the City of Alma's YouTube channel. A quorum of the Commission was present via Zoom for the meeting.

Roll Call

Present: Roger Allman, Roxann Harrington, Greg Mapes, Michelle Pitts, and Audra Stahl (all in Alma appearing via Zoom). Commissioner-elect Danny Wernick was also present via Zoom.
Absent: Nick Piccolo (excused).

Mayor Mapes led those present in a recitation of the Pledge of Allegiance to the United States of America.

Approval of Minutes

Motion by Commissioner Pitts, seconded by Vice-Mayor Harrington, to approve minutes of the regular meeting of December 8, 2020, as presented. Motion carried with a roll call vote.

Yes: Allman, Harrington, Mapes, Pitts and Stahl.
Absent: Piccolo.
No: none.

Petitions

Communications

Hearings

Motion by Commissioner Allman, seconded by Commissioner Pitts, to open a public hearing at 6:06 p.m. for the review of proposed Ordinance No. 818 Pedal Trolley Ordinance. Motion carried with a roll call vote.

Yes: Allman, Harrington, Mapes, Pitts and Stahl.
Absent: Piccolo.
No: none.

Assistant City Manager Aeric Ripley introduced the ordinance and summarized provisions. He noted two licenses are provided for in the ordinance, and well as provisions for increasing the number of licenses available if there is an increase in population.

Ripley answered questions from Commissioners. No public comments were offered.

Motion by Commissioner Pitts, seconded by Vice-Mayor Harrington, to close the public hearing for review of Ordinance No. 818 Pedal Trolley Ordinance at 6:08 p.m. Motion carried with a roll call vote.

Yes: Allman, Harrington, Mapes, Pitts and Stahl.
Absent: Piccolo.
No: none.

Consent Agenda

Requests for Purchase

Recommendation on Bids

Resolutions

2020-0159

**Resolution of Provisional Approval
City of Alma Medical Marihuana Facility Provisioning License**

Whereas, on March 29, 2019 the City of Alma received nineteen Provisioning Center applications meeting the criteria under the ordinance and policy for Medical Marihuana Facilities within the City of Alma; and

Whereas, the City of Alma ordinance provides for three Provisioning Center Licenses, prompting the need for a lottery to determine which three of the nineteen applications would receive the available Provisioning Center Licenses; and

Whereas, on May 22, 2019 at 3:15 p.m. the lottery was held with two stages, stage one to randomly assign a ping pong ball to each application, and stage two, the first three ping pong balls drawn would receive provisional approval for one of the three available licenses for provisioning centers; and

Whereas, How Smooth It Is INC was the fourth entity to be drawn in the lottery and was not given provisional approval for a City of Alma Medical Marihuana Provisioning Center license, but pursuant to Ordinance and Policy, will remain eligible for a license if one of the first three entities fails to achieve final approval, and

Whereas, on November 10, 2020, the Alma City Commission revoked the provisional approval for Oak Flint LLC, one of the first three entities drawn in the lottery, for failure to meet deadline requirements,

Now, Therefore, Be It Resolved, that How Smooth It Is INC will have eighteen months from the date of this resolution to complete the remaining requirements of the City of Alma and the State of Michigan, and receive a Certificate of Occupancy for How Smooth It Is INC at 116 E. Superior Street, failing to do so will be a forfeiture of the license, resulting in the license being provisional awarded to the next available entity drawn in the lottery.

A motion was offered by Commissioner Allman and seconded by Commissioner Pitts.

Yes: Allman, Harrington, Mapes, and Pitts.

Absent: Piccolo.

No: Stahl.

Resolution declared adopted.

Ordinances

2020-0160

Motion by Vice-Mayor Harrington, seconded by Commissioner Pitts, to approve a resolution to adopt Ordinance No. 818, which is attached hereto as Attachment A, and known as Pedal Trolley Ordinance: An Ordinance to Amend Chapter 8, Article IV of the City of Alma Code of Ordinances to Allow for, and Regulate the Operation of Pedal Trolleys in Certain Locations Within the City of Alma.

Yes: Allman, Harrington, Mapes, Pitts and Stahl.
Absent: Piccolo.
No: none.
Resolution declared adopted.

Agreements

2020-0161 **Motion by Commissioner Allman, seconded by Vice-Mayor Harrington, to adopt a resolution to approve Municipal Employees Retirement System Plan Adoption Agreement Addendums for each division in the defined benefit plan, and for the defined contribution plan, effective January 1, 2021, also to authorize Brooke Siefka, HR Manager, to sign addendum documents.**

Yes: Allman, Harrington, Mapes, Pitts and Stahl.
Absent: Piccolo.
No: none.
Resolution declared adopted.

2020-0162 **Motion by Vice-Mayor Harrington, seconded by Commissioner Pitts, to adopt a resolution to approve Change Orders #1 and #2 for the Hoffman Road Demolition Project for a contract increase of \$4,125 for removal of unforeseen items found at the demolition site, and to approve final project costs of \$60,320.00.**

Yes: Allman, Harrington, Mapes, Pitts and Stahl.
Absent: Piccolo.
No: none.
Resolution declared adopted.

2020-0163 **FIRST AMENDMENT TO WATER TANK COMMUNICATIONS SITE LEASE AGREEMENT**

THIS FIRST AMENDMENT TO WATER TANK COMMUNICATIONS SITE LEASE AGREEMENT ("First Amendment") is made and entered into effective the 22nd day of December, 2020, by and between the City of Alma, a Michigan Municipal Corporation ("Lessor") and T-Mobile Central, LLC, a Delaware limited liability company ("Lessee").

WHEREAS, Lessor and Lessee entered into a Water Tank Communications Site Lease Agreement with an Effective Date of September 8, 2009 (the date of execution by the last party to sign) ("Lease") with respect to the Premises located at 530 N. Jerome, Alma Michigan 48801

WHEREAS, Lessor and Lessee desire to enter into this First Amendment in order to modify and amend certain provisions of the Lease;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee covenant and agree as follows:

1. Lessee proposes to memorialize Exhibit A below for the running of utilities from the cellular communication equipment atop the water tank.