

**CITY OF EVART
REGULAR COUNCIL MEETING
September 5th, 2023 @ 7:30PM
Community Room at the Depot, 200 S. Main Street**

Mayor Chris Emerick called the meeting to order at 7:30pm, then led the assembly in the Pledge of Allegiance.

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

Present (staff): City Manager Pepper Lockhart, Finance Director/Treasurer Jennie Duncan, Downtown Development Director (DDA) Todd Bruggema, Department of Public Works Director Don Duncan, City Clerk Andrea Grupido, Chief of Police John Beam

Guests: Troy and Patricia Blakeslee, Dixie Gable, Karen Higgins, William and Tami Dellar, Ken Wirth, Kelly Whitman, Eric and Shannon Schmidt, Diane Brackett, Bridget Silvernail, Roger Elkins, Chuck and Ronda Strange, Carl and Donna Robinson, Gary Hartsock, Mark Sochocki, Linda Miller, Rob and Brandy Brown, Laurie Gostlin, Janet Taylor, Travis Douglas, Matt Harrison, Bill Shively, Jodie Hardy, Dale Martin, Chad Wilson, Jesse Hyden, Kel Hyden-Shyrock, Olyvia Campbell, Alec McKay, S. Gardner

Citizens' Comments:

Roger Elkins cautions council and urges them to take the time to review the Lamar lease because from his recollection, the previous lease was rather restrictive.

Shannon Schmidt is here to bring attention to the buried contamination site on River Street. Shannon provides council with a packet of information pertaining to the 1997 contamination site. Shannon is concerned with the upcoming road project in that area that the contamination could resurface. She is asking council to prioritize the health and safety of the community by conducting thorough testing before the project begins. She asks council to add this to the agenda tonight.

Diane Brackett hopes the city takes a proactive approach and this issue is taken seriously.

Cheyenne Gardner agrees that the testing needs to be done, especially since our schools are so close to the site.

Janet Taylor supports.

Patricia Blakeslee encourages council to get the testing done so that no one else suffers.

Laurie Gostlin says this testing should not be overlooked.

Approval of Agenda:

Motion by Mayor Emerick to approve the amended agenda adding items K. *AT&T Lease* and E1. *River Street Testing*. Support by Duffy. Motion passed with all in favor.

Approval of Consent Agenda:

A. Pre-Council Minutes – August 21, 2023

B. Regular Council Minutes – August 21, 2023

C. Vendor's List \$443,826.93

Motion by Mayor Emerick to approve the consent agenda. Support by Hildebrand. Motion passed with all in favor.

Unfinished Business

D. Well 1 Pump Motor

Duncan is working with Mulkerns to compile the electric bills, cost of required testing, and chemicals needed in determining how much could be saved by shutting down the well. Mulkerns is still gathering those numbers.

E. Residential Rental Properties Inspections Program

Bruggema presents the final draft for council to approve. Motion by Mayor Emerick to approve the Residential Rental Properties Inspections Program with the amendment to section 6.119 (d.) to state that "after the initial registration, registration is only needed when new tenants move in". Support by Schwab. Roll call vote as follows: Hildebrand – nay, Szeliga – yay, Duffy – yay, Schwab – yay, Mayor Emerick – yay.

E1. River Street Testing

The River Street Project is what is called a mill and fill. There is no soil testing requirements needed for a mill and fill because the process doesn't involve going down to the soil. D. Duncan explains mill and fill in detail. Hildebrand asks if its possible to do a core test to measure depth of the asphalt. Mayor Emerick is concerned that the contamination in the soil underneath has breached the cement and gone into the asphalt, therefore, milling the asphalt could possibly expose that contamination. Duffy states that after glancing through the information given to them by Schmidt, that it seems like a reasonable request to test the area before work is scheduled to start. Schwab inquires about when the last test results were done. The last test results found were in 2018, and that showed 7 potential UST's. Szeliga suggests doing testing along River Street in several different locations before construction begins for peace of mind for our residents. Duffy reminds council that the most important role that government has is the safety and welfare of residents, and that council should exercise that role in this situation. Hildebrand inquires about the repercussions of delaying the project. D. Duncan states the project would most likely be pushed back until next year. \$219,000 of funding from the county could be lost as well. Everyone agrees that the residents' well-being is priority and that testing should take place. D. Duncan also explains that the septic service line for Smith Lumber has had issues with backing up and freezing in the winter. The belly of that line is 6-8' off River Street onto Sixth Street and needs to be replaced. That area can be tested as well given the vicinity. Motion by Hildebrand to initiate testing on River Street and Sixth Street, delaying the River Street project as far back as possible with no construction to start until council has gone over test results. Support by Schwab. Motion passed with all in favor.

New Business

F. Election Agreement

Motion by Mayor Emerick to approve the intent to enter into an agreement with the county to conduct the early voting site. Support by Szeliga. Motion passed with all in favor.

G. Lamar Billboard Lease

Hildebrand requests the city manager to approach Lamar with a 3-year lease and bring back to council.

H. Certificate of Deposits

Currently the city has CD's with four financial institutions and one money market account. There are two local financial institutions we do not hold accounts with currently and their interest rates are over 4%. The CD's that are expiring in December range from 2.89%-3.39%. Isabella Bank also offers a Municipal Savings Account with a 4.5% interest rate. J. Duncan is asking permission to open accounts at Isabella Bank and Northland Credit Union to open a CD or savings at each institution. Motion by Hildebrand to give permission to Lockhart and J. Duncan to open accounts at Isabella Bank and Northland Credit Union. Support by Schwab. Motion passed with all in favor.

I. K9 Information

The kennel in Harrison had a positive review from the Cadillac PD, who just went through the academy there. Chief Beam states that we have the vehicle and the equipment, we just need the K9. October is the next academy. The initial cost would come from the Community Resource Development funds, and Chief is hoping they can get enough donations and fundraising to help cover the continued cost. Officer Hyden would sign the Letter of Understanding for K9 officers. Motion by Duffy to reinstate the K9 program with Officer Hyden as the handler and enter into the necessary kennel agreement with an anticipated start date in October. Support by Szeliga. Motion passed with all in favor.

J. City Attorney Introduction – Discussion only

Eric Williams introduces himself to council. Williams explains that he will take direction from council at meetings if there is anything they wish for him to work on, otherwise he should get his instruction from Lockhart or the Mayor on behalf of the council. The PD is planning on meeting with Williams to establish a relationship. Council then asks Williams to review the Residential Rental Properties Inspections Program.

K. AT&T Lease

Duffy suggests that before the city enters into another agreement with AT&T, that the option money from the previous agreement is paid. Hildebrand wants to include in the agreement that the monthly rent will begin when the tower is in place or in 6 months, whichever comes first. Council asks Williams to review that agreement.

Department/Informational Reports:

J. Accounts Payable Report (8/22/2023-9/5/2023)

K. Revenue and Expense Report – (through 9/5/2023)

City Attorney Report/Comment:

City Clerk Report/Comment:

Grupido would like to thank the county clerk for being willing to do a county agreement. This is a big undertaking, and most county clerks are choosing not to extend that option.

Finance Director Report/Comment:

M. Monthly Report

J. Duncan lets council know that Baird, Cotter, and Bishop P.C., the audit company used by the city, has a new name, "UHY, LLP." The date for the next audit will be October 9th-13th. If for any reason they need to come back, those dates would be during the week of October 23rd-27th.

Department of Public Works Report/Comment:

N. Monthly Report

Gravel was added to the shoulder of 5th street. All the grates on Main Street were completed, removing all the weeds and laying new mats and rocks underneath. The crosswalks on S. Main Street and Railroad were painted. New grass was planted and the rocks were relocated in the parking area at Riverside Park. The missing light pole next to Lume was replaced with a new one. D. Duncan lets council know that the Jacobson mower is broken and will either need to be repaired or replaced at some point. Continuing bag and brush pick ups, painting of picnic tables and replacing signs and light poles. The DPW is working with the school's NJHS program in painting the fire hydrants.

Police Department Report/Comment:

O. Monthly Report

Chief Beam is looking for direction on the reserve program. Council instructs Chief to bring all the information he has gathered and put it on the agenda for an upcoming meeting.

Downtown Development Authority Report/Comment:

New wayfinding signage has been ordered. The application process to be put on the National Historic District will be a 6-9 month process and cost between \$14,000-\$45,000.

Evart Area Fire Department:**Evart Housing Commission**

Sochocki shares that the Housing Commission scored a 99 out of 100 on their HUD evaluation which puts them on the high performer list.

City Manager Report/Comment:**P. Monthly Report**

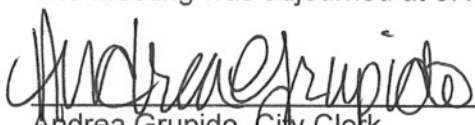
Lockhart is happy to announce that the county has signed an agreement with Middle Michigan for 3 more years. Lockhart and Bruggema took a trip to Ionia to tour the building that Bruce Johnston just finished there. It's been a busy summer and Lockhart gives kudos to the staff for all their hard work.

Citizens' Comments:

Bridget Silvernail suggests hiring a 3rd party to pull the soil samples on River Street.

Shannon Schmidt thanks council for hearing the people. Schmidt also explains the map included in her packet of information shows the people in that area would have or have had cancer. Schmidt talked with EGLE about getting a copy of the permit the city has to run off water and was told that permit doesn't exist.

Motion by Mayor Emerick to adjourn. Support by Hildebrand. Motion passed with all in favor. The meeting was adjourned at 9:12pm.



 Andrea Grupido, City Clerk