

REGULAR MINUTES  
PERE MARQUETTE DEPOT  
Tuesday, November 18, 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, November 18, 2008.

The City Clerk took the roll call:

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

Members Absent: Council Member Stout.

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

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

Nays: None.

Mayor Husted 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.

The Mayor called for the Consent Agenda.

- A. Approval of Minutes 11/4/08
- B. New Year's Eve Fireworks
- C. ZBA Appointment – Wilson
- D. Declare Surplus Property

Council Member Bunce made a motion to approve Item A – Approval of Minutes of 11/4/08 of the consent agenda, supported by Council Member Wills.

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

Ayes: Council Members Bunce, Wills and Husted.

Nays: None.

Abstain: Council Member Satterlee.

Council Member Wills made a motion to approve Items B – D of the consent agenda, supported by Council Member Bunce.

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

Nays: None.

Following are the resolutions contained in the Consent Agenda.

**B. NEW YEAR'S EVE FIREWORKS**

RESOLUTION NO. 2008-11-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN GRANTING APPROVAL FOR THE PERMIT FOR A FIREWORKS DISPLAYS ON DECEMBER 31, 2008 AT CENTRAL RIVERSIDE PARK.

WHEREAS, Mike Tefft has requested permission to hold a fireworks display on New Year's Eve on Wednesday, December 31, 2008; and

WHEREAS, the event will be held at Central Riverside Park; and

WHEREAS, City Council approval is necessary to authorize the Permit for Fireworks Display.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that authorization is hereby granted for a Fireworks Display on Wednesday, December 31, 2008 at Central Riverside Park.

**C. ZBA APPOINTMENT – WILSON**

RESOLUTION NO. 2008-11-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN APPOINTING ELIZABETH WILSON TO THE ZONING BOARD OF APPEALS.

WHEREAS, the term of office for Elizabeth Wilson the Zoning Board of Appeals has expired; and

WHEREAS, Mrs. Wilson has indicated her interest in continuing to serve on the Zoning Board of Appeals.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that Elizabeth Wilson be appointed to the Zoning Board of Appeals with a term to expire on 11/18/11.

**D. DECLARE SURPLUS PROPERTY**

CITY OF BELDING  
RESOLUTION NO. 2008-11-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN DECLARING CITY-OWNED PROPERTY AS SURPLUS PROPERTY.

WHEREAS, Section 2.392 of Chapter 2 of the Code of the City of Belding states that City Council may declare city-owned property that is no longer needed as surplus; and

WHEREAS, the surplus property may be sold to the highest bidder through a sealed bid process.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City-owned Property, the 2000 Ford Econoline lift-equipped Van, be declared as surplus and sold to the highest bidder through a sealed bid process.

The Mayor called for Business Agenda Item **A – BRIDGE & MAIN STREETSCAPE IMPROVEMENTS – ENGINEERING PROPOSAL**

The 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. 2008-11-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN AUTHORIZING FLEIS & VANDENBRINK TO PERFORM DESIGN AND CONSTRUCTION ENGINEERING SERVICES IN THE AMOUNT OF \$21,500 FOR STREETSCAPE IMPROVEMENTS TO THE BRIDGE/MAIN STREET INTERSECTION.

WHEREAS, the city was awarded a grant by MSHDA for streetscape improvements to the Bridge/Main Street intersection in the amount of \$180,000; and

WHEREAS, the city requested a proposal from a qualified engineering firm for design and construction engineering; and

WHEREAS, Fleis & VandenBrink Engineering, Inc. submitted a proposal in the amount of \$21,500.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Belding, Michigan award the design and construction engineering services for the streetscape project to Fleis & VandenBrink Engineering, Inc. in the amount of \$21,500.

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

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

The Mayor called for Work Session Agenda Item **A – DRIVE APPROACHES**

City Manager DeBruine stated that there was an unwritten rule that all drive approaches had to be installed in concrete, and that was put in the 2004 Construction Standards. In 2006, it was changed. If there was no curb and gutter or sidewalks, asphalt could be installed. If there was curb and gutter, but no sidewalks, concrete was required.

He asked, in an industrial area, where there is an asphalt parking lot and curb and gutter and no sidewalk, should there be a concrete drive approach or should it be asphalt?

Council Member Wills asked what the situation was to bring this forward?

City Manager DeBruine stated that an industry had a gravel parking lot. They improved their lot and were told they had to do a concrete approach. The city manager stated he was trying to understand it and figure out which way to go. He asked for direction on the drive approach issue.

Council Member Wills asked if there was curb and gutter?

City Manager DeBruine stated there was curb and gutter. He asked, for the first 10-12 ft. in, should it be concrete? He would be hesitant to relax the requirement in a residential area, as they may do sidewalks.

DPW Director Thomas stated with the unwritten rule for concrete, there was 99% compliance. When the city makes regulations, now it seems to get challenged and questioned. They simplified it this spring. If there was no curb and gutter, asphalt could be put in. If there was curb and gutter, it would have to be concrete. Some have challenged it. They should either throw out the regulation, or enforce a set of rules. It is unproductive this way, and it is hard to enforce as staff.

Mayor Husted stated that the city had the rule in 2004.

City Manager DeBruine stated MDOT was allowed to use asphalt.

Mayor Husted stated the person who inquired said every other industry does not have a concrete approach. He stated that they are talking about one property, as they don't have any more property in I-1.

City Manager DeBruine stated one put in concrete last year.

Mayor Husted stated the city is constantly changing, and don't follow their own rules. As with the Belding Café, the rules apply to some and not the others. It is the principal, not a big dollar amount. When the project was done involving the VFW, asphalt was put in. The issue is if the city makes him tear up 10 ft. and put in concrete or not.

Council Member Satterlee stated that she didn't want him to tear it up.

DPW Director Thomas stated that they only see the projects when they are driving around. A

permit was needed. If people know they need a permit, there is not a problem.

Council Member Bunce asked what the penalty was for starting without a permit?

City Manager DeBruine stated that the penalty was \$500.

Council Member Bunce asked if the penalty was given?

City Manager DeBruine stated that it wasn't. If it was given, the party would have the fine and have to make it right. If not, there would be additional fines. He could do research on other communities and could get more information. He asked what they wanted as a council going forward? They could make a decision at the next meeting.

Mayor Husted stated they hear the city is anti business, and drives people away. It is a double edged sword. They alienate staff and property owners. He stated that he asked Randy to talk about this. He doesn't care which way it goes. He just hears that the city is after him.

Council Member Bunce stated they should make it the same for everyone.

DPW Director Thomas stated if they change the Construction Standards, require that the same thickness be put in for a hard surface, either asphalt or concrete. They still need a permit and it should be put in according to the standards for asphalt or concrete.

Council Member Bunce stated in the I-1 area, the hard surface would have to meet the requirements for the thickness, and they would have to have a permit.

Council Member Wills asked if there was one standard for residential and one standard for industrial? Heavier equipment would be going in the industrial district. He felt the city should work with him and get the concrete in.

Mayor Husted stated they should work with him and figure it out. Leave the requirement in the Construction Standards alone. Let the Planning Commission deal with the next person that goes in.

Ron Gunderson stated the blacktop would not take as much as the concrete. Concrete would last longer and would not roll. He asked why it comes to the council? Shouldn't it come to the Planning Commission? There are many conflicts of interest and it is a problem in this town. They keep changing the ordinance. It is re-adapted for everyone.

DPW Director Thomas stated on Main St., there is a different standard. It has to be prepped out differently.

Mayor Husted stated he was glad the company could asphalt the parking lot. The business is looking to expand. They were told by the city that they may not have enough room to have a semi turn around. Randy will work with the owner. It would be too costly to have the attorney involved to make the change in the Construction Standards. Leave the standard as it is.

The Mayor called for Citizen Comments.

There were no citizen comments.

The Mayor called for Council Comments

Council Member Bunce thanked Ernie and the rest of the staff for picking up the leaves from the curb and for their hard work.

Council Member Wills had no comments.

Council Member Satterlee stated she hoped everyone would have a blessed Thanksgiving. She stated that everyone is very blessed. Hopefully they can work together to get the job done to keep people here and keep relationships good.

Mayor Husted had no comments.

The Mayor called for a motion to adjourn the meeting.

#### ADJOURNMENT

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

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

Mayor Husted adjourned the meeting at 8:04 p.m.

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Shane T. Husted, Mayor

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Kareen J. Thomas, City Clerk