

REGULAR MINUTES
PERE MARQUETTE DEPOT
Tuesday, February 16, 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 16, 2010.

The City Clerk took the roll call:

Members Present: Council Members Bunce, Belding and Wills.

Members Absent: None.

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

Ayes: Council Members Bunce, Belding and Wills.

Nays: None.

Council Member Bunce delivered the invocation.

The Mayor led the audience in the Pledge of Allegiance.

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

Council Members Wills and Belding will serve on the Mall Ad Hoc Committee.

The Mayor called for the Consent Agenda.

A. Approval of Minutes 2-2-10

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

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

Ayes: Council Members Bunce and Belding.

Nays: None.

Abstain: Council Member Wills.

Motion failed.

The Mayor called for Business Agenda Item A – **PLANNING COMMISSION ORDINANCE AMENDMENT – ADOPTION**

The City Clerk read the preamble to the ordinance.

Council Member Belding moved the adoption of the ordinance and the motion was supported by Council Member Bunce.

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 March 1, 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.

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

Ayes: Council Members Bunce, Belding and Wills.
Nays: None.

The Mayor called for Business Agenda Item **B – MEDC GRANT APPLICATION SUBMITTAL APPROVAL**

The City Clerk read the preamble to the resolution.

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

RESOLUTION NO. 2010-02-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN AUTHORIZING THE CITY MANAGER TO SUBMIT AN MEDC NOTICE OF INTENT IN THE AMOUNT OF \$325,520 FOR WATER SYSTEM IMPROVEMENTS.

WHEREAS, the City of Belding's top priority is to address needs within its water system in order to accommodate business retention and expansion; and

WHEREAS, the two water towers need to be painted in order to maintain the integrity of the water system; and

WHEREAS, the Kenwood Well needs to be rehabilitated in order to pump effectively and efficiently; and

WHEREAS, to the maximum extent possible the proposed project will benefit at least 51% low and moderate income persons; and

WHEREAS, the contractor who is awarded the construction project will be required to meet state and federal WBE/DBE requirements as part of their bid, and

WHEREAS, the proposed project would not displace any people of low or moderate income or result in a loss of housing units, and

WHEREAS, once complete, the improvements will benefit the entire community, which therefore benefits the entire low to moderate-income residents of the City of Belding, and

WHEREAS, local costs (other than preliminary engineering costs) and other funds to be invested in the project have not yet been expended and will not be expended prior to a formal grant award, completion of the environmental review procedures, and formal written authorization is received from the Michigan Economic Development Corporation; and

WHEREAS, the total project cost will be approximately \$406,900, of which the grant will be

\$325,520 or 80%, and the city's portion \$81,380 or 20%, which includes engineering.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belding, Michigan authorize the City Manager to submit the CDBG Notice of Intent to the MEDC; and

FURTHERMORE, that the City Manager is authorized to sign the application forms and all grant related documents and to serve as environmental review certifying officer.

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

Ayes: Council Members Bunce, Belding and Wills.
Nays: None.

The Mayor called for Business Agenda Item **C – BOND REDEMPTION – LIBRARY**

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 Belding.

RESOLUTION NO. 2010-02-09

CITY OF BELDING
COUNTY OF IONIA, MICHIGAN

RESOLUTION AUTHORIZING
REDEMPTION OF BUILDING AUTHORITY BONDS

WHEREAS, pursuant to the provisions of Act No. 31 of the Michigan Public Acts of 1948 (First Extra Session), as amended ("Act 31"), the City of Belding (the "City") has established the City of Belding Building Authority (the "Authority"); and

WHEREAS, pursuant to Act 31, the Authority has issued its Building Authority Bonds, Series 2006 (General Obligation - Limited Tax) (the "Bonds") in the aggregate principal amount of \$2,810,000 for the purpose of acquiring, constructing, furnishing and equipping of an approximately 5,400 square foot library building addition; improving, remodeling, furnishing and equipping of the existing library building; and improving the site thereof (the "Project") and has entered into a Contract of Lease with the City whereby the City is obligated to make cash rental payments to the Authority in such amounts as are sufficient to enable the Authority to pay the principal of and interest on the Bonds as the same become due; and

WHEREAS, in accordance with the provisions of the Three Party Agreement effective as of April 25, 2006 (the "Three Party Agreement") between the City, the Authority

and the Alvah N. Belding Memorial Library (the "Library"), all donations to the Project shall be deposited into the Bond Redemption Account as they are received and shall be used to redeem a portion of the Bonds on or about February 1 of each year; and

WHEREAS, in accordance with the provisions of the Three Party Agreement, excess Library cash rental payments which are not needed to pay the current requirements for debt service on the Bonds shall be deposited into the Bond Redemption Account and used to redeem the Bonds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Belding:

1. The Authority shall redeem Bonds prior to maturity in the amount of \$77,000 from donations made to the Project and in the amount of \$11,000 from excess Library cash rental payments as required by the provisions of the Three Party Agreement. The Chairperson of the Authority is authorized to cause the prepayment in the total amount of \$88,000 to be made to the United States of America (Rural Development).

2. The prepayment in the amount of \$88,000 shall be allocated to the principal installments due on November 1 of the years set forth below as indicated in the column entitled "Amount of Prepayment Applied to Principal Installment":

<u>Principal Installment Due November 1</u>	<u>Amount of Prepayment Applied to Principal Installment</u>	<u>Principal Installment Due November 1</u>	<u>Amount of Prepayment Applied to Principal Installment</u>
2010	\$ 0	2028	\$ 0
2011	8,000	2029	0
2012	3,000	2030	0
2013	0	2031	0
2014	0	2032	2,000
2015	0	2033	4,000
2016	0	2034	1,000
2017	0	2035	3,000
2018	0	2036	5,000
2019	0	2037	2,000
2020	1,000	2038	4,000
2021	5,000	2039	5,000
2022	4,000	2040	6,000
2023	4,000	2041	3,000
2024	4,000	2042	3,000
2025	3,000	2043	4,000
2026	2,000	2044	5,000
2027	2,000	2045	5,000

3. Following the prepayment and optional redemption of the Bonds as authorized herein, the maturity schedule for repayment of the Bonds shall be revised to reflect the prepayment of \$88,000 as follows:

<u>Principal Installment Due November 1</u>	<u>Amount of Principal Installment</u>	<u>Principal Installment Due November 1</u>	<u>Amount of Principal Installment</u>
2010	\$ 0	2028	\$ 53,000
2011	0	2029	55,000
2012	7,000	2030	56,000
2013	15,000	2031	60,000
2014	20,000	2032	63,000
2015	29,000	2033	66,000
2016	30,000	2034	69,000
2017	30,000	2035	72,000
2018	30,000	2036	75,000
2019	34,000	2037	78,000
2020	38,000	2038	81,000
2021	39,000	2039	85,000
2022	41,000	2040	89,000
2023	43,000	2041	92,000
2024	45,000	2042	97,000
2025	47,000	2043	101,000
2026	49,000	2044	105,000
2027	51,000	2045	110,000

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be, and the same hereby are, rescinded.

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

Ayes: Council Members Bunce, Belding and Wills
Nays: None.

The Mayor called for Citizen Comments.

Richard Wright, 610 N. State Rd., asked if the fiber optic would just be for the cities and schools?

City Manager DeBruine stated it would be for businesses as well. He encouraged the local school districts in Ionia County that are spearheading the grant application to contact the largest businesses in the county so they could be included. If awarded, the grant would pay 100% of costs to install a county-wide fiber network.

Mr. Wright asked who would be the administrator? If it was managed by the cities, could they hook up the local neighborhoods? It might generate some revenue for the city.

City Manager DeBruine stated he didn't know at this point, as it was very speculative.

Joe Feuerstein, 901 W. State, stated there was an ordinance about posting stuff on posts. What is the deal with the manager authorizing the bows on the poles? It is a violation of the ordinances.

Mayor Wills stated that Mr. Feuerstein had already talked to the city manager about the issue and was given the answer.

Carl Jonas, 1130 W. State, stated on the ribbon program, that was a school and political issue. If someone is running for office, they cannot place signs on private property. Those bows should disappear ASAP. Otherwise, the poles and Memorial Bridge can be used when someone is running for office. That is a school issue.

The Mayor called for Council Comments.

Council Members Bunce and Belding had no comments.

Mayor Wills stated he had no comments, but a citizen wanted him to remind everyone of the election on February 23, 2010. He asked everyone to please have their input on that issue.

The Mayor called for Work Session Agenda Item A – **CITY COUNCIL RULES AND PROCEDURES**

Council Member Bunce stated that the only change is the time limit for comments.

Mayor Wills stated, in the order of the agenda, he would like one citizen comment period before the city manager's report.

Council Member Bunce stated he likes citizens to stay for the meetings.

Council Member Belding stated she would also like to leave the portion of citizen comments near the end of the meeting.

Mayor Wills stated anyone can make a comment at the meeting and have input.

Council Member Belding stated when there is something to view, it should be turned into Karen prior to the meeting so it can be given consideration by council members.

Council Member Bunce made a motion to approve the City of Belding Rules and Procedures of the City Council, supported by Council Member Belding.

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

Ayes:	Council Members Bunce, Belding and Wills
Nays:	None.

The Mayor called for a motion to adjourn the meeting.

ADJOURNMENT

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

Ayes:	Council Members Bunce, Belding and Wills.
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Nays: None.

Mayor Wills adjourned the meeting at 7:34 p.m.

Roger Wills, Mayor

Kareen J. Thomas, City Clerk