

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

City Council Minutes
May 24, 2021

1. Hybrid meeting called to order by Mayor Tossava at 7:00 PM in Council Chambers at City Hall.
2. Present at roll call were Bowers (Council Chambers), Cary (Council Chambers), Jarvis (Council Chambers), Maupin-Moore (Council Chambers), McLean (Council Chambers), McNabb-Stange (Council Chambers), Resseguie (Council Chambers), Smith (Florida), and Tossava (Council Chambers).
3. Pledge to the flag.
4. Approval of the agenda.

Motion by Jarvis, with support by McLean, to approve the agenda as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: None.

Absent: None.

Motion carried.

5. Approval of the minutes of the May 10, 2021 Hybrid meeting.

Motion by Resseguie, with support by Jarvis, to approve minutes as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: None.

Absent: None.

Motion carried.

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

None.

7. Proclamations: (None).

8. Public Hearings:

- A. Public Hearing to hear comment and make determination on the establishment of a Commercial Redevelopment District under provisions of Act 255 of the Public Acts of Michigan of 1978, as amended ("Act 255") and Act 210 of Public Acts 2005 for new construction at 128 N. Michigan Ave. (tax parcel 55-201-051-00).

Open Public Hearing at 7:07 PM.

No comments received.

Close Public Hearing at 7:07 PM.

Consider adoption of **Resolution 2021-19** to Establish a Commercial Rehabilitation District.

Motion by Jarvis, with support by Resseguie, to adopt **Resolution 2021-19** as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: None.

Absent: None.

Motion carried.

- B. Public Hearing to hear comment and make determination for designation of Neighborhood Enterprise Zone No. 1 pursuant to Act 147 of Public Acts of Michigan 1992, as amended, for property located at 128 N. Michigan Ave (tax parcel 55-201-051-00).

Open Public Hearing at 7:17 PM.

No Comments Received.

Close Public Hearing at 7:18 PM.

9. Formal presentations and requests:

- A. Consider Jon Sporer, CEO of the YMCA request to change their reservation for the summer, from the Large Pavilion at Fish Hatchery Park 8:00 AM to 1:00 PM to the Fish Hatchery Park Building.

Motion by McLean, with support by Smith, to approve request as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: None.

Absent: None.

Motion carried.

- B. Consider request from Megan Lavell Executive Director of Thornapple Arts Council of Barry County to place easel-style displays downtown Hastings.

Motion by Smith, with support by McLean, to approve request as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie and Smith.

Nays: Tossava.

Absent: None.

Motion carried.

- C. Consider request from David Solmes, Hastings Rotary Club, to use the Thornapple Plaza on June 21, 2021 from 5:00 PM – 8:00 PM and waive the fee for facility use.

Motion by Smith, with support by McLean, to approve request under the direction of City staff.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: None.

Absent: None.

Motion carried.

10. Recommendations from other Boards:

- A. Consider adoption of Brownfield Plan Amendment **Resolution 2021-18**.

Motion by Resseguie, with support by Jarvis, to adopt **Resolution 2021-18** as presented.

11. Ordinances: (None).

12. Resolutions: (None).

13. Appointments: (None).

14. Bids, Contracts, Agreements, and Sales:

- A. Consider Parking Agreement between City of Hastings and Bolthouse Merchandising Corporation from June 1, 2021 through May 31, 2022.

Motion by Smith, with support by Resseguie, to approve agreement as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: None.

Absent: None.

Motion carried.

- B. Consider Fifth amendment to real estate agreement between the City and Hastings Michigan Ave, LLC for 128 N Michigan Ave. extending time for various actions.

Motion by Resseguie, with support by Jarvis, to approve agreement as presented.

Ayes: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie,

Smith and Tossava.
 Nays: None.
 Absent: None.
 Motion carried.

- C. Consider Leaping Lizard Landscaping LLC Contract Extension to December 31, 2023 for \$123,052.80. In addition, add the City Hall Grounds Maintenance contract (currently with Hallifax) to Leaping Lizard for \$11,364.00 as recommended by Director of Public Services Tate.

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

Ayes: None.
 Nays: Bowers, Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.
 Absent: None.
 Motion failed.

15. City Manager's report:

- A. Interim Police Chief Boulter monthly report was presented.
 B. Clerk/Treasurer Saurman monthly report was presented.
 C. Community Development Director King monthly report was presented.
 D. Notification of emergency purchase for repair of GSR Fill Valve at Water Treatment Plant.
 E. Discussion regarding Sidewalk Special Assessment District.

Motion by McNabb-Stange, with support by McLean, to begin amendment process.

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

- F. Consider adoption of Policy 2021-01 Order of Business at Council Meetings.

Motion by Smith, with support by McLean, to adopt **Policy 2021-01** as presented.

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

- G. Letter of Support for Michigan Municipal League Mainstreet Grant.

Motion by McNabb-Stange, with support by Resseguie, to Mayor to sign letter of support.

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

- H. Consider recessing to closed session at the conclusion of regular business pursuant to Section 15.268 (e) of the Open Meetings Act to consult with the city attorney regarding pending litigation.

Motion by Resseguie, with support by Maupin-Moore, to enter in to closed session at conclusion of regular business.

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

- 16. Consent items without individual discussion.
 - A. Invoices: (None).
 - B. Draft Minutes Brownfield Special Meeting May 13, 2021.
 - C. Draft Minutes Cable Access Committee Meeting May 17, 2021.

Motion by Jarvis, with support by McNabb-Stange, to receive and place on file Items#16.B. through #16.C. inclusive.

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

- 17. City Attorney's Report:

None.

- 18. Legislative Director's Report:

Councilmember McNabb-Stange offered comments regarding activities at the state.

- 19. Open Public Discussion from the Floor:

None.

- 20. Mayor and Council comment:

Comments offered by McLean, Cary, Bowers, Resseguie and Tossava.

- 21. Recess to closed session.

Recess to closed session at 8:32 PM.

- 22. Reconvene open session.

Reconvene to open session at 8:58 PM.

- 23. Consider actions regarding pending litigation.

Motion by McNabb-Stange, with support by McLean, to ratify agreement as presented.

Ayes: Cary, Jarvis, Maupin-Moore, McLean, McNabb-Stange, Resseguie, Smith and Tossava.

Nays: Bowers.

Absent: None.

Motion carried.

- 24. Adjourn.

Motion by Jarvis, with support by Resseguie, to adjourn at 9:00 PM.

All ayes. Motion carried.

Read and Approved:

David J. Tossava, Mayor

Jane M. Saurman, City Clerk