

**VILLAGE OF KENT CITY
REGULAR COUNCIL MEETING
November 12, 2009
83 Spring Street, Kent City MI**

2009-120 CALLED TO ORDER AND ROLL CALL

The meeting was called to order at 7:05 p.m. by President Petruska.

Council present: Merry Barron, Steve Bucker, Jill Krikke, John Petruska, Tom Pieper, and Sandy Wylie.

Council absent: Bert Rose.

Officers present: Mary Portell, Clerk and Darrell Rotier, Treasurer.

Others present: Dave Lutz (Red Rock Grille), Andrew Bostwick (DDA) and Dave Thomas (K.C. Lounge).

2009-121 APPROVAL OF MINUTES

Motion by Buckner, 2nd by Wylie to approve the October 8, 2009 minutes as presented.
Vote: 6 Ayes; 0 Nays. Motion CARRIED

2009-122 CORRESPONDENCE - State Telecommunications Division regarding Public Act 480 of 2006 "Uniform Video Services Local Franchise Act" survey.

2009-123 APPROVAL OF AGENDA

Motion by Buckner, 2nd by Pieper to approve the agenda with 5 additions: under Reports (1) Kent County Sheriff's Dept Quarterly report (2) October Fire Department report (3) Retract furnace motion; and under New Business (4) Kent City Lounge Entertainment License and (5) Resolution No. 2009-23.
Vote: 6 Ayes; 0 Nays. Motion CARRIED

2009-124 PUBLIC COMMENT ON AGENDA ITEMS – None.

2009-125 REPORTS

Equipment Committee – Jill Krikke

Fire Pro's - no bid has been submitted.

Carbon Monoxide detector put one in the sewer building and one in the shop.

DOT Certification has been done on Truck #717 – Need to DOT Truck #719 after repairs are done.

The underbody scrapper on Truck #717 will be replaced this fall with a newer used scrapper that was purchase last year. Getting estimates to mount.

Investigating recapping the 1Ton truck rear tires.

Motion by Buckner, 2nd Pieper by to rescind the motion under Equipment Report that awarded the furnace contract to Gates Plumbing and Heating.
Vote: 6 Ayes; 0 Nays. Motion CARRIED

Motion Buckner, 2nd by Pieper to award the contract to install 3 Reznor furnaces to NWK Mechanical for the amount of Three thousand forty and 00/100 (\$3,040.00) dollars.

Roll call Vote:

Ayes: Barron, Buckner, Krikke, Pieper, Wylie and Petruska.

Nays: None. Motion CARRIED

Health & Safety Committee – *Merry Barron*

The council approved using “green” cleaning and disinfectant products.

Sewer Administrator & Storm – *Mary Portell*

- 85 N. Main Street. A letter was sent to the property owners with the results of the televising information and they are investigating their drainage system.

- Sewer Maintenance Program. The cleaning/televising was done last month. Nothing major was detected by the video tape.

- 124 Wyndsong Ct. The sump pump has been disconnected from the sewer. The village is obtaining information to place a 4” line in the r-o-w to the manhole. This will involve a saw cut / or bore under the cement driveway at 118 Wyndsong Ct.

President’s Report – *John Petruska*

- Sidewalk on N. Kent Street

Trip hazard - there are erosion issues again under the sidewalk where the storm drain is connected for the elementary school. Documents report that the school fixed it July, 2005. The school has been contacted and investigating.

- Streetscape Project Funding

We have a conditional commitment letter for funding \$315,000. Shortfall is \$100,000 to \$120,000. Financing: 3-year term loan or USDA funds.

We were informed today that the plan letting of the ARRA street resurfacing project is scheduled for December, 2009 which will precede the streetscape project. A resolution is due by December 13th. We were planning to coincide the two projects and contacts are being made.

Update at the December meeting. The engineering is not the same for the ARRA project / Streetscape Project.

- Community Development Unprogrammed Funds

\$16,849.97 available funds -

Funding requests from Kent City Fire Dept. - Alpha House - Senior Neighbors – Streetscape Project – Park Slide .

Other Reports:

The following written reports were included in the agenda packets.

- Clerk's 11/5/09 report. The post office has changed back to winter hours.
- Treasurer's 11/12/09 report. Revenue sharing cut 11.1 – percent starting now. Projected 19-percent decrease for 2009-10. There was discussion about \$78.00 for uncollected property maintenance. The Treasurer, Zoning Administrator and Clerk will make a recommendation about filing liens for fees assessed under the property maintenance ordinance.
- Zoning Administrator's 11/5/09 report.
- Quarterly report from Kent County Sheriff Dept.
- Kent City Fire Dept. October report.

2009-126

APPOINTMENTS / RESIGNATION

Motion by Pieper, 2nd by Buckner to appoint Mr. Dave Lutz (Red Rock Grille) as a member of the DDA, term expiring 2/2013.

Vote: 6 Ayes; 0 Nays.

Motion CARRIED

Motion by Buckner, 2nd by Pieper to accept the letter of resignation from DDA Member Jennifer Carlson. Ms. Carlson has since 2/8/2007.

Vote: 6 Ayes; 0 Nays.

Motion CARRIED

2009-127

FINANCE

Motion by Buckner, 2nd by Krikke to approve payment of the bills in the amount of Forty-seven, Nine hundred thirty-four and 43/100 (\$47,934.43) dollars.

Roll call Vote:

Ayes: Barron, Buckner, Krikke, Pieper, Wylie, and Petruska.

Nays: None.

Motion CARRIED

Clarification on C T Fabrication invoice – fixed the hole in the boat, and final payment to Anderson Tree Service.

Motion by Wylie, 2nd by Pieper to approve payment of the MML Membership Renewal Invoice for the amount of Eight hundred, Twenty-two and 00/100 (\$822.00) dollars.

Roll call Vote:

Ayes: Krikke, Pieper, Wylie, Barron, Buckner and Petruska.

Nays: None.

Motion CARRIED

There was discussion about the Legal Defense Fund assessment.

Motion by Pieper, 2nd by Buckner to adopt Resolution No. 2009-22 to Authorize Approval of Legal Advertising Proposal with Advance Newspaper.

Vote: 6 Ayes; 0 Nays.

Motion CARRIED

2009-128

OLD BUSINESS

A. CDBG Funds

Motion by Buckner, 2nd by Pieper to table the allocation of CDBG funds for fire department turn-out gear until additional cost information is received.

Vote: 6 Ayes; 0 Nays.

Motion CARRIED

2009-129

NEW BUSINESS

A. **Motion** by Pieper, 2nd by Buckner to approve the 2010 Council Meeting Schedule as presented.

Vote: 6 Ayes; 0 Nays.

Motion CARRIED

B. Enforcement of Property Maintenance Ordinance

The Property Maintenance Ordinance was adopted in 2006. The consensus of the council is that the Zoning Administrator shall continue to enforce maintenance issues if it is detrimental to neighboring property values and if there are safety issues.

C. Ball Creek Park Plan

The October 22nd minutes from the Memorial Committee meeting were reviewed concerning changes to the site plan of Ball Creek Park. The site plan will be presented to the council for consideration after the changes are made. The council will consider a resolution at the December meeting to change the name to “Ball Creek Memorial Park”.

D. K. C. Lounge Entertainment Request

Mr. Thomas informed the village of a possible booking date with Gold Productions – all male Las Vegas type entertainment. There was discussion at the Planning Commission meeting, and determination made that the approval of these types of activities which are under the MLC permit, is a council issue because they are the governing body that approves any MLC permit. The council reviewed documents that included (1) Resolution 2007-07 approving Class C Licensed Business with Dance-Entertainment Permit, (2) Permit Type and Description of permits from MLC (3) Letter to Mr. and Mrs. Thomas dated January 22, 2008 from the village stating changes in the MLC permit, and that the 1995 Agreement with Kent City Lounge regarding karaoke is null and void (4) December 12, 1995 Agreement, (5) December 11, 1995 council meeting minutes and (6) August 9, 1999 council meeting minutes. The council determined that the 1995 Agreement is null and

void due to the changes in the MLC permit, and that Gold Productions meets the description/activity under the Entertainment MLC permit. Further, it is intended that the Kent City Lounge may have any other entertainment as determined by its' MLC permit.

The council thanked Mr. Thomas for contacting the village.

E. **Motion** by Buckner, 2nd by Pieper to adopt Resolution No. 2009-23 To Approve Contract Regarding ARRA Project and Designate Signatory Authority.

Vote: 6 Ayes; 0 Nays.

Motion CARRIED

2009-130

ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Mary Portell, Village Clerk