

REGULAR MINUTES  
PERE MARQUETTE DEPOT  
Tuesday, May 6, 2008

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, May 6, 2008.

The Acting City Clerk took the roll call:

Members Present: Council Members Bunce, Stout, Wills, Satterlee and Husted.

Members Absent: None.

Council Member Stout 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.

City Manager DeBruine asked to be excused as he would be attending a seminar in Detroit.

The Mayor called for Public Hearing A – IFT Application – West Michigan Automotive Steel & Engineering, Inc.

The Mayor opened the public hearing at 7:08 p.m.

Herm Siegel of West Michigan Automotive Steel & Engineering stated that he has lived in Belding since 1977. He stated that they have just gone through a diversification of their building. Now they have grown to about twelve and need to upgrade their equipment. Mr. Siegel told council that he would appreciate consideration at taking a look at the tax abatement. It would be additional revenue for the city.

The Mayor closed the public hearing at 7:12 p.m.

The Mayor called for Public Hearing B – FY 2008/09 Budget

The Mayor opened the public hearing at 7:12 p.m.

Mayor Husted stated that this is the first step in the adoption of the budget. Citizens are welcome to read the budget if they want to.

The Mayor closed the public hearing at 7:13 p.m.

Mayor Husted stated that he would like to act on Consent Agenda Item B separately.

Council Member Stout made a motion to approve Consent Agenda Item B, Nonprofit Organization Status – Dynamic Dance Parent Group, supported by Council Member Wills.

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

Ayes: Council Members Stout, Wills, Husted, Satterlee, and Bunce.  
Nays: None.

Council Member Bunce made a motion to approve Consent Agenda Item A, the minutes of 04-15-08, supported by Council Member Stout.

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

Ayes: Council Members Wills, Husted, Satterlee, Bunce, and Stout.  
Nays: None.

Following are the resolutions contained in the Consent Agenda.

**B. NONPROFIT ORGANIZATION STATUS – DYNAMIC DANCE PARENT GROUP**

RESOLUTION NO. 2008-05-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN  
RECOGNIZING DYNAMIC DANCE PARENT GROUP AS A NONPROFIT  
ORGANIZATION OPERATING IN THE COMMUNITY.

WHEREAS, Dynamic Dance Parent Group of Belding would like to obtain a charitable gaming license; and

WHEREAS, local governing body action is necessary to recognize the group as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that the request from Dynamic Dance Parent Group of Belding, county of Ionia, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses be considered for approval.

The Mayor called for Business Agenda Item A – **IFT APPLICATION – WEST MICHIGAN AUTOMOTIVE STEEL & ENGINEERING, INC.**

The Acting City Clerk read the preamble to the resolution.

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

RESOLUTION NO. 2008-05-20

RESOLUTION APPROVING APPLICATION  
FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE  
FOR WEST MICHIGN AUTOMOTIVE STEEL & ENGINEERING, INC.

WHEREAS, pursuant to Act 198 of the Public Acts of 1974, as amended ("Act 198"), the City of Belding (the "City") has established an industrial development district in connection with property owned by West Michigan Automotive Steel & Engineering, Inc. (the "Company") located at 550 E. Ellis Avenue in the City of Belding, Ionia County, Michigan; and

WHEREAS, the Company has submitted an application for an industrial facilities exemption certificate for the purchase of new machinery and equipment; and

WHEREAS, the City has notified the assessor of the assessing unit in which the facility is located and the legislative body of each taxing unit that levies ad valorem property taxes in the local governmental unit in which the facility is located; and

WHEREAS, notice of a hearing on said application was published on April 25, 2008, in the *Greenville Daily News* setting the date of May 6, 2008 at 7:00 p.m. at the Pere Marquette Depot, 100 Depot Street, Belding, Michigan, as the time and place at which a hearing would be held with respect to the application of West Michigan Automotive Steel & Engineering, Inc. for an industrial facilities exemption certificate; and

WHEREAS, said hearing was held on May 6, 2008 during the meeting of the City Council of the City of Belding; and

WHEREAS, Act 198 authorizes a local governmental unit to approve an application for an industrial facilities exemption certificate.

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

1. The City Council finds as follows:
  - a. Subject to requisite State of Michigan approval, the City shall approve a Certificate for tax abatement for a term of twelve (12) years for the personal property (machinery and equipment) associated with the Project.
  - b. The purchase of the new machinery and equipment is calculated to, and will at the time of issuance of the certificates, have the reasonable likelihood to retain employment, increase employment or produce energy in the City.

c. That the granting of the industrial facilities exemption certificate, considered together with the aggregate amount of industrial facilities exemption certificate previously granted and currently in force, will not have the effect of substantially impeding the operation of the City or impairing the financial soundness of the taxing units that levy ad valorem property tax in the local governmental unit in which the facility is located or to be located.

d. That the state equalized valuation of property proposed to be exempt pursuant to the application under consideration, considered together with the aggregate state equalized valuation of property exempt under certificates previously granted and currently in force, does not exceed 5% of the state equalized valuation of the City.

2. The application of West Michigan Automotive Steel & Engineering, Inc. for an industrial facilities exemption certificate for the purchase of new machinery and equipment located within the previously established industrial development district described on the attached Exhibit A be and is hereby approved in the form on file with the City Clerk.

3. The estimated date of completion of the installation of the new machinery and equipment at the West Michigan Automotive Steel & Engineering, Inc. facilities, located in the City which is subject to the industrial facilities exemption certificate, shall be April 30, 2008.

4. The applications for the industrial facilities exemption certificate shall be approved for a period of twelve (12) years after completion.

5. The Mayor, City Clerk and City Manager, or any of them, are authorized to take such further action and to execute an Act 198 Agreement in substantially the form on file with the City Clerk and such other documents and agreements on behalf of the City as are necessary or desirable to accomplish the intent of this Resolution and the approval of the industrial facilities exemptions certificate for West Michigan Automotive Steel & Engineering, Inc.

6. 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 Husted, Satterlee, Bunce, Stout, and Wills.  
Nays: None.

The Mayor called for Business Agenda Item **B – TRAFFIC CONTROL ORDER – BRIDGE & ELLIS**

The Acting City Clerk read the preamble to the resolution.

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

CITY OF BELDING  
RESOLUTION NO. 2008-05-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN  
APPROVING TRAFFIC CONTROL ORDER #0008-01.

WHEREAS, Police Chief Dale Nelson, Traffic Engineer for the City of Belding, has requested the approval of Traffic Control Order # 0008-01; and,

WHEREAS, the traffic order concerns the intersection of Bridge Street and Ellis Avenue; and

WHEREAS, authorization is required to maintain the Stop signs and the proper advanced warning signs that were added at the intersection to enhance the four way red flash signals and effectively warn motorists that the intersection is an all way stop.

WHEREAS, the City Council of the City of Belding must approve a traffic order to make it a permanent addition to traffic control orders.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that pursuant to Subsection 2.53 as amended, of Section 82.26 of Chapter 82 of the Code of the City of Belding, Traffic Control Order #0008-01 is hereby approved.

Mayor Husted stated that there would be all way stop signs, leaving the light up with flashing red lights. This will continue until the light fails, and the four way stop will continue. With the success at Congress and Bridge, it only makes sense to do the same with Ellis and Bridge. If this doesn't work out, they can always revisit this at a later date.

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

Ayes: Council Members Satterlee, Bunce, Stout, Wills, and Husted.  
Nays: None.

The Mayor called for Business Agenda Item C – **MDOT LOCAL BRIDGE PROGRAM GRANT APPLICATIONS**

The Acting 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 Stout

CITY OF BELDING

RESOLUTION NO. 2008-05-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN SUPPORTING THE GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION UNDER THE LOCAL BRIDGE PROGRAM TO RECEIVE FUNDS FOR PREVENTATIVE MAINTENANCE ON THE MAIN STREET BRIDGE.

WHEREAS, the Main Street Bridge is in need of preventative maintenance; and

WHEREAS, the Michigan Department of Transportation provides funding for preventative maintenance such as the Main Street Bridge under MDOT's Local Bridge Program; and

WHEREAS, the City of Belding desires to submit an application to the Michigan Department of Transportation Local Bridge Program for funding for this project.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Belding, Michigan hereby supports the submission of the application to the Michigan Department of Transportation, Local Bridge Program, for funding preventative maintenance of the Main Street Bridge.

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

Ayes: Council Members Bunce, Stout Wills, Husted, and Satterlee.  
Nays: None.

The Acting City Clerk read the preamble to the resolution.

Council Member Wills moved the passage of the resolution and the motion was supported by Council Member Stout.

CITY OF BELDING  
RESOLUTION NO. 2008-05-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN SUPPORTING THE GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION UNDER THE LOCAL BRIDGE PROGRAM TO RECEIVE FUNDS FOR PREVENTATIVE MAINTENANCE ON THE ASHFIELD STREET BRIDGE.

WHEREAS, the Ashfield Street Bridge is in need of preventative maintenance; and

WHEREAS, the Michigan Department of Transportation provides funding for preventative maintenance such as the Ashfield Street Bridge under MDOT's Local Bridge Program; and

WHEREAS, the City of Belding desires to submit an application to the Michigan Department of Transportation Local Bridge Program for funding for this project.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Belding, Michigan hereby supports the submission of the application to the Michigan Department of Transportation, Local Bridge Program, for funding preventative maintenance of the Ashfield Street Bridge.

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

Ayes: Council Members Bunce, Stout Wills. Husted, and Satterlee.

Nays: None.

The Mayor called for Business Agenda Item **D – ORDINANCE AMENDMENT – PAYMENT OF WATER BILLS.**

### **ORDINANCE NO. 502**

#### **AN ORDINANCE TO AMEND CHAPTER 86, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF BELDING.**

#### **THE CITY OF BELDING ORDAINS:**

##### **Section 1:                    Amendment of Section 86-201 (b).**

Section 86-201 (b) of the City of Belding, Code of Ordinances (“City Code”) is hereby amended to read in its entirety as follows:

##### **Sec 86-201 (b)                    Payment of bills.**

- (b) *Water Service.* Where water charges are billed quarterly, the water meter shall be read and the bills rendered during each of the months of March, June, September, and December, or at other times as the council shall hereafter adopt by resolution. Water charges shall be due and payable on or before the 30<sup>th</sup> day of the month following the rendition of the bill, with the exception of months that have less than 30 days. If the charges are not paid on or before the due date, then a penalty of ten percent of the amount of the bill shall be added to the bill. If the charges for any water services furnished to any premises are not paid 15 days after the due date, than all services furnished by the water distribution system to the premises may be discontinued. Services so discontinued shall not be restored until all sums then due and owing, including penalties, shall be paid, plus a shutoff and turn-on charge. Partial payment does not cancel the shut off. Shutoff and turn-on charges shall be set and changed by resolution of the city council.

##### **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.**                    **Effective Date.**

This Ordinance becomes effective ten (10) days after its adoption and upon publication in a newspaper of general circulation.

The Mayor called for Citizen Comments.

Gavin Anderson, representing the Bandit Baseball team, stated that the team is a travel baseball team, which consists of 90% Belding students 13 and under. He stated that he talked to Jim Johnson and he talked to Dan Blunt about allowing them to play on the city's field. Then he called Dale Nelson and he advised him to talk to Randy DeBruine. He told Mr. DeBruine about their program. Mr. DeBruine said great we have a Recreation Board that handles this. They were supposed to meet April 14<sup>th</sup> but he was unable to attend because he had practice. His assistant coach's mother was in the hospital so his wife attended the meeting. He gave her what to present to the board. At the Recreation Board meeting Dan Blunt from BYBL did not show. He stated that he talked to Andy Hawley who in turn called Mr. DeBruine and was told that he didn't need to attend the meeting. Needless to say the Recreation Board voted in favor of Bandit Baseball. Since then Mr. DeBruine called and stated that he was getting pressure from the BYBL stating that this wasn't going to happen, because they already had their times and would proceed. Dan Blunt and Andy Hawley could have come and talked to him (Mr. Anderson), instead they went to Mr. DeBruine and Mayor Husted and the Mayor made them rescind the vote.

Mayor Husted stated that he did talk to Mr. DeBruine simply to ask questions. He stated that he did not rescind the vote.

Mr. Anderson asked why the Recreation Board wasn't set up when all of the members could come?

Mayor Husted stated that the Recreation Boards primary function was not scheduling the baseball fields.

Mr. Anderson asked Mayor Husted if Dan Blunt had contacted him?

Mayor Husted stated that Monday night there would be a meeting to discuss this problem. They need to work this through with the Recreation Board, and their recommendation will be brought back to council.

Council Member Wills stated that he would be at that meeting Monday night. He stated that it

would be nice to have a Recreation Director, but unfortunately they cannot do that so the city manager has to do that.

Rick Clark of 7900 Scott Road, stated that this was Belding Bandit Baseball. There are people on the BYBL board that do not want them to be there. They need better competition than playing each other. They are feeling they are getting the shaft on this. If they are going to join District 9 then there are things that need to be done and it isn't happening. They had to buy their own uniforms. There are kids that have been playing ball since they were five years old.

Mr. Anderson stated that he wanted the parents and council to know what was happening. It isn't right when you call up one of your buddies and they take care of it for them. They went about this the right way and they get taken down. He stated that he had run into Mr. Nelson and he stated that he heard that they got what they wanted. Mr. Anderson stated no, and Mr. Nelson stated interesting. The board voted in their favor because Mr. Blunt didn't show up. Since then there has been another meeting. They want to send a message to BYBL that they do not own those fields. They have followed the rules and the kids are suffering. They were given a new schedule but it was virtually nothing. Mr. Anderson stated that this had been ongoing since February.

Mayor Husted stated that Mr. Anderson came making accusations. He only called the city manager to find out what was going on because he had received several phone calls on this matter.

Mr. Anderson stated that he had called Mayor Husted and never received a call back. There are eleven kids on the roster for the Bandits, and they only want one pony league field.

Mayor Husted stated that there was a meeting Monday night at 6:30 p.m. at the Depot. He stated that he felt that there would be a compromise.

Mr. Anderson stated that he was at the point that he didn't want to negotiate any more because they have been shafted.

Mayor Husted stated that he has not seen a schedule from the Recreation Board. We are going to have to meet and work this out. This problem isn't just about today, but next year as well.

Jim Johnson of 721 Charles Street stated this was terrible. Mr. Anderson and everyone else did everything correctly. They have a game on Monday night, so somebody from their team would be there to accommodate BYBL's lack of two months ago. That's where all of the anger is coming from. He called Mr. Hawley three times and didn't get a call back. It's not fair to all of the kids, BYBL and the Bandits. He recommended that the Recreation Board and no one else handle this.

Mayor Husted stated that was their intention. The city manager does not have time to schedule the parks. That's why they have the Recreation Board. There are assumptions by people that they don't have to schedule the park. What he would like to do is hire someone twenty or thirty

hours a week during the summer months. If you can't schedule by X date, tough. No one is communicating. He will not call people back to get into this hornets nest.

Mr. Anderson stated that he got tired of going through Mr. DeBruine, the Recreation Board and Council. There have already been three meetings with the Recreation Board on this issue.

Mayor Husted stated that Kareen emailed him the minutes but he hadn't read them yet. This was not his issue, so come to the meeting on Monday May 12<sup>th</sup> at 6:30 p.m. He stated that prior to next years season there would be rules and time schedules in place so no one would have to suffer.

Mr. Anderson gave a run down of the schedules.

Mayor Husted stated that there would be compromises.

Ryan Villet, a candidate for the 70<sup>th</sup> District State House, introduced himself.

Lynn Mason brought a meeting schedule and invited council to attend their meetings whenever they wanted to. She gave a report on what was going on in the county. The commission has focused on how to bring the different municipalities together.

The Bandits baseball coaches asked if there was any way that they could change the Recreation Board meeting to another night, preferable not on a Monday or Wednesday.

Mayor Husted stated that he would send Kareen an email to see if the meeting could be changed.

The Mayor called for Council Comments.

Council Member Satterlee stated that she appreciated a full house, and thanked everyone for coming.

Council Member Wills stated that Mr. Anderson knows that he has not been able to attend the Recreation Board meetings. There has got to be a common person to funnel all of this. It has got to happen.

The Mayor called for a motion to adjourn the meeting.

#### ADJOURNMENT

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

Ayes: Council Members Bunce, Stout, Wills, Satterlee and Husted.  
Nays: None.

Mayor Husted adjourned the meeting at 8:43 p.m.

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Shane T. Husted, Mayor

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Elizabeth A. Wilson, Acting City Clerk