

City of New Baltimore
Regular City Council
Meeting Minutes
April 9, 2018

Mayor John Dupray called the regular City Council meeting to order at 7:00 PM.

Roll Call: Butler, Hayman, Hepp, Weinreich, Covert, Duffy
Absent: None

Also present were Tim Tomlinson, City Attorney, Jeanne Bade, City Treasurer, Fred Riebel, Chief of Police, Tom Gunst, DPS Superintendent, Greg Nikkel, Building Official, Emma Germain, City Assessor, Bill Bade, Wastewater Plant Superintendent, Emma Germain, Assessor, Tim Novak, Parks & Recreation Director, and Chris Hiltunen, Water Department Superintendent.

Voluntary opening prayer was offered by Mayor John Dupray.

Motion by Duffy, second by Covert to approve the meeting minutes of March 26, 2018.
All voting yes. Opposing: none Motion carried.

Dr. James Sawyer, President of Macomb Community College made a presentation to the Mayor & City Council regarding the May 2018 Operating Millage proposal to levy 1.464 mills for a period of twenty years, to support general operations including technology. The proposal combines, restores, and continues prior operational and technology millages at the same level as initially approved by voters in 2000 for 1.464 mills, which are set to expire in 2020.

Motion by Covert, second by Duffy to approve the Budget & Revenue Reports for March 2018.
All voting yes. Opposing: none Motion carried.

Motion by Butler, second by Covert to approve the consent agenda as follows:

- A. Giffels Webster \$2,575.65 – Professional Services for March 2018
- B. Lotus Electric, Inc. \$19,516.16 - Miner & Ashley Pump Station Electrical Upgrade, Wastewater Plant
- C. Plante Moran \$5,060.00 – Professional Services
- D. Project Control Engineering \$18,487.25 – Engineering Services for March 2018
- E. Waste Management \$41,674.39 – Refuse removal for March 2018
- F. Weingartz \$35,727.91 – Three (3) Lazer X-series lawn mowers with blades and mulching kit - DPS
- G. York, Dolan & Tomlinson, P.C. \$6,068.00 – Legal Services March 2018
- H. Schedule of Bills

All voting yes. Opposing: none Motion carried.

Motion by Butler, second by Duffy to approve the agenda as presented.

All voting yes. Opposing: none Motion carried.

Motion by Butler, second by Duffy to approve the Special Event application from Ecco Family Bookstore for the annual Discover or Community event on Saturday, August 25, 2018, from 8:30 AM to 5:00 PM (including setup & tear down).

All voting yes. Opposing: none Motion carried.

Motion by Hayman, second by Hepp to approve the Special Event Application for Art on the Bay, September 1st and 2nd, 2018 in the Walter & Mary Burke Park (set up on Friday, August 31, 2018).

All voting yes. Opposing: none Motion carried.

Motion by Duffy, second by Hepp to approve the Mayor's re-appointment of Nancy Bowron to the Board of Review with an expiration date of 12-31-2019.

All voting yes. Opposing: none Motion carried.

Motion by Duffy, second by Hepp to reschedule the Community Development Block Group Funds for April 23, 2018 at 7:00 PM (to be in compliance with the 15-day posting as required by the Housing and Community Development Act of 1974).

All voting yes. Opposing: none

Motion carried.

Motion by Butler, second by Hepp to approve the Liquor Control Commission resolution and application from Robert Higgins for a Class C Liquor License from The City of New Baltimore for his new restaurant to be located at 36310 Main Street, New Baltimore.

All voting yes. Opposing: none

Motion carried.

Motion by Butler, second by Duffy to approve the application for the Michigan Department of Treasury waiver and plan in accordance with Public Act 202 of 2017 Protecting Local Government Retirement and Benefits act application for waiver and plan for retiree health care plan for the City of New Baltimore.

All voting yes. Opposing: none

Motion carried.

Motion by Hepp, second by Covert to approve the request from Tim Novak, Parks & Recreation Director for approval of baseball uniforms from Burke's Sports Haven, in the amount of \$2,805.19.

All voting yes. Opposing: none

Motion carried.

Motion by Hayman, second by Duffy to table the approval of a 2-year lease extension (September 1, 2018 to August, 31-2020) and the revised contact language between the City of New Baltimore and Etchie LLC – Beverly L. Babcock, until the budget work study meetings begin for the City.

All voting yes. Opposing: none

Motion carried.

Motion by Butler, second by Hepp to approve the request from Tom Gunst, DPS Superintendent, to purchase a 16-foot trailer, 14000 gross vehicle weight rating (GVWR) low angle title bed trailer from D.R. Trailer Sales, Inc. in the amount of \$5,738.31.

All voting yes. Opposing: none

Motion carried.

Motion by Hayman, second by Covert to table the recommendation from the Planning Commission to provide a survey seeking public opinion on the subject of Medical Marijuana.

All voting yes. Opposing: none

Motion carried.

Motion by Duffy, second by Weinreich to approve and adopt the resolution for MERS Health Care Savings Program Participation Agreement for Full-time AFSCME and Non-union hired after 8-1-2005 with an increase of contributions retro active to December 16, 2016 for non-union employees.

All voting yes. Opposing: none

Motion carried.

Motion by Butler, second by Duffy to schedule budget work study meetings for April 30, 3018 and May 7, 2018 at 6:30 PM.

All voting yes. Opposing: none

Motion carried.

Motion by Butler, second by Duffy to go into closed session for the following:

Discussion regarding the City Attorney's written legal opinion – Gasoline Service Stations – Special Land Use Standards

Discussion regarding the City Attorney's written legal opinion – Triumphant Films, LLC – Agreement for Excavation

Discussion regarding the City Attorney's written legal opinion –
Limitation on Contractual Power – Section 11. 3 of the City Charter

Motion by Butler, second by Weinreich to table the Planning Commission recommendation for the Special Approval Land Use (SALU) #305-11-17 Gashopper, 37820 Green Street, Parcel #06-

15-18-103-018 (tabled 3-12-18) for the applicant to provide the City with a more comprehensive traffic study due to the traffic pattern changes in the winter time versus the summer time, the length of the study must be more than just a 24 hour period, and it should include weekends. The information could probably be found in a 2017 study that was completed by MDOT. The applicant must provide the City with documentation from a real estate agent/broker/appraiser that the proposed gasoline service station will not decrease the value of the residential properties. The applicant must provide the City with documentation from the Federal Housing Administration (FHA) that home loans will not be affected due to fuel tanks within three hundred (300) feet of residential property

Voting yes: Butler, Weinreich, Hayman, Hepp, Duffy
Motion carried.


Opposing: Covert

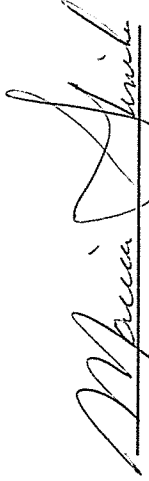
Motion by Butler, second by Covert to adjourn at 8:55 PM.

All voting yes.

Opposing: none

Motion carried.


John Dupray, Mayor


Marcja Shinska, City Clerk