CITY OF EVART
REGULAR COUNCIL MEETING
May 2nd, 2023 @ 7:00PM
Community Room at the Depot, 200 S. Main Street

Mayor Chris Emerick called the meeting to order at 7:00pm, then led the assembly in the Pledge of Allegiance.

***Present (via roll call)*:** Sean Duffy, Jim Schwab, Mayor Emerick, Matt Hildebrand, Sandy Szeliga

Present (staff): City Manager Pepper Lockhart, Director of Public Works Don Duncan, City Attorney Jim White, Chief of Police John Beam, City Clerk Andrea Grupido

***Guests*:** Mike Carey, Mike Fulton, Jim Hunter, Angela Hunter, Dale Booker, Ken Wirth, Jeff Pollington

Mayor Emerick called to order Public Hearing 1 at 7:01pm.
***Presentation and/or discussion*:**
Proposed amendments to **City Ordinance Chapter 4 – Animals** to consider adding an exception to permit the keeping of chickens on property within the city zoned for residential uses, subject to proposed conditions.
***Request for Public Comments*:**
Grupido reads a letter from a city resident stating that because the world is changing and prices are increasing, there is a greater need to become self-reliant on some food options. They would like to see chickens allowed in city limits. This resident is specifically asking for an addendum for private subdivisions. The subdivision in question has properties within that are spacious for chickens. The letter questions why deer and turkey are allowed to be fed daily within city limits and not chickens.
Grupido reads a letter from Todd Bruggema. Todd believes that the negatives outweigh the positive reasons if the city were to allow people to raise chickens. The negatives he lists are: 1. The municipality implicitly assumes some of the responsibility for what happens if chickens die, or illness spreads. 2. There is the issue of waste, and how residents are going to get rid of 2lbs of manure per chicken per week. 3. Chickens will attract predators into the city such as fox, coyote, raccoon, skunk, etc. Also, the type of food chickens eat will attract mice and rats that can lead to other diseases and issues. 4. How do residents handle dead chickens or chickens that no longer lay eggs. 5. Are there Vets in the area who are able to come and treat sick chickens? 6. Chickens are susceptible to diseases that can infect people. In 2020, salmonella outbreaks were linked to backyard chickens in all 50 states, resulting in hospitalization of over 300 people. 7. Unavailability of proper diet for backyard chickens. 8. Public nuisance complaints will increase, and property values will decrease. Todd strongly feels that farm animals should be raised outside of city limits. Lastly, Todd asks that if council votes to change the ordinance, there is a stipulation added that anyone who wants to raise chickens must have the permission of any neighboring property owner to do so before the permit is granted. This permission would have to be renewed every year or at least two years.
Grupido reads a letter from a concerned Evart resident stating positive reasons for allowing chickens to be raised in the city. First, the price of eggs has skyrocketed. Their family consumes 120-200 eggs a month. The cost of chicken feed is minimal comparatively speaking. Home grown chicken meat and eggs are a healthier alternative to companies who mass produce. This resident believes it could result in a healthier community. In closing, they would like the

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opportunity for residents to become self-reliant on chickens. They believe residents who have the space, time to care for, and provide proper housing should be allowed to raise chickens. Mike Carey is concerned bringing chickens into the city will increase complaints of odor, blight and decrease property value.
Jeff Pollington doesn't feel that chickens will create a problem. He believes that residents who truly want chickens will abide by the rules and be responsible.
Chris Mulkerns asks who will be the one inspecting for the permits and responding to complaints. How will the city know if all the rules and regulations are being followed if there isn't someone constantly checking.
Ken Wirth references a statement made in the letter read by the City Clerk about private subdivisions and asks if the apartment complex would fall under that same idea.
Mayor Emerick closes the public hearing at 7:18pm.

Mayor Emerick calls to order Public Hearing 2 at 7:18pm.
Presentation and/or discussion:
Proposed amendments to **City Ordinance Chapter 42 – Utilities** to consider updating/amending language in Section 42-90 (Adjustment of Meter Bills), Section 42-358 (Contracts and Services), and Section 42-359 (Authority for Tenant Accounts, procedure).
Request for Public Comments: none
Mayor Emerick closes the public hearing at 7:21pm.

Mayor Emerick calls to order Public Hearing 3 at 7:21pm.
Presentation and/or discussion:
Proposed additions/amendments to **City Ordinance Chapter 18 – Health and Public Welfare, Section 18** to incorporate the legal age change, proper terminology to include vaping devices, and offense classifications to comply with Michigan statute.
Request for Public Comments: none
Mayor Emerick closes the public hearing at 7:23pm.

Mayor Emerick opens the regular council meeting at 7:23pm.

Citizen's Comments:
Jeff Pollington states that the potholes in town are getting bad and asks if there are plans on fixing them. D. Duncan explains that to fix them properly you need hot patch. The road temperature has not hit the 45 degrees yet to be able to use the hot patch, and they are still waiting for Reith-Reilly to open to purchase it.

***Approval of Agenda*:**
Two additions to tonight's agenda include **G2.** *Paving RFP* and **G3.** *Parcel Split.* Motion by Mayor Emerick to approve the amended agenda. Support by Duffy. Motion passed with all in favor.

***Approval of Consent Agenda*:**
A. Pre-Council Work Session Minutes – *April 17, 2023*
B. Regular Council Minutes – *April 17, 2023*
C. Vendor's List $43,886.34
D. Budget Amendments
Motion by Hildebrand to approve the consent agenda. Support by Szeliga. Motion passed with all in favor.

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Unfinished Business:
E. *Schmude Oil and Gas Lease*
The property ties and land conversions associated with this parcel are more complicated than expected. Lockhart continues to do her due diligence on this item.

***New Business*:**
F. *Disposal of Assets*
D. Duncan would like permission to dispose of the 1994 Harlo 900 serial #2730. This leaf collector is inoperable and obsolete. D. Duncan would try to sell and the salvage value would be added to the Equipment Pool Fund. Motion by Duffy to dispose of the Harlo 900 serial #2730. Support by Schwab. Motion passed with all in favor.
G. Misc. Park Fees
Schwab states that businesses in town as well as some residents sell firewood, and would that be taking away from them if the City sells it at the Park. Hildebrand explains that it is a service that is offered at Campgrounds. Mayor Emerick agrees that it provides convenience to the campers. Schwab questions who will be supplying the firewood. D. Duncan states that the DPW will repurpose wood they already have piled up. Motion by Mayor Emerick to approve the Misc. Park Fees. Support by Duffy. Motion passed with all in favor.
G2. *Paving RFP*
Several roads in town are in need of repair. In order to get this process started, D. Duncan is requesting the approval from council to go ahead with the request for proposals. Motion by Duffy to approve the RFP's for paving. Support by Hildebrand. Motion passed with all in favor.
G3. *Parcel Split*
The planning commission was presented with a land division request of 105 E. Jefferson Street, to be divided into 3 parcels. It was approved by the PC, and now brought to council for final approval. Motion by Mayor Emerick to approve the parcel split of 105 E. Jefferson Street into 3 parcels. Support by Duffy. Motion passed with all in favor.

***Department/Informational Reports*:**
H. Accounts Payable Report (*4/18/2023 – 5/1/2023*)
I. Revenue and Expense Report

***City Attorney Report/Comment*:**
***City Clerk Report/Comment*:**
***Finance Director Report/Comment*:**
J. *Summary of Funds*
J. Duncan was at training last week. One of the things she discovered was that the DDA could be umbrella' d under the city's insurance, so that is being researched.
***Department of Public Works Report/Comment*:**
The DPW cleaned up the walk path behind the water plant and removed two dump sites found on the river. At Riverside Park, they removed old poles in the parking area, painted and added benches to the T-ball field. Extra benches were placed at the Elementary field. Skate park ramps were repaired. With help on Earth Day, 20 bags of trash and 12 tires were collected. Once the hot patch is obtained, the potholes will start being fixed. Project picnic table is almost complete, and they are continuing to remove hazardous trees.
***Police Department Report/Comment*:**
Duffy commends the PD and the work they continue to do. Mayor Emerick relays that she is receiving messages and compliments about the PD as well. Schwab asks if the Speed indicator signs are going to be moved to a different location. Szeliga makes note of the 3rd grade class field trip and how the class felt about keeping Chief employed.

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***Downtown Development Authority Report/Comment*:**
The meeting held on April 25th with Bruce Johnston was a success. There were 6 tours set up during the 25th and 26th. MEDC and Michigan Main Street continue to work to put us on the map.
***Evart Area Fire Department*:**
City Manager Report/Comment:
The park host started May 1, Lockhart encourages everyone to stop in and introduce yourself.
Citizens' Comments:
Inquiry was made about a laundromat and the need for it in the city.

Motion by Mayor Emerick to adjourn. Support by Hildebrand. Motion passed with all in favor. The meeting was adjourned at 8:21pm.

Andrea Grupido

Andrea Grupido, City Clerk

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