

REGULAR MINUTES  
PERE MARQUETTE DEPOT  
Tuesday, February 2, 2010

A meeting of the City Council of the City of Belding, Michigan was convened in open and public session at 7:00 p.m. on Tuesday, February 2, 2010.

The City Clerk took the roll call:

Members Present: Council Members Bunce, Scheid, Thompson and Belding.

Members Absent: Council Member Wills.

Council Member Bunce made a motion to excuse Council Member Wills from the meeting, per Section 4.5(f) of the City Charter, supported by Council Member Scheid.

Ayes: Council Members Bunce, Scheid, Thompson and Belding.

Nays: None

Council Member Bunce delivered the invocation.

The Mayor ProTem led the audience in the Pledge of Allegiance.

The Mayor ProTem called for the City Manager's Report – noted and filed.

The Mayor ProTem called for the Consent Agenda.

- A. Approval of Minutes 1-19-10
- B. Museum Board Appointment – Jenkins
- C. Library Trustee Appointment – Huffman

Council Member Bunce made a motion to approve the consent agenda, supported by Council Member Thompson.

The question on the motion was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Scheid, Belding, Thompson and Wills.

Nays: None.

Following are the resolutions contained in the Consent Agenda.

**B – MUSEUM BOARD APPOINTMENT – JENKINS**

CITY OF BELDING  
RESOLUTION NO. 2010-02-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN

**APPOINTING PHYLLIS JENKINS TO THE MUSEUM ADVISORY BOARD.**

WHEREAS, a vacancy exists on the Museum Advisory Board; and

WHEREAS, Phyllis Jenkins has indicated that she is interested in serving a term on the board; and

WHEREAS, the Museum Advisory Board members have recommended the appointment of Phyllis Jenkins to the board.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that Phyllis Jenkins be appointed to the Museum Advisory Board with a term to expire on February 2, 2013.

**C - LIBRARY TRUSTEE APPOINTMENT – HUFFMAN**

RESOLUTION NO. 2010-02-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN APPOINTING RITA M. HUFFMAN TO THE BELDING LIBRARY BOARD.**

WHEREAS, the City Council of the City of Belding, Michigan, desires to fill the unexpired term of Jeffery Wittung; and,

WHEREAS, the City Council desires to appoint Rita M. Huffman as a member of the Library Board; and,

WHEREAS, the Alvah N. Belding Library Board members have recommended the appointment of Rita M. Huffman to this board; and,

WHEREAS, City Council has determined that Rita M. Huffman meets the eligibility requirements for appointment to the Library Board as set forth in the City Charter, Section 4.4(f).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that Rita M. Huffman be, and the same hereby is, appointed as member of the Library Board with a term commencing immediately and to expire on December 31, 2013.

**The Mayor ProTem called for Business Agenda Item A – PLANNING COMMISSION ORDINANCE AMENDMENT – FIRST READING**

The City Clerk read the preamble to the ordinance.

**ORDINANCE NO. 510**

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF BELDING, BY AMENDING SECTION 2-193 – CHAIRPERSON; MEETINGS; RULES, RECORDS; DUTIES.**

**THE CITY OF BELDING ORDAINS:**

**Section 1. Amendment of Section 2-193.**

Section 2-193 of the Code of Ordinances is amended to read in its entirety as follows:

**Sec. 2-193. Chairperson; meetings; rules; records; duties.**

At the first meeting of each year the commission shall elect its chairperson, vice-chairperson and secretary and create and fill such other of its offices as it may determine to be necessary. The term of the chairperson shall be for one year with eligibility for reelection. The planning commission shall hold one meeting each month; provided, however, that if there is no business to be brought before the planning commission, the chairperson may cancel such scheduled meeting. The planning commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. This record shall be a public record. A copy of the rules adopted by the planning commission, as well as a copy of all resolutions, transactions, findings, determinations and other official actions shall be furnished to the city clerk within five days after such action.

**Section 2. Severability.**

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**Section 3. Repeal.**

All ordinances and resolutions and parts thereof, insofar as the same conflict with the provisions of this Ordinance, are hereby repealed.

**Section 4. Effective Date and Publication.**

This Ordinance shall become effective \_\_\_\_\_, 2010, which will be not less than ten (10) days after publication. This Ordinance or a summary thereof shall be published in the *Greenville Daily News*, a newspaper of general circulation in the City of Belding.

Michael Hinds, 206 N. Demorest, inquired about having comments at the Planning Commission meetings.

City Clerk Thomas stated an annual meeting date list is displayed and there would be a note on the depot if a meeting was cancelled. There is a citizen comment segment at each meeting.

The Mayor ProTem called for Business Agenda Item **B – WASTEWATER IMPROVEMENTS BIDS – W. ELLIS & STOCKING ST. LIFT STATIONS**

The City Clerk read the preamble to the resolution.

Council Member Bunce moved the passage of the resolution and the motion was supported by Council Member Scheid.

RESOLUTION NO. 2010-02-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN  
AWARDING THE WEST ELLIS AND STOCKING STREET LIFT STATION BID TO  
GRAND RIVER CONSTRUCTION SUBJECT TO MEDC APPROVAL.

WHEREAS, the City of Belding desires to reconstruct the West Ellis and Stocking Street Lift Station; and

WHEREAS, bids have been received from interested contractors; and

WHEREAS, Grand River Construction was the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belding, Michigan, award the bid to Grand River Construction.

The question on the resolution was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Scheid, Thompson and Belding.  
Nays: None.

The Mayor ProTem called for Business Agenda Item C – **ACT 51 CERTIFIED MILEAGE**

The City Clerk read the preamble to the resolution.

Council Member Thompson moved the passage of the resolution and the motion was supported by Council Member Scheid.

RESOLUTION NO. 2010-02-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN  
AUTHORIZING CHANGES TO THE ACT 51 CERTIFIED MILEAGE.

WHEREAS, a city-wide street mileage inventory was recently undertaken to verify the certification mileage and to improve the accuracy of the ACT 51 map; and

WHEREAS, several sections of streets do not exist or the mileage is inaccurate;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan, that the following changes be made to the Act 51 certified mileage which decertify/vacate 5,356' of local streets:

Delete 3,245' of North Bridge and Gore from Kiddville to the NW  
Delete 330' of May from Crawford to Root  
Delete 504' of Harding from 224' north of Oakwood to the north 504'  
Delete 167' of Washington from Hall to the east  
Delete 140' of Leroy from 260' north of Masonic to the north 140'  
Delete 228' of Prospect from Luther to the south 228'  
Delete 330' of Pearl from Congress to Main  
Delete 160' of Pleasant from Congress to the mall  
Delete 252' of Congress from Wilson to Park

FURTHERMORE, that the Local Street system certified mileage be adjusted down .97 miles from 23.26 to 22.29 miles to reflect the city wide inventory results, which used an automotive measuring device; and

FURTHERMORE, that the Major Street system certified mileage be adjusted up .19 miles from 15.06 to 15.25 miles to reflect the city wide inventory results, which used an automotive measuring device.

The question on the resolution was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Scheid, Thompson and Belding.  
Nays: None.

The Mayor ProTem called for Citizen Comments.

Don Cory, Zahm Rd., stated he was told in 2008 that Bridge St. would be overhauled and repaired from State St. to the city limits in 2009. He asked if it was on any schedule? It is an awful street, the worst in Michigan.

City Manager DeBruine stated the last three projects were mill and fill done through MDOT grants for the major street system. The city applied the last two years for Merrick St. and did not get it. He wants to wait until the budget is presented and discussed, to see if the city should apply for a street grant this year. They would have to decide which street would be done. They had cost estimates and had talked about the portion Mr. Cory referred to, but never applied for a Category F grant.

DPW Director Thomas stated it used to be a State highway and the roadway has 6-8 inches of concrete, with expansion joints. A mill and fill is not a good fit. They could possibly crack and seal. Underneath the concrete is clay, and it would have to be a full reconstruct if the concrete was removed. The grant was \$375,000. The cost would well exceed that cost. If a crack and seal was done, the utilities would probably not survive, due to age. The water main is old, pit cast pipe.

Mr. Cory stated hopefully it would get worked on when the money comes around. He stated the cemetery is kept up beautifully, and the men keep it up in good shape. There is an excellent view whether you are coming or going. He expressed his thanks.

City Manager DeBuine stated it would be a 2012 grant.

The Mayor ProTem called for Council Comments.

Council Members Bunce, Scheid and Thompson had no comments.

Mayor ProTem Belding stated the lights on M-44 are spectacular. The project is really coming along.

The Mayor ProTem called for Business Agenda Item A – **WORK SESSION – PUBLIC COMMENT AT COUNCIL MEETINGS**

Council Member Thompson stated Fremont did an outstanding job of clarifying meeting procedures in their policy and it had a lot of depth. There have always been comments from those residing within the City of Belding. The comment period is for the citizens of the community, as decisions impact the people inside the city.

Council Member Bunce stated some decisions have impact on the citizens outside the community.

Mayor ProTem Belding stated Mayor Wills asked if they should split citizen comments for agenda items only, and have the other comment portion at the end?

Council Member Thompson stated if a person outside the city has an interest, they should have their group on the agenda, not on the citizen comments. The townships have their own legislators. There are city services delivered outside the city that are paid for by the township. It has to be consistent.

Council Member Bunce stated they do need a time limit on comments.

Mayor ProTem Belding stated 3-5 minutes is the usual. They could ask for citizens comments just in the beginning.

Council Member Bunce stated they should just make their comments, and council should listen.

Council Member Thompson stated the chairperson accepts the comments, and can direct it to a council person. A council person can request permission to speak.

Council Member Bunce stated sometimes there is more investigation to be done.

Mayor ProTem Belding asked if they were interested in just having one citizen comment period?

Council Member Thompson stated they could keep comments on each agenda item and listen to general comments later in the meeting.

Council Member Scheid stated he had no problem with what is done now. It is a good time to do it as the items are being covered. The format works.

Council Member Bunce stated it was just their citizen comment time, and council should sit back and listen.

Mayor ProTem Belding asked if they should defer to the chairperson?

Council consensus was to have the chairperson give permission for council members to speak.

Mayor ProTem Belding stated it was of value that they were open to discussion.

Council Member Thompson stated he would like to see them put the policy down in writing. Maybe they should study the documents, as they just got them. He doesn't want to be overly structured, but there was a lot of thought in Fremont's policy. Council should study the documents and make some comments.

Mayor ProTem Belding stated council could submit comments and model the policy after Fremonts. Then they could have discussion with Mayor Wills.

Council Member Thompson stated all staff should look at it, too.

City Manager DeBruine asked council to have comments submitted by next Monday night, for discussion at the next council meeting.

Council Member Thompson stated it would come back as a work session item next time.

The Mayor ProTem called for a motion to adjourn the meeting.

#### ADJOURNMENT

Council Member Bunce moved to adjourn the meeting, supported by Council Member Scheid.

Ayes: Council Members Bunce, Scheid, Thompson and Belding.

Nays: None.

Mayor ProTem Belding adjourned the meeting at 7:53 p.m.

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Andrea Belding, Mayor ProTem

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Kareen J. Thomas, City Clerk

