

City of Hastings
COUNTY OF BARRY, STATE OF MICHIGAN

City Council Minutes
July 26, 2021

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

Motion by Bowers, with support by McLean, to excuse Council Member Maupin-Moore.
All ayes. Motion carried.

Council Member Late Arrival: Maupin-Moore at 7:01 PM.

City Staff and Appointees Present: Guetschow, Saurman, Boulter, Caris, Tate, King, Hemerling, Rashid and Fekkes.

3. Pledge to the flag
4. Approval of the minutes of the July 12, 2021 regular meeting.

Motion by McNabb-Stange, with support by Smith, to approve the minutes as presented.
All ayes. Motion carried.

5. Approval of the agenda

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

6. Public Hearings:

Public Hearing to hear comments on **Ordinance 603**, increasing the number of assessment installments to ten.

Public Hearing opened at 7:02 PM.
No one present for comments.
Public Hearing closed at 7:02 PM.

7. Call to the Public

None.

8. Formal Recognitions and Presentations:

Police Chief Dale Boulter presentation of Life Saving Commendation to Officer Carson Winick.

Interim Police Chief Boulter presented the Life Saving Commendation to Officer Carson Winick.

9. Items for Action by Unanimous Consent

- A. Consider appointment of Jane Saurman as Officer Delegate and Dan King as Alternate Delegate to the MERS Annual Conference, October 7-8, 2021, at the Amway Grand in Grand Rapids.
- B. Consider July 5, 2021 request from Brent Walk, Fun Promotions LLC / Kisscross Michigan Cyclocross to hold two cyclocross races at Fish Hatchery Park November 20-21, 2021 9:00 AM to 4:00 PM. **Resolution 2021-30**
- C. Consider July 5, 2021 request from Brent Walk, Fun Promotions LLC to hold a family fun event with the Hammond Hill Team relay Saturday, August 14, 2021 at the Hammond Hill Trail from 10:00 AM to 4:00 PM. **Resolution 2021-31**
- D. Consider July 7, 2021 request from Kim Martin, Barry County Chamber of Commerce to suspend the Social District and not sell or serve alcohol for the time of the Brewfest on Saturday, September 25, 2021 from 12:00 Noon to 7:00 PM, and adopt **Resolution 2021-29.**
- E. Consider request from Gina McMahon, YMCA Program Director to reserve the Fish Hatchery Soccer Field from 5:30 to 8:30 PM Monday through Thursday August 30, 2021 through November 4, 2021, as well as some Saturday games to be scheduled.
- F. Consider Lynn Denton, Chair of the Downtown Business Team request to host Summerfest Sidewalk Sales Friday, August 27th and Saturday, August 28th and stay the necessary ordinances and adopt **Resolution 2021-28.**
- G. Consider request from Kris Miller, Community Action Agency, to hold an event Walk for Warmth to raise funds for resident's utility assistance at Fish Hatchery Park Saturday, September 25, 2021.
- H. Consider additional request from Spectrum Pennock for a date change from Council previously approved date of August 11, 2021 to August 25, 2021 and to close the entire Fish Hatchery Park for their event.
- I. Invoices:
 - Hastings Area School System \$9,922.56 (Crossing Guards).
 - Hubbell, Roth & Clark, Inc. \$13,120.13 (Professional Services WWTP).
 - Gregg Guidance, LLC \$7,222.24 (Interim City Manager).
 - Gregg Guidance, LLC \$7,322.24 (Interim City Manager).
 - Haskin Electric \$8,150.00 (Convert 1st Fl. Lighting to LED).
 - Integrated Controls, Inc. \$28,052.14 (WTP Upgrade).
 - Integrated Controls, Inc. \$8,591.00 (WTP Upgrade).
 - Leaping Lizards \$10,960.00 (City Mowing, etc.).
 - Operations Services \$9,375.00 (Operation and Maint. For WTP and WWTP).
 - Prein & Newhof \$6,917.77 (Professional Services E. Woodlawn Ave).
 - Aunalytics \$8,923.75 (WWTP Professional Services).
 - Brownfield Redevelopment authority \$9,382.05 (Tax Capture and Disbursement Activity).
 - Grand River Construction \$220,225.00 (WWTP Improvements).
 - Wickham Cemetery Care \$25,864.98 (Cemetery Sexton).
 - Aunalytics \$12,757.20 (IT Services).
 - Aunalytics \$12,824.70 (IT Services).
 - Highpoint Bank \$67,530.45 (1st Vactor Payment).
 - Michigan Municipal League \$139,091.00 (Liability/Property Pool Premium).

Midwest Collaborative for Library Services \$5,440.27 (MCLS Digital Libraries).
YMCA \$15,000.00 (Recreation Agreement July 1 – December 31, 2021).

Motion by McNabb-Stange, with support by Resseguie, to approve Item #9.A through Item #9.I. inclusive.

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

Nays: None.

Absent: None.

Motion carried.

10. Items of Business

- A. Consider request from A.J. Veneklasen Incorporated for an amendment to the real estate sales agreement for 128 N. Michigan Avenue to reduce the price from \$135,000 to \$67,500.

Motion by McNabb-Stange, with support by Jarvis, to deny request for price reduction as presented.

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

Nays: Resseguie, Smith and Tossava.

Absent: None.

Motion carried.

Motion by Resseguie, with support by Cary, to reconsider 10.A.

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

Nays: Bowers, Jarvis and McNabb-Stange.

Absent: None.

Motion carried.

Motion by McNabb-Stange with support by Jarvis, to accept the denial of the price reduction.

Ayes: Jarvis, McLean and McNabb-Stange.

Nays: Bowers, Cary, Maupin-Moore, Resseguie, Smith and Tossava.

Absent: None.

Motion failed.

Motion by Resseguie, with support by Smith, to return \$58,000.00 to developer upon completion of the project at 14 months from close of sale (November 13, 2022) or no rebate will be offered.

Ayes: Cary, Jarvis, Resseguie, Smith and Tossava.

Nays: Bowers, Maupin-Moore, McLean and McNabb-Stange.

Absent: None.

Motion carried.

- B. Consider setting a public hearing on an application from A.J. Veneklasen Incorporated for a commercial redevelopment district tax abatement subject to receipt of the application fee.

Motion by Smith, with support by Resseguie, to set a public hearing on the application received from Veneklasen for a commercial redevelopment district tax abatement as requested.

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

Nays: Bowers.

Absent: None.

Motion carried.

- C. Conduct a second reading and consider approval of **Ordinance No. 603** increasing from five to ten the number of permitted special assessment installments.

Motion by Smith, with support by Cary, to adopt **Ordinance No. 603** as presented.

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

Nays: None.

Absent: None.

Motion carried.

- D. Consider **Resolution 2021-17** to adopt the City of Hastings Master Plan.

Motion by McLean, with support by McNabb-Stange, to adopt **Resolution 2021-17** as presented.

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

Nays: None.

Absent: None.

Motion carried.

- E. Consider adoption of **Resolution 2021-27** for a Principal Shopping District as recommended by the Downtown Development Authority.

Motion by McNabb-Stange, with support by Resseguie, to adopt **Resolution 2021-27** as presented.

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

Nays: None.

Absent: None.

Motion carried.

- F. Consider Hastings Police Department request to purchase a 2021 Ford Police Interceptor Patrol Vehicle from Signature Ford for \$36,637.00 as recommended by Police Chief Boulter.

Motion by Bowers, with support by McLean, to approve purchase as presented.

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

Nays: None.

Absent: None.

Motion carried.

- G. Consider request to purchase new snow and ice truck equipment for \$98,098.00 and an additional non-budgeted option of chipper body for \$10,674.00 for a total of \$108,772.00 as recommended by Public Services Director Travis Tate.

Motion by McLean, with support by Bowers, to approve purchase as presented.

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

Nays: None.

Absent: None.

Motion carried.

- H. Consider purchase of 12 new fire hydrants for \$25,400.00 from East Jordan Iron Works to replace existing non-working hydrants in our distribution system as recommended by Director of Public Services Travis Tate.

Motion by McNabb-Stange, with support by Smith to approve purchase as presented.

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

Nays: None.

Absent: None.

Motion carried.

- I. Consider approval to request American Rescue Plan Act funding and authorize Interim City Manager Guetschow to sign the Coronavirus Local Fiscal Recovery Fund Non-entitlement Unit of Local Government Funding Election and Budget Certification with all additional required documentation.

Motion by Bowers, with support by McNabb-Stange, to approve and authorize as presented.

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

Nays: None.

Absent: None.
Motion carried.

- J. 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.

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

11. Staff Presentations and Policy Discussions (None).

12. Reports and Communications

- A. City Manager
- B. City Attorney
None.
- C. Legislative Director
None.
- D. Police Chief Report
- E. City Clerk Report
- F. Community Development Director Report
- G. Draft Minutes Hastings Public Library Board of Trustees July 12, 2021.
- H. Draft Minutes Planning Commission July 6, 2021.
- I. Draft Minutes DDA July 15, 2021.
- J. Draft Minutes Cemetery Board July 14, 2021.

13. Call to the Public

None.

14. Mayor and Council comment:

Comments offered by Council Member Bowers and Mayor Tossava.

15. Recess to closed session.

Recess to closed session at 8:09 PM.

16. Reconvene open session.

Motion by Resseguie, with support by McLean, to reconvene open session at 8:46 PM.
All ayes. Motion carried.

17. Consider actions regarding pending litigation.

1. Motion to approve settlement agreement and mutual release and authorize Mayor/Clerk to sign.

Motion by McNabb-Stange, with support by Smith, to deny 30-day extension (from 8/22/21).

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

Nays: None.

Absent: None.

Motion carried.

2. Motion by McNabb-Stange, with support by Resseguie, deny requested extension for removal of previously agreed upon items.

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

Nays: Smith.

Absent: None.

Motion carried.

3. Motion by Maupin-Moore, with support by McNabb-Stange, to approve City Manager Contract as drafted, subject to minor revisions, and authorize Mayor/Clerk to sign contract.

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

Nays: Smith.

Absent: None.

Motion carried.

4. Motion by McLean, with support by Maupin-Moore, to approve Closed Session Minutes of June 14, 2021 as presented.

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

Nays: Smith.

Absent: None.

Motion carried.

18. Adjourn.

Motion by McLean, with support by Resseguie, to adjourn at 8:53 PM.

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

Nays: Smith.

Absent: None.

Motion carried.

Read and Approved:

David J. Tossava, Mayor

Jane M. Saurman, City Clerk