

**CITY OF EVART
REGULAR VIRTUAL COUNCIL MEETING
Monday March 15, 2021 @ 8:00PM**

The meeting was called to order by Mayor Chris Emerick at 8:00pm.

Present (via roll call): Sean Duffy, City of Evert, Osceola County MI, attending remotely
Dan Elliott, City of Evert, Osceola County MI, attending remotely
Mayor Emerick, City of Evert, Osceola County MI, attending remotely
Matt Hildebrand, City of Evert, Osceola County MI, attending remotely
Sandra Szeliga, City of Evert, Osceola County MI, attending remotely

Present: City Manager Sarah Dvoracek, Assistant City Manager/Director of Public Works Mark Wilson, Finance Director/Treasurer Pepper Lockhart, Communications Director (Meeting Host) Melissa Rohen, City Attorney James White, Special Legal Counsel Andrew Brege, Chief of Police John Beam Jr, City Clerk Kathy Fiebig

Guests (per Zoom ID): Evert Farmers Market, Steve P Michigan, Janet's iPad, Ralph Carlson, Sarah Molenaar, Megan Erickson, Laurie Chase

Public Hearing: Request for Public Comments concerning Recodification of City Ordinances
Mayor Emerick opened the Public Hearing at 8:01pm with a roll call of the Council. There were no public comments. Mayor Emerick closed the Public Hearing at 8:03pm with a roll call of the Council.

Citizens Comments: none

Approval of Agenda

Ms. Dvoracek requested that the long-term capital improvement plan from the Fire Department be added to Item L; that the recommendation from special legal counsel be added after Item M; and that Item W should have the word "County" instead of "Council". Motion by Mr. Hildebrand to approve the agenda with these additions and changes. Support by Ms. Szeliga. Motion passed with a roll call vote; all were in favor.

Consent Agenda

- B.** Regular Virtual Council Minutes - March 1, 2021
- C.** Special Virtual Council Minutes – February 15, 2021
- D.** Special Planning Commission Meeting – February 3, 2021
- E.** Vendor's List \$78,813.32

Motion by Ms. Szeliga to approve the Consent Agenda as presented. Support by Mr. Hildebrand.
Motion passed with a roll call vote; all were in favor.

Unfinished Business

- F.** Draft Ordinance – Housing Code (*Virtual Public Hearing March 22, 2021 @ 6:30pm*)
- G.** Riverside Park Improvements (*postpone*)
- H.** Appointments to Boards and Commissions (*postpone*)

New Business

Items for Action

I. Requesting Approval of CCRA Cross Connection Control Agreement

Mr. Wilson advised council that per the Michigan Safe Drinking Water Act, all public water suppliers must develop a comprehensive cross connection control program and submit that plan to Michigan Department of Environment, Great Lakes and Energy (EGLE). The plan must include the annual inspection and required periodic testing of all commercial and industrial back-flow prevention devices. City of Evart does not own a certified back-flow prevention device tester nor do any city staff members hold the required credentials to do the testing. He does not foresee the City being able to perform this service at less expense than this agreement. Motion by Mr. Hildebrand to approve the CCRA Cross Connection Control Agreement as presented. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor.

J. Resolution 2021-04 Nestle Contribution of \$10,000 for Wellfield Operations

In 2015, a water quality test showed the presence of perchlorate in some of the City's water wells. This chemical is often associated with fireworks propellants. The City began to work with the public health administration, environmental officials and Ice Mountain to flush the wells in order to resolve the perchlorate issue. Ice Mountain has offered financial support in the amount of \$10,000. Motion by Mr. Hildebrand to accept the Nestle contribution. Support by Mayor Emerick. The motion passed with a roll call vote; all were in favor.

K. Resolution 2021-05 to approve Emergency Sewer Repair Authorization \$7,499

Ms. Dvoracek has the authority to approve this as the sewer collapse was a threat to public safety and required an immediate response. She prefers that this be done by resolution for better transparency and to explain the lack of a bidding process. She reminded council that this repair is a temporary solution, and the matter will have to be addressed again as weather permits. Motion by Ms. Szeliga to approve Resolution 2021-05. Support by Mr. Duffy. Motion passed with a roll call vote; all were in favor.

L. 2021-2022 Fire Department Budget Approval Requested

Motion by Mr. Elliott to approve the Fire Department Budget for 2021-2022 as presented. Support by Mr. Duffy. Motion passed with a roll call vote; all were in favor.

M. Executive Session

Motion by Mayor Emerick that the Evart City Council meet in executive session pursuant to MCL 15.268(h) to discuss material exempt from disclosure, more particularly a written legal opinion from the City's attorney, which is exempt pursuant to MCL 15.243(1)(g). She requested the attendance of the following city staff members to the executive session: City Manager Sarah Dvoracek, Assistant City Manager Mark Wilson, Chief of Police John Beam Jr, City Attorney James White, Special Legal Counsel Andrew Brege and City Clerk Kathy Fiebig. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor. Council moved into closed executive session at 8:21pm.

Motion by Mr. Hildebrand to end the executive session. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor. The executive session ended at 8:47pm.

Motion by Mr. Hildebrand to reconvene council in open session. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor. Open session resumed at 8:48pm.

Motion by Mayor Emerick to follow the recommendation of Special Legal Counsel as set forth in the written legal opinion. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

Department/Informational Reports (No Action Needed)

N. Accounts Payable Report (3/2/2021 – 3/15/2021)

- O. Payroll Reports (3/2/2021 – 3/15/2021)
- P. Revenue and Expense Report – February 2021
- Q. Summary of all Funds – February 2021

City Attorney Report/Comment: none

City Clerk Report/Comment: none

City Manager Report/Comment

R. City Manager's Monthly Report – February 2021

S. City Manager Performance Evaluation

Ms. Dvoracek requested that council complete the evaluation and return it to her before June 1, 2021.

T. Consumers Pitch Competition

City of Ewart was not chosen to move forward in the grant process.

U. SHPO Certified Local Government

City of Ewart's application to become a certified Local Government has been accepted and the paperwork is being processed. The City will be eligible to apply for the next round of grant funding which opens in July of 2021.

V. Groundwater Journal Article

Ms. Dvoracek encouraged council to read this report regarding the perchlorate issue in the City's wellfield.

W. MRE Tax Payment Received: City and County both received \$28,001.32

This was the first disbursement of marijuana tax monies.

Finance Director Report/Comment

X. Finance Director's Monthly Report – February 2021

Ms. Lockhart is working with Ms. Dvoracek on the 2022 budget. She thanked Jennie Duncan, Administrative Assistant, for her efforts to maintain high standards and customer service throughout the pandemic while working from home.

Department of Public Works Report/Comment

Y. Department of Public Works Monthly Report – February 2021

Z. Drinking Water Monitoring Schedule and Annual Report for 2021 - FYI

Z1. Updated Perchlorate Sampling Results through January 20, 2021 – FYI

Police Department Report/Comments

Z2. Police Department Monthly Report – February 2021

Downtown Development Authority (DDA) Report/Comment

Z.3 DDA Monthly Report – February 2021

Ms. Dvoracek mentioned that the DDA has just received a "market snapshot" of Ewart's demographics from Michigan Main Street and has found it to be an interesting document. She will share it with council at a later date.

Citizens' Comments: Sarah Molenaar requested a copy of the article referenced regarding the water system contamination, and Ms. Dvoracek directed to her to evart.org/city_council_packets. Everything discussed during council meetings is available to the public in the appropriate packet.

Mayor Emerick reminded council and staff about the public hearing on Monday, March 22 at 6:30 pm regarding the landlord/tenant ordinance.

Motion by Mayor Emerick to adjourn the meeting. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

The meeting was adjourned at 8:58pm.

A handwritten signature in blue ink that reads "Kathy Fiebig". The signature is written in a cursive style and is positioned above a horizontal line.

Kathy Fiebig
City Clerk

FINAL