

CITY OF ST. JOHNS
CITY COMMISSION MINUTES
FEBRUARY 9, 2009

The regular meeting of the St. Johns City Commission was called to order by Mayor Beaman at 7:00 p.m. at the Clinton County Courthouse, 100 East State Street, 2nd Floor, Room #2200, St. Johns, Michigan.

COMMISSIONERS PRESENT: Dana Beaman, Heather Hanover, Mark Bates,
Michael Nobach
COMMISSIONERS ABSENT: Bill Jackson
STAFF PRESENT: Dennis D. LaForest, City Manager; Cindy M.
Warda, Deputy City Manager; Mindy J. Seavey,
City Clerk; Gregory T. Teichman, City
Treasurer; Daniel J. Vreibel, City Engineer;
Steven E. Wagner, Community Development
Director; John B. Salemi, City Attorney

CONSENT AGENDA

Mayor Beaman asked if any of the Commissioners or persons present wished to discuss any of the items on the Consent Agenda.

Motion by Commissioner Bates seconded by Commissioner Hanover that the Consent Agenda be approved as presented.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

a. Approval of Minutes

Motion by Commissioner Bates seconded by Commissioner Hanover that the minutes of the special meeting of January 26, 2009, the regular meeting of January 26, 2009 and the closed session of January 26, 2009 be approved as presented.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

b. Approval of Warrants

Motion by Commissioner Bates seconded by Commissioner Hanover that warrant numbers 28489 through 28575 be approved in the amount of \$610,506.81.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

c. Capital Area Community Services Special Event Permit Application – Walk for Warmth – February 28, 2009

Motion by Commissioner Bates seconded by Commissioner Hanover that the City Commission approve the Special Event Permit Application for the Capital Area Community Services Walk for Warmth to be held on February 28, 2009 as outlined and waive all fees.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

d. St. Johns Lions Club Special Event Permit Application – Annual White Cane Project – April 24-25, 2009

Motion by Commissioner Bates seconded by Commissioner Hanover that the City Commission approve the Special Event Permit Application for the St. Johns Lions Club Annual White Cane Project to be held on April 24-25, 2009 as outlined and waive all fees.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

e. Set Public Hearing on FC Mason PA 328 Exemption Request

Motion by Commissioner Bates seconded by Commissioner Hanover that the City Commission set the Public Hearing for March 9, 2009 at 7:00 p.m. or as soon thereafter as the matter may be heard.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

f. Board Appointment

Motion by Commissioner Bates seconded by Commissioner Hanover that the City Commission appoint Jackie Burk to the Compensation Board (term expires in 2012).

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

APPROVAL OF AGENDA

Mayor Beaman asked if there were any additions or deletions to the Agenda.

Mayor Beaman added Dentists' Correspondence under Communications

Motion by Commissioner Bates seconded by Commissioner Nobach that the City Commission approve the Agenda as amended.

AGENDA

A. OPENING:

1. Invocation
2. Pledge of Allegiance
3. Consent Agenda

The staff proposes the following items for the Consent Agenda. If any Commissioner or person attending wishes to discuss any of these items, it will be placed on the regular agenda at the end of either old or new business, as appropriate. The remaining items and recommendations may be approved en masse:

- a. Approval of Minutes
 - Special meeting of January 26, 2009
 - Regular meeting of January 26, 2009
 - Closed session of January 26, 2009
- b. Approval of Warrants
 - In the amount of \$610,506.81
- c. Capital Area Community Services Special Event Permit Application – Walk for Warmth – February 28, 2009
 - Staff recommends the City Commission approve the Special Event Permit Application for the Capital Area Community Services Walk for Warmth to be held on February 28, 2009 as outlined and waive all fees.
- d. St. Johns Lions Club Special Event Permit Application – Annual White Cane Project – April 24-25, 2009
 - Staff recommends the City Commission approve the Special Event Permit Application for the St. Johns Lions Club Annual White Cane Project to be held on April 24-25, 2009 as outlined and waive all fees.

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- e. Set Public Hearing on FC Mason PA 328 Exemption Request
 - Staff recommends the City Commission set the Public Hearing for March 9, 2009 at 7:00 p.m. or as soon thereafter as the matter may be heard.
 - f. Board Appointment
 - Staff recommends that the City Commission appoint Jackie Burke to the Compensation Board (term expires in 2012).
 - 4. Approval of Agenda
 - B. PUBLIC HEARINGS:
 - 1. Small Urban Projects for 2012
 - C. PERSONS WISHING TO PRESENT TESTIMONY:
 - 1. Other comments from the public on items not on the agenda
 - D. COMMUNICATIONS:
 - 1. Dentists' Correspondence
 - E. OLD BUSINESS:
 - F. NEW BUSINESS:
 - 1. 2008/2009 Wastewater Treatment Plant Change Order #1
 - Staff recommends that the City Commission approve change order #1 (deduction of \$5,078.35) as presented and authorize the Mayor to sign.
 - 2. Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Sturgis Street
 - Staff recommends that the City Commission adopt the Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Sturgis Street.
 - 3. Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Townsend Road
 - Staff recommends that the City Commission adopt the Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Townsend Road.
 - 4. Sewer Relining Project
 - Staff recommends that the City Commission approve Insituform Technologies' bid of \$84,987.00 for the Emergency Sanitary Sewer Repair Contract No. 1-CIPP lining.
 - 5. Commissioner Comments
 - G. ADJOURNMENT – Next Regular Meeting Scheduled for Monday, February 23, 2009, 7:00 p.m.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

PUBLIC HEARINGS1. Small Urban Projects for 2012

Motion by Commissioner Hanover seconded by Commissioner Nobach that the City Commission open the public hearing.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

The public hearing was opened at 7:04 p.m.

Engineer Vreibel said we are having a public hearing for the small urban program. He said these are Federal funds from our Federal gas tax dollars. He said part of the submission process is to hold a public meeting for the small urban area around St. Johns. He said this follows a public meeting we had roughly two years ago and at that time we partnered with Clinton Transit and Clinton County Road Commission. He said it is an MDOT requirement to have a public meeting. He said we have projects for years 2010, 2011, 2012 and 2013. He said the Road Commission did not have projects for this because they have other places to get funds. He said we do list the 2010 fiscal year even though the Walker Street project was advanced. He said we share the \$350,000 that is possible between our entities. He said normally the rotation is every three years.

Commissioner Hanover asked if it was us every three years and then them.

Engineer Vreibel said we share the funds every time.

Commissioner Nobach said it is actually \$375,000.

Rose May Mason from Clinton Transit was present. She said they have projects every year. She said the stimulus program discussed having shovel ready projects in ninety days. She said the 2010 project has already been approved and is on the project list for small urban. She said it would be added to another to give them \$800,000 to build a facility, which is very minimal. She said in 2011 it would be another expansion. She said it would be a minimal facility. She said every time they get small urban funds it would be an opportunity to add on. She said they would have to buy the ten acres so they would need a good lawnmower. She said they would be putting in an AVL system. She said in 2012 you see listed a new facility, truck with options, continue with the AVL. She said they are participating with the County very vigorously with the communication center. She said they also need a generator.

Mayor Beaman asked when they are scheduled to build the facility.

Ms. Mason said the Fall of 2010.

Commissioner Nobach asked if the new facility would have a generator.

Ms. Mason said they have to wait.

Commissioner Nobach asked if they never use local funds to match Federal.

Ms. Mason said no, the State usually puts in 20% on the facility. She said when it comes to equipment they use toll credits.

Commissioner Nobach said the transit operations are able to buy a variety of items compared to what we are able to buy. He said we don't have that flexibility as they have as a transit operation.

Commissioner Bates said we partner with the Transit and asked if the County helps in any way with funding.

Ms. Mason said no, they just have the County-wide millage.

City Manager LaForest said there is some discussion about Scott Road and what would happen out there in the future if that facility was built. He said the Scott Road/M-21 intersection is very trying. He said they would work with transit for a grant.

Mayor Beaman said they did take a look at it and talked about the traffic and the potential traffic.

Engineer Vreibel said Scott Road at M-21 is a local street, not a major street. He said it would be a challenge to get that turned into a major street. He said we did add that to the economic stimulus list of projects, even though it is a local street.

Mayor Beaman asked him to keep the Commission apprised of how that is going.

Commissioner Nobach said he would be in favor of approaching MDOT to see if we can get that to be a major street. He said MDOT has changed lately and this is a great opportunity to try for it. He said that would help us get additional funding.

Engineer Vreibel said they can discuss that. He said we can certainly ask and have them turn us down.

Ms. Mason said they are quite aware the intersection can be dangerous. She said they can make drivers do right turns only.

Engineer Vreibel said we can do some things with our approaches at Scott Road and M-21. He said there are certain improvements we can do.

Mayor Beaman asked if anyone in audience wished to speak.

There were no other comments.

Motion by Commissioner Hanover seconded by Commissioner Nobach that the City Commission close the public hearing.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

The public hearing was closed at 7:23 p.m.

Motion by Commissioner Nobach seconded by Commissioner Bates that the City Commission authorize the Mayor to sign the small urban area projects for submittal for Federal funding: 2010, 2011, 2012, 2013.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

Engineer Vreibel said all three entities sign the same letter.

PERSONS WISHING TO PRESENT TESTIMONY

1. Other comments from the public on items not on the agenda

There were none.

COMMUNICATIONS

1. Dentists' Correspondence

Mayor Beaman said the City received a letter from local dentists about fluoride in the water supply. He said City Manager LaForest will get back to us with information. He said it could be very costly to do this.

City Manager LaForest said we have not done the research for this. He said there is concern about handling of fluoride and the amounts. He said if you would like us to explore costs we can take that as a direction from you. He said at one point we were feeding fluoride. He said the wells on the South end had natural amounts of fluoride in them. He said we went to the North wells because of the Arsenic regulations. He said research indicates this was voted on at some point and turned down. He said another Resolution said the City would do what the health department requires and they do not require adding fluoride.

Commission Nobach said cost is one of the factors; it is a good start.

Commissioner Hanover said she assumed we were fluoridating the water. She asked about the vote on it.

City Manager LaForest read part of the article from 1956.

Attorney Salemi said thousands of communities add fluoride to water.

Motion by Commissioner Bates seconded by Commission Hanover that the City Commission have staff look into fluoridating the St Johns water supply.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

OLD BUSINESS

NEW BUSINESS

1. 2008/2009 Wastewater Treatment Plant Change Order #1

City Manager LaForest said the Commission has a memo that indicates a decrease in the cost of the WWTP project. He said any other change orders will come to the Commission for approval.

Commissioner Hanover said there is a lot of data here and a lot of information. She said it is good that it is a decrease. She said she would like the memo to tell us why the change was made. She said she would like a synopsis of the reasons.

Commissioner Nobach agreed.

Motion by Commissioner Bates seconded by Commissioner Hanover that the City Commission approve change order #1 (deduction of \$5,078.35) as presented and authorize the Mayor to sign.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

2. Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Sturgis Street

Engineer Vreibel said we have two Resolutions. He said recently the traffic signal was modernized with the construction project and there was a change in the cost. He said we share 50% of the cost with MDOT when it comes to the energy. He said it will actually decrease what we have for power consumption.

There was a discussion of how the cost agreement works.

Motion by Commissioner Nobach seconded by Commissioner Bates that the City Commission adopt the Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Sturgis Street.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

3. Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Townsend Road

Engineer Vreibel said this is the same story, but another location. He said the City has 25% of the cost at this location.

Motion by Commissioner Nobach seconded by Commissioner Bates that the City Commission adopt the Resolution Agreeing to the Cost Participation for the Traffic Signal at Whittemore Street (US127BR) at Townsend Road.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

4. Sewer Relining Project

Engineer Vreibel said this is a portion of the work that we want to do at the Wastewater Treatment Plant. He said this is the relining portion of the 24" pipe crossing the business

route and the 15” that goes diagonally. He said after reviewing the televising and cleaning we would use trenchless technology to put this relining in. He said another portion of work that needs to be done is the manholes need to be reviewed and replaced.

City Manager LaForest said the Commission did approve purchase of the manholes at the last meeting. He said that Davis would be installing them.

Commissioner Hanover said this looks like the best result so we do not have to tear up the highway.

Commissioner Nobach said the \$85,000 would be taken from the \$500,000 from the bond.

City Manager LaForest said the Davis Construction bid will be close to \$100,000.

There was a discussion of how the pipes would go in and the bypass of the Wastewater Treatment Plant.

Commissioner Hanover asked if it would help to get other bids on the installation.

Engineer Vreibel said we could do that, but first we want to take a look at the bids.

City Manager LaForest said the effort here is to get this done before the Spring thaw.

Motion by Commissioner Bates seconded by Commissioner Hanover that the City Commission approve Insituform Technologies’ bid of \$84,987.00 for the Emergency Sanitary Sewer Repair Contract No. 1-CIPP lining.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

5. Commissioner Comments

Commissioner Hanover said Lynn Weber keeps asking for more information regarding the ambulance and he still has not decided.

Commissioner Bates asked if they told him a deadline.

Commissioner Hanover said they told him the 30th.

Commissioner Bates said he was given a calendar by a firefighter of the last engine we had purchased. He said we are featured on the July picture.

Commissioner Nobach said his concern comes with the weather and he wondered if we had put anything in place for the Spring speed and loads limits.

City Manager LaForest said we have not had any formal discussion, but it makes sense to contract again with the County Road Commission.

Mayor Beaman asked what those limitations are.

Commissioner Nobach said major streets reduced by 25% and the local street by 35%. He said many of our streets were not built for that load.

Commissioner Hanover asked if that is different than what we already have in place.

Attorney Salemi said we have spent more than a year revising our truck load limits. He said we do not have different routes for Spring thaw than the other twelve months of the year.

Mayor Beaman asked if those weights change over the year.

Commissioner Nobach said no, they are statewide.

Attorney Salemi said it would not take anything to put together a contract.

Mayor Beaman said he was reviewing the Business District Special Assessment Roll and there were only thirty eight ballots returned. He said only 2% expressed their right to vote. He said he asked what the opposition was to this. He said it did pass though. He said the highest amount they would have to pay is \$500. He said he wished there were more that expressed their opinion.

Commissioner Hanover said they may not feel like they are heard.

City Manager LaForest said they held a public meeting and had three property owners show up at the meeting.

ADJOURNMENT

Motion by Commissioner Nobach seconded by Commissioner Hanover that the meeting be adjourned.

YEA: Beaman, Hanover, Bates, Nobach

NAY: None

Motion carried.

Mayor Beaman adjourned the meeting at 7:51 p.m.

DANA BEAMAN, Mayor

MINDY J. SEAVEY, Clerk