

**City of Hastings**  
COUNTY OF BARRY, STATE OF MICHIGAN

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**City Council Minutes**  
**October 23, 2017**

1. Regular meeting called to order by Mayor Tossava at 7:00 PM in Council Chambers at City Hall.
2. Present at roll call were Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, Smith, and Tossava.

City Staff and Appointees Present: Mansfield, King, Pratt, Caris, Hays, Czarnecki, Ortiz, and Fekkes.

3. Pledge to the flag.
4. Approval of the agenda.

Amend Agenda under Formal Presentations that Travis Alden will not be attending tonight's meeting and will be added to next month's agenda.

Motion by McNabb-Stange, with support by Redman, to approve the agenda as amended.  
All ayes. Motion carried.

5. Approval of the minutes of the October 9, 2017 regular and closed session meetings.

Motion by Smith, with support by Jarvis, to approve minutes as presented.  
All ayes. Motion carried.

6. Open public discussion regarding matters not on the agenda.

Steven Carey: Goes to the Dog Park three times per week, and wanted to thank the City for their action on the Dog Park issue. Would like to see the Pit Bull ordinance reviewed by the City Council. Mr. Carey is supportive of the Pit Bull breed and would like the ordinance be changed to allow Pit Bulls.

Tammy Berdecia: Reports she attended the City Council Meeting two years ago regarding the Pit Bull issue. Berdecia is in favor of the Pit Bull breed, and requests that the City Council change the ordinance.

Barbara Hayward: General Leader of the Barry County K-9 4-H Club and has owned Pit Bulls for over 33 years. Hayward is in favor of the Pit Bull ordinance to be changed.

Mayor Tossava states the Council will review the Pit Bull Ordinance in three weeks.

7. Proclamations: (None).

8. Public Hearings: (None).

9. Formal presentations and requests:

Travis Alden, President Barry County Chamber of Commerce, Gus Macker Contract Renewal / change of date.

Rescheduled until the next Council Meeting.

10. Recommendations from other Boards: (None).

A. Consider award of bid to AVI Systems for purchase and installation of audio system improvements in the City Council Chambers in the amount of \$7,510.88 as recommended by the Cable Access Committee.

McNabb-Stange questioned whether the agreement was reviewed by the City Attorney. Mansfield responded the agreement was not reviewed by legal counsel. McNabb-Stange voiced concern that the agreement was not reviewed by Counsel.

Motion by Redman, with support by Resseguie, to approve as presented.

Ayes: Bowers, Cusack Jarvis, Redman, Resseguie, Smith, and Tossava

Nays: Maupin-Moore, McNabb-Stange.

Absent: None.

Motion carried.

B. Consider award of bid to AVI Systems for purchase and installation of a video system controller and server in the Cable Access room in the amount of \$18,324.81 as recommended by the Cable Access Committee.

McNabb-Stange proposed the same question as with the previous agreement. McNabb-Stange voiced concern over the agreement not being reviewed

Motion by Redman, with support by Resseguie, to approve as presented.

Ayes: Bowers, Cusack Jarvis, Redman, Resseguie, Smith, and Tossava

Nays: Maupin-Moore, McNabb-Stange.

Absent: None.

Motion carried.

11. Ordinances: (None).

12. Resolutions:

Consider Budget **Resolution 2017-26** (Amendment #4) for Fiscal Year 2017/2018.

Motion by Redman, with support by Smith, to adopt **Resolution 2017-16** as presented.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, Smith, and Tossava.  
 Nays: None.  
 Absent: None.  
 Motion carried.

13. Appointments: (None).

14. Bids, Contracts, Agreements, and Sales:

A. Consider and award contract of \$31,650 to County Line Nurseries for acquisition and planting of trees throughout the City of Hastings as recommended by Director of Public Services Hays.

Motion by Jarvis, with support by Smith, to award contract as presented.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, Smith, and Tossava.  
 Nays: None.  
 Absent: None.  
 Motion carried.

B. Consider and award contract of \$8,200 to Prein and Newhoff for the update of the Water Reliability Study as recommended by Director of Public Services Hays.

Motion by Cusack, with support by McNabb-Stange, to award contract as presented.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, Smith, and Tossava.  
 Nays: None.  
 Absent: None.  
 Motion carried.

C. Consider and approve request to resurface Bob King Parking Lot as recommended by Director of Public Services Hays.

McNabb-Stange requested clarification as to how the City would be saving money and how much. Hays reports the City will not save money but the Elks will see some cost savings.

Motion by Redman, with support by Resseguie, to approve the request as presented.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, Redman, Resseguie, Smith, and Tossava.  
 Nays: McNabb-Stange.  
 Absent: None.

Motion carried.

- D. Consider jointly engaging the consulting engineering firm of Prein & Newhof amount \$14,700 (City of Hastings cost \$8,167.32) with Rutland Township (cost of \$6,532.68) to provide assistance with extension of the Riverwalk from Industrial Park Drive to the Walmart site as recommended by Director of Public Services Lee Hays.

Motion by Redman, with support by Resseguie, to approve as presented.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, Smith, and Tossava.

Nays: None.

Absent: None.

Motion carried.

- E. Consider and authorize the purchase of 6 fire hydrants for \$9,320.04 from East Jordan Iron Works as recommended by Director of Public Services Lee Hays.

Motion by Cusack, with support by McNabb-Stange, to authorize purchase as presented.

Ayes: Bowers, Cusack, Jarvis, Maupin-Moore, McNabb-Stange, Redman, Resseguie, Smith, and Tossava.

Nays: None.

Absent: None.

Motion carried.

15. City Manager's report:

- A. Police Chief Pratt presented his monthly report.  
 B. Clerk/Treasurer King presented his monthly report  
 C. Community Development Director Czarnecki presented his monthly report.

16. Consent items without individual discussion:

From October 9, 2017 – Not Received and Placed on File

- A. Invoices:  
     Rehmann \$10,125.00 (Payment #2 – Audit).  
 B. Draft Minutes Cable Access Committee Meeting September 21, 2017.  
 C. Barry-Eaton District Health Department Community Highlights October 2017.  
 D. Draft Minutes Hastings City / Barry County Airport Commission Meeting September 27, 2017.  
 E. Event Calendar – October 2017.  
 F. Minutes Barry County Central Dispatch August 28, 2017.  
 G. Draft Minutes Barry County Central Dispatch September 25, 2017.  
 H. Draft Minutes Hastings Public Library Board of Trustees October 2, 2017.  
 I. Draft Minutes Planning Commission October 2, 2017.  
 J. Draft Minutes Barry County Board of Commissioners – Committee of the Whole October 3,

2017.

Motion by McNabb-Stange, with support by Smith, to receive and place on file Items 16.A. Through 16.J. (from October 9, 2017) inclusive.  
All ayes. Motion carried.

For October 23, 2017

- A. Invoices:
- Advantage Plumbing and Drain \$17,878.00 (Wastewater Plant).
  - CDW Government \$5,301.50 (Parts for Hastings Library).
  - Ryan Excavating LLC \$19,245.50 (Curb, Gutter, and Sidewalk).
  - Wade Trim \$9,970.67 (September Services Ops Management).
  - Hallifax \$9,000.00 (Riverside Cemetery Sexton Operations).
  - B & L Outdoor Services \$11,421.00 (Mowing/Maintaining Parks).
  - A-1 Asphalt, Inc. \$7,001.50 (Street Patching).
- B. Draft Minutes Barry County Board of Commissioners Meeting October 10, 2017.
- C. Draft Minutes Barry County Board of Commissioners Meeting September 27, 2017
- D. Draft Minutes Outdoor Nature Area Board Meeting October 11, 2017.
- E. Green Gables Haven Statistics September 2017.
- F. Newly Elected Officials Training Information.
- G. Thank you note from Susan G. Koman Foundation.
- H. Draft Minutes Joint Planning Alliance October 16, 2017.
- I. Draft Minutes Barry County Board of Commissioners Committee of the Whole October 17, 2017.
- J. BCCD Stats Year to date September 2017.
- K. Draft Minutes Rutland Charter Township / City of Hastings Joint Planning Commission October 18, 2017.
- L. Draft Minutes Downtown Development Authority October 19, 2017.

Motion by Redman, with support by Resseguie, to receive items 16.A. through 16.L (from October 23, 2017) inclusive.  
All ayes. Motion carried.

17. City Attorney's Report:

Fekkes states nothing to report.

18. Legislative Director's Report:

McNabb-Stange reported that the Michigan Supreme Court denied Menard's attempt to overturn an earlier ruling on the "dark stores" argument allowing deed restrictions to be included in the assessments when stores are vacant.

Received a letter from GVMC Clean Air Action Coordinator, thanking the City for hosting the Clean Air action display held in the Library this past summer.

19. Open Public Discussion from the Floor:

Hoot Gibson: Presented Commissioner Activity.

20. Mayor and Council comment:

Smith: Stated he looked up the absentee ballot deadline which is the Saturday prior to the election from 9:00 AM to 2:00 PM.

Redman: Presented a request for volunteers to help out on Halloween along Green Street.

21. Consider Closed Session as permitted by PA 267 of 1976, Section 15.268-8(e) to consult with attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion by Redman, with support by Resseguie, to enter into closed session at 8:17 PM.

Return to open session at 8:32 PM.

22. Adjourn.

Motion by McNabb-Stange, with support by Smith, to adjourn at 8:32 PM.  
All ayes. Motion carried.

Read and Approved:

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David J. Tossava, Mayor

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Daniel V. King, City Clerk