

FREMONT CITY COUNCIL
MINUTES – REGULAR MEETING
Monday, June 18, 2007 – 6:00 PM

Mayor James Rynberg called the Budget Work Session to order at 6:00 PM.

Present at Roll Call: Mayor James Rynberg and Councilmembers Jane Drake, James Breinling, Larry Breuker and Dick Conley

Staff Present: City Manager Chris Yonker and Clerk/Finance Director Todd Blake

City Manager Yonker briefly reviewed the remainder of the “City Manager’s Budget Message” with Council. Mr. Yonker proceeded to review each Fund within the proposed FY 07/08 Budget and answered questions of the Council. Following additional review and discussion, Council took a five-minute recess at 6:55 PM.

Mayor James Rynberg called the regular meeting to order at 7:00 PM. Councilmember James Breinling gave the Invocation and led the Pledge of Allegiance to the American Flag.

Public Present: Doug Harmon, Mark & Lola Ramsey, Bob Pinder and City Attorney Keith Schuiteman

Approval of Meeting Agenda

Motion by Councilmember Drake, seconded by Councilmember Breinling to approve the meeting agenda; motion approved.

Consent Action Items

Motion by Councilmember Breinling, seconded by Councilmember Conley and carried, to approve the following Consent Action Items:

- Minutes of the Regular Session held June 4, 2007
- Authorization to Execute the following Easement Agreements for placement of decorative concrete in Privately-Owned Areas along & South of the Public Alley in NE Downtown block:

<u>Property Owner</u>	<u>Property Parcel No.</u>
➤ Fremont Area Chamber of Commerce	62-13-35-485-028
➤ George Henry Gasahl and Eleanor Lancaster Gasahl (The two aforementioned agreements are both for the Chamber property)	62-13-35-485-028
➤ Leo Verkerk and Katherine Verkerk	62-13-35-485-018
➤ Gregory Richardson and Debra Lynn Richardson (The two aforementioned agreements are both for the Dutch Bakery property)	62-13-35-485-018
➤ Gregory A. Zahrt and Janiece E. Zahrt	62-13-35-485-012
➤ Nadine K. Andrews	62-13-35-485-015
➤ Mary G. Robart	62-13-35-485-025
➤ 37 E. Main, LLC	62-13-35-485-019
➤ Jennie B. Dimkoff	62-13-35-485-011

- Request for permission to conduct Annual Independence Day Fireworks Discharge over Fremont Lake, conditioned upon provision of liability insurance acceptable to the City with the City as an “additional insured party” and the proper filing of a fireworks permit and approval by Sheridan Charter Township
- Resolution R-07-19: Request for Transfer of SDD and SDM Corporate Liquor License from VSB Corp. (the Party Station) to Shop-n-Save Party, Inc. at 106 N. Westwood Avenue

Resolution R-07-15: Relative to Installing Awnings, Signage and Lighting in, on or over a State Trunkline

City Clerk Blake submitted a revised Resolution R-07-15 that attached and incorporated by reference MDOT Resolution Form 2207B- Performance & Indemnification Resolution for Governmental Bodies as originally adopted as City Resolution R-97-09.

Motion by Councilmember Drake, seconded by Councilmember Breinling to approve Resolution R-07-15 as revised by the City Clerk; motion approved.

Accounts Payable Check Register Report dated June 14, 2007 totaling \$415,060.30

Motion by Councilmember Breinling, seconded by Councilmember Breuker to approve the June 14, 2007 Accounts Payable Check Register Report totaling \$415,060.30; motion approved.

Presentation of Information & Data: New Curbside Mixed Recyclables Collection Program

Representatives of Cart-Right, LLC, the City’s new Curbside Recyclables Collection contractor, and Recycling for Newaygo County (RNC), the new processor of the City’s curbside recyclables, presented data on the operation of the new program during its first six weeks.

During that period (May 8 to June 12), Cart-Right made 4,095 curbside “stops” for an average of approximately 683 per week. The actual number of bins emptied is slightly higher than this number because of residents who have more than one bin. It is estimated that approximately 50% of residences are participating in the curbside program each week. This is a very high figure and compares to statewide averages of 20-25%.

RNC received six trailer loads from Cart-Right on each of the first two weeks of collection. Subsequent collections have generated five loads each week. Each day’s collections are running about 50-60 cubic yards of materials. Once complete truckloads of recyclable materials are ready for transport, RNC will be able to provide estimated tonnages of each recycled product and to calculate some of the environmental benefits of recycling the materials (ex: water saved, trees saved, less energy used, less CO² generated, etc.)

Council expressed satisfaction with the services provided by both local entities and appreciated the extra effort by their staff to communicate with and better educate our residents. In response to a Council question, Mr. Pinder reviewed the difficulties in finding markets for certain recyclables that are not currently a part of the curbside collection program. These include items such as colored glass, Styrofoam/polystyrene (plastic code #6), and other plastic bottles (codes #3-7). It is hoped that as markets develop for these materials, the curbside program might be able to begin accepting them. In the meantime, the RNC Processing Center on Cherry continues to accept these items at its 24-hour drop-off center.

Authorization to Retain Professional Engineering Services: Feasibility & Cost Study for Relocation of Stone Rd./State St. Stormwater Detention Basin to Accommodate Possible Relocation of Hemlock Street ROW

Council reviewed the proposal from Westshore Consulting of Muskegon to prepare a feasibility & cost study for the relocation of the Stone Rd. stormwater detention basin as noted above. The proposal is in response to the request of the design firm working w/ the developer of a large residential housing project on the property currently owned by Ben & Dave Landheer.

The cover letter identified four key issues that will need to be addressed by the study. Council consensus was to consider the rerouting of Hemlock & relocation of the stormwater pond and that such a study was necessary. However, the cost of the study should be borne by the developer requesting the relocation of the Hemlock ROW and not by the City.

Councilmember Breuker moved, seconded by Councilmember Breinling, to request staff contact Westshore Consulting and the developer of the property and inform them that such a study, while necessary, should be performed under a contract between the two entities at the developer’s cost with the City as an interested 3rd party because of the City’s ownership of the ultimate infrastructure improvements; motion carried.

Public Hearing: Proposed FY 07/08 City Operating / Capital Budget

Mayor Rynberg declared the public hearing open at 8:10 PM. No public comments were made. The hearing was left open during the Council’s continued review of the budget.

Continued Review of Proposed FY 07/08 City Operating / Capital Budget

Following further review of the Budget with the City Manager, Mayor Rynberg closed the public hearing at 9:15 PM.

Resolution R-07-16: Establishing the FY 07/08 City of Fremont Property Tax Millage Rate

Councilmember Drake moved, seconded by Councilmember Breuker to approve Resolution R-07-15. Council expressed satisfaction that the City has held the line on any millage increases since 1995 when the City levied 15 mills. That millage was actually reduced to the current 14 mills in FY 98/99 following the 1997 approval of the separate District Library millage. Motion carried.

Resolution R-07-17: Establishing the Fremont DDA 2007 Property Tax Millage Rate

Councilmember Drake moved, supported by Councilmember Breinling, to approve Resolution R-07-17 establishing the DDA 2007 millage at 0.15 mills. Under State Statute, the DDA can levy up to 2 mills: one for operations & maintenance and one for qualifying capital projects. The DDA will also need to adopt a similar Resolution at its June meeting, as well as its FY 07/08 Budget. State Statute requires that the Council adopt the DDA Millage Resolution and DDA Operating Budget before the DDA Board may adopt them.

Mayor Rynberg discussed with Council the concerns expressed by the DDA Chair about the DDA millage and the need for further input from the DDA Board. Motion carried.

Adoption of the FY 07/08 City of Fremont Operating / Capital Budget

On a motion by Councilmember Breuker, and a second by Councilmember Drake, the FY 07/08 was unanimously adopted by the Council as amended earlier by the City Clerk to increase the projected expenses for computer system upgrades in the General Fund from \$20,000 to \$30,000.

Resolution R-07-18: Establishing the City of Fremont FY 07/08 Fee Schedule

Councilmember Breinling moved, seconded by Councilmember Drake to approve Resolution R-07-18 establishing the FY 07/08 Fee Schedule for the City of Fremont as amended below; motion carried.

Branstrom Lodge Rental: eliminated the “non-resident” fee and set a uniform fee for all users of \$45.00 with a \$50 refundable key & damage deposit.

Fremont Market Place Pavilion Rental: eliminated the “non-resident” fee and set a uniform fee for all users of \$30 with a \$50 refundable key & damage deposit.

Veterans Memorial Park Bandshell Rental: eliminated the “non-resident” fee and set a uniform fee for all users of \$30 with a \$50 refundable key & damage deposit.

Sewer Permit Connection / Inspection Fee: to remain unchanged until after further review

Watermain Tap Fee: to remain unchanged until after further review

Year-end Amendments to the FY 06/07 City Operating / Capital Budget

Councilmember Drake moved, seconded by Councilmember Breinling and carried to approve the year-end amendments to the FY 06/07 City Budget as recommended by the City Clerk/Finance Director in his June 18, 2007 Council Memorandum and as detailed below:

	<u>DEBITS</u>	<u>CREDITS</u>
1. GENERAL FUND		
There was a sprinkler system failure causing internal building damage, from which there was insurance coverage.		
101-265.000-930.000	Building Repairs	\$ 7,455
101-000.000-691.000	Reimbursement-Insurance	\$ 7,455
The new police in-car camera software license and computer technical support to make it operational were approved but not budgeted for.		
101-301.000-801.000	Professional Services	7,000
101-000.000-000.000	Use of un-appropriated funds	7,000
The Police, Fire and DPW Dept salaries were higher than expected for the fiscal year		
101-301.000-702.000	Salaries	10,000
101-336.000-702.000	Salaries	10,000
101-895.000-702.000	Salaries	5,000
101-000.000-000.000	Use of un-appropriated funds	25,000
The Fire Dept. Campaigns donations to send burn victims to summer camp and sells Fire Calendars		
101-336.000-740.000	Supplies- Calendars	2,700
101-336.000-955.000	Misc.- burn camp	3,600
101-000.000-675.005	Contributions to Fire Dept	6,300
Electricity and Natural gas prices have risen more than anticipated		
101-441.000-920.000	Utilities	15,000
101-000.000-000.000	Use of un-appropriated funds	15,000
Purchase of 500 Recycling bins was approved, but the Budget wasn't amended		
101-528.000-740.000	Supplies	3,530
101-000.000-000.000	Use of un-appropriated funds	3,530
Spring wind storms required additional curbside brush chipping		
101-529.000-702.000	Salaries	1,500
101-529.000-940.000	Equipment Rental	2,000
101-000.000-000.000	Use of un-appropriated funds	3,500
Retirement cost % was higher than anticipated		
101-850.000-718.000	Retirement Costs	15,000
101-000.000-000.000	Use of un-appropriated funds	15,000

Tax Tribunal Refunds were lower than expected			
101-000.000-000.000	Un-appropriated funds	40,000	
101-899.000-964.000	Use of un-appropriated funds		40,000
Adjust Transfers Out to appropriate Funds			
101-966.000-999.490	Trans Out- Capital Project Fd	70,000	
101-966.000-999.248	Trans Out- DDA Fd		70,000

2. MAJOR & LOCAL STREETS FUNDS

Some street projects were not bid out, but have been incorporated into the next budget

202-000.000-699.028	Fund Balance	24,500	
202-966.000-999.490	Transfers Out – Capital Project Fd		24,500
203-000.000-699.028	Fund Balance	97,500	
203-966.000-999.490	Transfers Out – Capital Project Fd		97,500
490-000.000-699.202	Transfers from Major Street Fd	24,500	
490-000.000-699.203	Transfers from Local Street Fd	97,500	
490-451.001-801.014	Street Milling		24,500
490-451.001-801.016	Division Ave		55,000
490-451.001-801.017	Weaver Ave		24,500
490-451.000-801.000	Professional Services		18,000

3. CAPITAL PROJECTS BOND SALE-DT ENHANCEMENTS

The City originally budgeted for the bond sale to be handled by the DDA and LDFA, but from further review it was more feasible for the City to handle the sale as capital improvements through the Capital Projects Fund. The following amendments are needed to reflect the actual process:

248-000.000-697.000	Proceeds from Bond Sale	1,406,125	
248-966.000-999.490	Transfer Out- Capital Project Fd		1,406,125
298-000.000-697.000	Proceeds from Bond Sale	200,000	
298-966.000-999.490	Transfer Out- Capital Project Fd		200,000
490-000.000-699.248	Transfer from DDA	1,406,125	
490-000.000-699.298	Transfer From LDFA	200,000	
490-000.000-697.000	Proceeds from Cap Impr Bonds		1,606,125

4. DDA FUND

Parking System Maintenance costs were higher than anticipated

490-546.000-702.000	Salaries	3,000	
490-546.000-940.000	Equipment Rental	5,500	
490-000.000-699.028	Transfer from Fund Balance		8,500

5. CAPITAL PROJECTS FUND

The Yahaba Sculpture Project was approved as the project progressed, but budget amendment was delayed until grant funding amounts were known.

490-546.000-970.123	Artwork/Sculptures	80,600	
490-000.000-699.000	Transfer from General Fund		20,000
490-000.000-675.000	Contributions from Private Source		60,600

6. SEWER & WATER FUNDS

Equipment use for maintenance of sewage treatment area was higher than anticipated

590-562.000-940.000	Equipment Rental	12,000	
590-000.000-699.036	Transfer from Retained Earnings		12,000

Insurance cost allocation per wage distribution in the Water & Sewer Funds was higher than anticipated

590-850.000-716.000	Health & Accident Insurance	5,000	
590-000.000-699.036	Transfer from Retained Earnings		5,000
591-574.000-716.000	Health & Accident Insurance	5,000	
591-000.000-699.028	Transfer from Retained Earnings		5,000

7. EQUIPMENT FUND

Depreciation will be higher for the next 5 years, due to recent purchases of large DPW and Fire Dept equipment

661-000.000-968.000	Depreciation	42,000	
661-000.000-000.000	Record as assets		42,000

Initial Draft Report to City Council: Deer Management Task Force

Councilmember Breinling reported that the Deer Management Task Force was presenting the initial draft of its report to the Council. Much more work needs to be done to flesh out the many aspects of the group's recommendations for helping to manage the white-tailed deer population in & around the Fremont area. However, the Task Force desired some initial reaction, along w/ comments & feedback on its initial recommendations. Council was generally pleased with the initial efforts and looked forward to the Task Force's final report.

Councilmember Comments

Councilmember Drake requested that the necessary information on the process & petition forms for filing for elected public office be made available on the City's website.

A request was also made to inspect the amount of suspected poison ivy vines along the banks of Darling Creek near the Skateboard/Bike Park and attempt to remove or spray the vines.

The Following Communications were transmitted for Council Information:

- NCCS Center for Nonprofit Housing (CNH) '06 Annual Report
- Comcast 5/31/07 Ltr.: Price Changes to be Effective 8/1/07
- On Common Ground Summer '07 Article; "Making Smart Growth Possible w/ Form-Based Codes"
- MI Dept. of Treasury 6/6/07 Ltr.: Final Audit Summary for DDA TIF Capture of Property Taxes
- Chamber & Member Calendars of 6/5 & 6/12/07
- DDA Ad Hoc Comm. Minutes of the 6/6/07 Progress Mtg. #11
- Agenda for the 6/19/07 DDA Board Mtg.
- DDA Public Art Subcommittee Materials:
 - Agenda for the 6/8/07 Mtg.
 - Minutes of the 6/8/07 Mtg.
 - Cover Ltr. & Call for Artists' Proposals (Market Place Pavilion Restroom Building Artwork)
- NCCA ArtsPlace Info. Survey of Business, Industry & Community Leaders
- DDA Façade/Historic Preservation Subcommittee Materials:
 - Agenda for the 6/18/07 Mtg.
 - Minutes of the /21/07 Mtg.
 - Updated Façade Program Guidelines
- DDA Streetscape / Signage Subcommittee Materials:
 - Agenda for the 6/20/07 Mtg.
 - Minutes of the 6/6/07 Mtg.
- Fremont Area District Library Board Materials:
 - Agenda for 6/19/07 Mtg.
 - Minutes of the 5/15/07 Mtg.
 - Library Director's June '07 Report
 - Invite to 6/19/07 Reception for Out-going FADL Board Members (3)
- MIRS News Service 6/13/07 Article: "New Business Tax Deal Reached"
- MML Legislative Link of 6/11/07
- 6/1/07 "Ned's Notes" from GMHS
- Recycling for Newaygo County Materials:
 - Minutes of the 5/3/07 Board Mtg.
 - May '07 Director's Report

Closed Session

Motion by Councilmember Drake, seconded by Councilmember Breinling to close the Regular Session at 9:52 PM and enter into a Closed Session to discuss pending litigation and possible land acquisitions; motion approved by a unanimous roll call vote.

The Closed Session ended at 10:51 PM and the Regular Session reconvened.

Adjournment

Motion by Councilmember Drake, seconded by Councilmember Conley to adjourn the meeting at 10:52 PM; motion approved.

James M. Rynberg, Mayor

Chris A. Yonker, Acting City Clerk