



CITY OF IONIA
CITY COUNCIL
REGULAR MEETING MINUTES
7:00 PM, TUESDAY – April 14, 2020
ELECTRONIC MEETING VIA ZOOM

CALL TO ORDER

Mayor Daniel Balice called the regular meeting of City Council to order at 7 PM and led with the Pledge of Allegiance.

ROLL CALL

Roll call revealed Councilmembers John Milewski, Jeff Winters, Gordon Kelley, Tim Lee, Richard Starr, Tom Millard, Janice Gustafson and Mayor Balice present. Councilmember Troy Waterman joined the meeting during the Councilmember comment portion of the meeting.

APPROVAL OF MINUTES

It was moved by Councilmember Winters, seconded by Councilmember Millard to approve the March 3, 2020 regular meeting minutes.

Roll Call Vote Ayes: Milewski, Winters, Kelley, Lee, Starr, Millard, Gustafson and Mayor Balice
 Nays: None
 MOTION CARRIED

OLD BUSINESS

Approve – Future Use of Ionia Community Library Building (MOU)

The City Manager reported that, at the February meeting, Kathleen Cook, on behalf of the Ionia County Historical Society, outlined their request for Council to approve a Memorandum of Understanding (MOU) between the City, Ionia Community Library and the Society for the future use of the Hall-Fowler building as a museum should a millage request to construct a new library be approved. Since that time, representatives of the City, Library and Historical Society have met and drafted both the attached MOU and associated business plan for Council's consideration.

Originally, the Library planned to request voter approval of the millage for a new library at the August 2020 election. Although this may still occur (the Library board will be discussing the pros and cons of requesting approval this year versus the 2022 election cycle), the MOU is proposed to cover a term expiring December 31, 2022.

It was approved by Councilmember Kelley, seconded by Councilmember Winters to approve the Memorandum of Understanding (MOU) between the City, Ionia Community Library and the Ionia

County Historical Society regarding the future use of the Hall-Fowler Home and authorize the City Manager to sign the MOU on behalf of the City.

Roll Call Vote Ayes: Winters, Kelley, Lee, Starr, Millard, Gustafson, Milewski and Mayor Balice
Nays: None
MOTION CARRIED

NEW BUSINESS

Approve – 2020 Independence Holiday Fireworks Permit

The City Manager reported that the DDA will be sponsoring the annual Independence Holiday fireworks display on Thursday, July 2, 2020. The DDA has again retained the services of Melrose Pyrotechnics, Kingsbury, Indiana, to provide and launch the display. As in the past the fireworks will be launched from the in-field area at the fairgrounds. This firm has handled the annual display for many years and the City has not had any problems with the practices utilized by the firm in launching the fireworks or the quality of the display. Melrose has provided us with the necessary insurance endorsements with the City, DDA and Free Fair Association all named as additional insured.

Public Act 358 of 1968, as amended, requires a local governmental unit to grant a permit so that the fireworks may be launched.

It was moved by Councilmember Milewski, seconded by Councilmember Winter to approve the Permit for Fireworks Display to Melrose Pyrotechnics, Kingsbury, Indiana for the launching of fireworks on Wednesday, July 2, 2020 in the in-field of the Ionia Free Fair Grounds.

Roll Call Vote Ayes: Kelley, Lee, Starr, Millard, Gustafson, Milewski, Winters and Mayor Balice
Nays: None
MOTION CARRIED

Accept – Bid for 2020 Local Street Paving Project

The City Manager reported that the City's FY19-20 Local Street Fund budget includes funds to mill and resurface the following streets:

- Forrest Street – Cyrus Street to State Street
- Gregmark Lane
- Lawton Street
- Louisa Street
- North Dexter Street – Forest Street to End

Plans for this year's project were recently finalized and made available to interested bidders. Bids were opened on March 4, 2020 with the following bids received:

Youngstrom Contracting, Inc., Ionia	\$428,220.00
CL Trucking & Excavating, LLC, Ionia	\$489,071.00
C&D Hughes, Inc., Charlotte	\$559,746.00
<i>Engineer's Estimate</i>	<i>\$597,870.00</i>

Youngstrom has completed other similar projects for the City in the past with satisfactory results. Work may begin any time after May 1st and must be completed by July 1st. However, once work begins, it must be completed within 30 calendar days. Once the contract documents are signed a pre-construction meeting will be held and the contractor will prepare to begin the project. An informational letter will be sent to affected residents prior to the start of the project.

It was moved by Councilmember Winters, seconded by Councilmember Lee to accept the bid submitted by Youngstrom Contracting, Inc., Ionia, for \$428,220.00 for completing the City's 2020 Local Street Paving Project and authorize the City Manager to sign the necessary contract documents.

Roll Call Vote: Ayes: Lee, Starr, Millard, Gustafson, Milewski, Winters, Kelley and Mayor Balice
Nays: None
MOTION CARRIED

Approve – Scheduling a Special Meeting to Review Proposed Budget

The City Manager stated that he would like Council to schedule a special meeting for the purpose of reviewing the proposed FY20-21 City budget. For the past several years Council has met for this purpose prior to the regular May meeting. The City Manager proposed that Council again take this approach and meet at 6:00 PM, Tuesday, May 5, 2020 with the regular meeting to follow at 7:00 PM.

It was moved by Councilmember Lee, seconded by Councilmember Winters to schedule a Special City Council Meeting for 6:00 PM, Tuesday, May 5, 2020 for the purpose of reviewing the proposed FY20-21 budget.

Roll Call Vote: Ayes: Starr, Millard, Gustafson, Milewski, Winters, Kelley, Lee and Mayor Balice
Nays: None
MOTION CARRIED

Approve – Amended Medical Marijuana Provisioning Center Buffering Resolution

The City Manager reported that at both their February and March meetings the Planning Commission discussed requesting that the City Council amend its current resolution listing the parks

that are considered in the buffering requirements (500') of Ordinance No. 539 (medical marihuana provisioning centers) to include the City's future Steele Park and Wetland Park, considering the significant work that has been completed in moving both parks to fruition.

It was moved by Councilmember Winters, seconded by Councilmember Kelley to accept the recommendation of the Planning Commission and approve the following prepared Resolution: **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF IONIA ESTABLISHING A CITY COUNCIL APPROVED LISTING OF CITY PARKS AS REFERENCED IN SECTION 1289.03 - DEFINITIONS - OF CITY OF IONIA ORDINANCE NO. 539**

WHEREAS, the City Council enacted Ordinance No. 539 at its March 5, 2019 regular meeting with said Ordinance effective ten days after publication in the March 9, 2019 edition of the *Sentinel-Standard Weekender*; and,

WHEREAS, Ordinance No. 539 is the City's "opt in" Ordinance pursuant to the provisions of the Michigan Marihuana Facilities Licensing Act, being Public Act 281 of 2016; and,

WHEREAS, with the enactment of Ordinance No. 539, the City, subject to zoning, land use and licensing standards contained in the Ordinance, permits Provisioning Centers, as defined in the Act, subject to location and buffering requirements; and,

WHEREAS, location and buffering requirements contained in Section 1289.05 (c)(1)(B) state that a Provisioning Center cannot be closer than five hundred feet to a park as defined in Section 1289.03 of the Ordinance; and,

WHEREAS, a "Park" is defined by the Ordinance as an area of land designated by the City as a park on its Master Land Use Plan, Five-Year Community Parks and Recreation Plan, or on a City Council approved list of City Parks; and,

WHEREAS, the City Council desires to exercise its authority pursuant to Section 1289.03 and prepare and approve the list of parks to be "buffered" when siting a Provisioning Center in the City.

NOW, THEREFORE, BE IT RESOLVED the following list shall be the City Council approved list of parks to be buffered when siting a Provisioning Center in the City of Ionia:

Balice Park

(Adams Street)

Gateway Park

(located corner of Dexter and Main Streets)

Governor Green Park

(located in Ionia Township on East Main Street and includes the developed portion of the park property (north of East Main Street) and the undeveloped portion of the park located south of East Main Street, fronting on Prairie Creek)

Hale Park

(corner of Lincoln Avenue & Division Street)

Harper Park

(Bayard Street)

Ionia Free Fairgrounds

(City & Association owned properties including the Boat Launch, Skate Park, Riverside Park – all being located north of the Grand River)

Perry Park

(corner of Lincoln Avenue & Jackson Street)

McCann Park

(corner of Rice Street and Hackett Street)

McConnell Park

(fronts on East Washington Street and East Main Street)

Robinson Park

(fronts on Chapman, Forest and State Streets)

Steele Park

(fronts on Steele Street, north and south of the Fred Meijer Grand River Valley Rail Trail)

Parcel Number – 34-201-040-000-076-00

Parcel Number – 34-201-110-000-005-01

Parcel Number – 34-201-110-000-010-00

Trailhead Park

(corner of Dexter and Steele Streets)

Veterans Park

(located west of the Armory Community Center)

Wetland Park

(located between Dexter Street and Steele Street, north of Brown Boulevard)

Parcel Number – 34-201-040-000-640-00

Roll Call Vote: Ayes: Millard, Gustafson, Milewski, Winters, Kelley, Lee, Starr and Mayor Balice
Nays: None
MOTION CARRIED

Approve – Introduction and First Reading – Ordinance No.547 - Codification

The City Manager reported that, annually, staff has the City’s codifier codify the ordinances enacted by Council covering approximately the previous year’s period. Ordinances enacted by Council since March 5, 2019 need to be codified.

It was moved by Councilmember Starr, seconded by Councilmember Winters to permit the record of the April 14, 2020 meeting to reflect the introduction and first reading of Ordinance No. 547, an ordinance to codify the ordinances adopted by the City Council since March 5, 2019, and to schedule a Public Hearing regarding the proposed ordinance for 7:00 PM, Tuesday, May 5, 2020 at City Hall.

Roll Call Vote: Ayes: Gustafson, Milewski, Winters, Kelley, Lee, Starr, Millard and Mayor Balice
Nays: None
MOTION CARRIED

Approve – Emergency Ordinance No. 2020-1 – Temporary Change in Utility Billing Cycle

The City Manager stated that considering the need for residents and businesses to continue to be served by municipal water and sanitary sewer services for hygiene purposes and considering the negative economic impact that the COVID-19 has had on area residents and businesses, it has been suggested that the current quarterly utility billing cycle be changed as follows:

	<u>Current</u>	<u>Proposed</u>
Bill date	April 1, 2020	No Change
Bill due date	April 20, 2020	May 20, 2020
Apply 10% late fee	April 22, 2020	May 22, 2020
Turn-off/turn-on fee applied	May 8, 2020	June 12, 2020
Shut-offs (discontinue service)	May 11, 2020	June 15, 2020

The proposed schedule will provide customers an additional month to pay their bill without penalty or concern over turn-off.

It was moved by Councilmember Millard, seconded by Councilmember Winters to approve Emergency Ordinance No. 2020-1:

AN EMERGENCY ORDINANCE TO AMEND CHAPTERS 1040 ENTITLED WATER GENERALLY AND 1042 ENTITLED SEWER USE AND INDUSTRIAL PRETREATMENT OF TITLE FOUR – UTILITIES OF PART TEN – STREETS, UTILITIES AND PUBLIC SERVICE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA

THE CITY OF IONIA ORDAINS:

SECTION 1 – Declaration of Emergency:

DECLARATION OF EMERGENCY

The City Council finds that due to the COVID-19 virus, a health emergency exists in the City of Ionia and it is in the public's interest for the City Council to make certain temporary changes in the water and sanitary sewer utility billing collection cycle in order to provide utility customers an extended period of time to pay their utility bill, without penalty, so that utility services can remain active to their residence or business.

SECTION 2- Water Services:

PART TEN – STREETS, UTILITIES AND PUBLIC SERVICE CODE

Title Four – Utilities

Chapter 1040 Water Generally

1040.10 RATES AND CHARGES.

Subsection (j) – Billing Cycle; Penalty; Collection shall be revised to read as follows:

(j) Billing Cycle; Penalty; Collection. The City Manager shall have charge of the reading of all meters and shall have all meters read at least quarterly. Bills for service shall be due and payable when rendered. There shall be added to all bills not paid on or before the twentieth day of the ~~first~~ second month following the end of each quarter a penalty of ten percent of the amount of the bill. The Treasurer shall be responsible for collecting all charges and crediting the proper account.

SECTION 3 – Sanitary Sewer Services:

PART TEN – STREETS, UTILITIES AND PUBLIC SERVICE CODE

Title Four – Utilities

Chapter 1042 Sewer Use and Industrial Pretreatment

1042.46 BILLING CYCLE; PENALTY; COLLECTION.

Section 1042.46 – Billing Cycle; Penalty; Collection shall be revised to read as follows:

Bills for sewage collection and disposal system service shall be due and payable when rendered. There shall be added to all bills not paid on or before the twentieth day of the ~~first~~ second month

following the end of each quarter a penalty of 10% of the amount of the bill. The Treasurer shall be responsible for the proper account.

SECTION 4 - Repealer:

REPEALED

Consistent with Section 2.14 of the City Charter entitled Emergency Ordinances, this Emergency Ordinance shall stand repealed on the sixty-first day following the date of adoption.

SECTION 4 – Date of Adoption:

DATE OF ADOPTION

The date of adoption of Emergency Ordinance No. 2020-1 shall be April 14, 2020.

And, to approve changes to the quarterly utility billing cycle covering the first calendar quarter of 2020 as follows:

- Application of 10% late fee from April 22, 2020 to May 22, 2020;
- Application of turn-off/turn-on fee from May 8, 2020 to June 12, 2020;
- Shut-offs (discontinue service) from May 11, 2020 to June 15, 2020.

Roll Call Vote Ayes: Milewski, Winters, Kelley, Lee, Starr, Millard, Gustafson and Mayor Balice
 Nays: None
 MOTION CARRIED

MAYOR AND COUNCILMEMBER COMMENT

Balice: Commented that the electronic meeting via Zoom was a first for everyone and although it was effective he’s hopeful that it’ll also be the last.

Starr: Encouraged those who may have trouble paying a bill to communicate the issue rather than let it build into a bigger problem. Mentioned that he’s lived many places but is an especially proud citizen of the City because of the acts of generosity and kindness that have been demonstrated during the coronavirus pandemic.

Lee: Thanked John Milewski for setting up the meeting electronically via Zoom.

Kelley: Commented that he’s pleased to have so many local companies bidding and receiving jobs for the City. Also commented that it’s heartbreaking to drive downtown in the midst of COVID-19 and seeing the stores and streets empty. He encouraged everyone to run back to the businesses and support them when they reopen.

Milewski: Thanked Council for being available to test connectivity and Zoom prior to the Council meeting.

ADJOURNMENT

It was moved by Councilmember Gustafson, seconded by Councilmember Kelley to adjourn the regular meeting at 7:39 PM.

By Voice Vote: MOTION CARRIED

Respectfully Submitted:

Ally H. Cook, Clerk