

**FRANKENMUTH CITY COUNCIL
REGULAR MEETING MINUTES
Tuesday, March 6, 2018
7:00 P.M.**

PRESENT: Ackerman, Cramer, Grossi, Reindel, Schmitzer & Schoenow.

ABSENT: Rupprecht.

In the absence of the Mayor, Mayor Pro Tem Schoenow called the meeting to order at 7:00 P.M. and opened with the pledge of allegiance.

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF AGENDA

Moved by Cramer, seconded by Grossi, to approve the agenda as reviewed by the Mayor Pro Tem and remove the Relay for Life approval and the Levee Design and Certification Process engineering services approval from the agenda. Unanimously carried.

APPROVAL OF MINUTES

Moved by Ackerman, seconded by Reindel, to approve the minutes from the work session meeting and the regular meeting held on Tuesday, February 6, 2018. Unanimously carried.

BOARDS & COMMISSIONS APPOINTMENTS

RESOLUTION NO. 2018-29 - APPOINTMENT OF CONSTRUCTION BOARD OF APPEALS

Discussed that each political jurisdiction within the Construction Codes Group authority re-appoint the same members for their Construction Board of Appeals as Birch Run, Bridgeport and Taymouth Townships boards. This allows the joint board to hold one annual meeting collectively and split the costs accordingly. Minutes will be filed with each jurisdiction and all meetings will be held in accordance with Open Meetings Act requirements. The Board rarely meets; however, each jurisdiction is required to have a board appointed and they must meet annually.

Moved by Cramer, seconded by Grossi, to adopt Resolution No. 2018-29 appointing certain members to the City of Frankenmuth Construction Board of Appeals with two years terms expiring March 31, 2020. Unanimously carried.

Tree Board

Moved by Ackerman, seconded by Reindel, to appoint Eugene Hopp to the Tree Board, term expiring on March 31, 2021. Unanimously carried.

PUBLIC HEARING ON A PROPOSED SPECIAL ASSESSMENT DISTRICT FOR THE KINGBROOK DRIVE ENTRY WAY MAINTENANCE

City Manager Smith advised that the proposed district includes the regular maintenance for the Kingsbrook Drive subdivision entrance boulevard and sign, irrigate the landscaping area, and to power the lighting of the sign. Said entrance area is on Kingsbrook Drive, south of the Junction Road intersection. She advised that this proposed special assessment district includes all lots within Kingsbrook Place Subdivision Phases 2 and 5. Being the original developer is no longer a resident of the state and went bankrupt, no one is charged with maintenance of these common areas.

The Mayor Pro Tem opened the public hearing on the proposed special assessment district.

Being that Grossi's home is located within this proposed district, it was requested that he be allowed to abstain.

Moved by Cramer, seconded by Reindel, to allow Grossi to abstain from voting. Unanimously carried.

Brandon Muller, 352 Queens Creek Drive ó Advised that he went door to door to his neighbors seeking signatures for the petition to create this proposed special assessment district, that neighbors contributed money to make the necessary improvements after years of neglect with the intent that the City adopt a district to carry-out the continued maintenance, and that the majority of property owners signed the petition and understand that a fee for such work will be placed on their annual tax bill if Council approves.

Scott Miller, 6 Kingsley Court ó Stated that he is an original property owner of Phase 2, that property owners are taking care of the matter and there is no need for the district creation, that he doesn't own these common maintenance areas for they are not recorded on his deed, and stated that what is needed are streetlights on Junction Road at their subdivision entrances because the sign lighting isn't bright enough and to finish the sidewalk installation on the undeveloped lots. He further clarified that a third entrance was proposed and questioned whether future property owners will be assessed for such maintenance.

Discussion took place that typically property owners take care of subdivision improvements such as these.

Muller ó Advised that three property owners met two years ago in an attempt to get something settled with maintenance without any result. Further, he advised that Miller was complicating the matter at hand by adding in the ideas of other unnecessary improvements.

Terry Weiss, 5 Kingsley Court ó Clarified that in 2009 a small group met with then developer Tim Zehnder about his plans for future maintenance, but that did not happen as a result of his bankruptcy. Stated that as a homeowner and investor, this district is necessary because of the eyesore this entranceway has become and this action is supported by a majority of the property owners.

Discussion took place on the undeveloped lot at the SW corner of Junction Road and Kingsbrook Drive being needed because pedestrians have to walk on the street at that entranceway.

There being no further public comments, the Mayor Pro Tem closed the public hearing.

RESOLUTION NO. 2018-30 - ADOPT SPECIAL ASSESSMENT DISTRICT FOR THE KINGSBROOK DRIVE ENTRY WAY MAINTENANCE

Discussion took place on the proposed process also requiring a roll public hearing, what the process would be to enlarge the district for the potential nine lots coming in the future Phase 6, the current district including 46 lots, and the future Kingsbrook access street to Junction Road planned for Queens Creek Drive East.

Moved by Ackerman, seconded by Cramer, to adopt Resolution No. 2018-30 approving a special assessment district for the Kingsbrook Drive entry way maintenance. Unanimously carried. Grossi abstained.

PUBLIC HEARING ON A PROPOSED SPECIAL ASSESSMENT DISTRICT FOR THE KINGSLEY COURT BOULEVARD MAINTENANCE

City Manager Smith advised that the proposed district includes the regular maintenance for the Kingsley Court boulevard and advised that Kingsley Court property owners will be in both districts.

The Mayor Pro Tem advised that this proposed special assessment district includes all lots fronting on Kingsley Court within Kingsbrook Place Subdivision Phase 2 and opened the public hearing on the proposed special assessment district.

Terry Weiss, 5 Kingsley Court ó Advised that Kingsley Court residents have contributed to their boulevard maintenance by mowing and replacing dead/dying trees since the developer went bankrupt. The Kingsley Court property owners and an adjacent neighbor have contributed over the years and most have paid their share of the cost. Dave Rodammer has been performing the work and has even including fertilization.

Chris Rittmueller, 278 Queens Creek Drive ó Advised that he was a former Kingsley Court resident and encouraged that the roll include collection for weed control.

Scott Miller, 6 Kingsley Court ó Confirmed that Dave Rodammer has done a good job and be given full consideration to continue under this new arrangement with weed control being a necessity.

There being no further public comments, the Mayor Pro Tem, closed the public hearing.

RESOLUTION NO. 2018-31 - ADOPT SPECIAL ASSESSMENT DISTRICT FOR THE KINGSLEY COURT BOULEVARD MAINTENANCE

Moved by Schmitzer, seconded by Cramer, to adopt Resolution No. 2018-31 adopting a special assessment district for the Kingsley Court boulevard maintenance. Unanimously carried.

BOARD OF REVIEW ANNUAL REPORT

City Assessor Deterding reviewed the annual report of the Board of Review for 2018. He reported that eight property owners either appeared in person or mailed letters in order to file an appeal of their 2017 property assessment. There were seven appeals last year.

Moved by Reindel, seconded by Ackerman, to accept the annual report of the Board of Review. Unanimously carried.

EMERGENCY MEDICAL/AMBULANCE SERVICES ANNUAL REPORT

Mobile Medical Response Operations Director Phil Petzold, representing the company that provides emergency medical/ambulance service to the Frankenmuth Community, reviewed the annual report and response times for their service.

Moved by Cramer, seconded by Ackerman, to accept the annual report of Mobile Medical Response (MMR), the company providing emergency medical/ambulance service to the Frankenmuth Community, and to thank them for their services to our community. Unanimously carried.

MONTHLY REPORTS

Police Chief Mawer reviewed his monthly department activities report for January. Fire Chief Kerns reviewed the fire department's February monthly report and Treasurer Deterding reviewed the February financial report. City Clerk Kerns reviewed the construction code activity for the month of February.

Moved by Schmitzer, seconded by Ackerman, to accept the Police, Treasurer's and Construction Codes monthly reports as submitted. Unanimously carried.

Consent Agenda

RESOLUTION NOS. 2018-32 TO 2018-38 - APPROVE CONSENT AGENDA ITEMS

Moved by Cramer, seconded by Schmitzer, to adopt Resolution No. 2018-32 approving the temporary signs for the Chamber's Friday Fun Nights Promotion from May 25 to August 31, 2018; to adopt Resolution No. 2018-33 approving the FrankenMudder Event on Saturday, July 21, 2018 with some listed conditions; to adopt Resolution No. 2018-34 approving a request from Frankenmuth Area Boy Scouts for a Scouting for Food Drive on Sunday, April 29 and Saturday, May 5, 2018; to adopt Resolution No. 2018-35 approving a Frankenmuth Kroger request to erect a temporary greenhouse on their parking lot from April 23 through July 15, 2018; to adopt Resolution No. 2018-36 approving the Frankenmuth River Place Dog Bowl and Bavarian Inn Balloons Over Bavaria Events from May 25 through May 28, 2018; to adopt Resolution No. 2018-37 approving the Korean War Post #251 Rose of Sharon Sales at those businesses granting permission for the sale; and to adopt Resolution No. 2018-38 approving the Birch Run Frankenmuth Knights of Columbus Tootsie Roll Sale March 24 and March 25, 2018 at those businesses granting permission for the sale. Unanimously carried.

Unfinished Business - None

New Business

RESOLUTION NO. 2018-39 - AMEND APPROPRIATIONS FOR THE 2017-2018 CITY BUDGET

City Treasurer Deterding reviewed proposed amended appropriations to the General Fund and Special Revenue Funds for the 2017-2018 budget year.

Moved by Cramer, seconded by Grossi, to adopt Resolution No. 2018-39 amending appropriations for the 2017-2018 City Budget. Unanimously carried.

RESOLUTION NO. 2018-40 - APPROVE A CONSTRUCTION CONTRACT FOR THE INSTALLATION OF A NEW WATER MAIN ON JUNCTION ROAD

The Mayor Pro Tem advised that Spicer Group, the City's consulting engineers for the project, received seven bids for the construction of a new water main replacement on Junction Road, between Tuscola and Dehmel Roads. The project is being done due to deterioration of the existing Junction Road main and because this is a vital link for our water supply from the City of Saginaw. Based upon Spicer's review, it was recommended that the lowest bid from Eric Construction be approved.

Moved by Cramer, seconded by Ackerman, to adopt Resolution No. 2018-40 approving a construction contract with Eric Construction of St. Charles, MI for the installation of a water main on Junction Road for a cost of \$2,463,296.60. Unanimously carried.

RESOLUTION NO. 2018-41 – AWARD CONTRACT TO CONSTRUCT PLANT STREET SANITARY SEWER IMPROVEMENTS

The Mayor Pro Tem advised that Spicer Group, the City's consulting engineers for the project, received five bids for the construction of sanitary sewer improvements on Plant Street. The project is being done due to replace a south side bottleneck and deteriorated sewer main entering the wastewater treatment plant. Based upon Spicer's review, it was recommended that the lowest bid from American Excavating be approved.

Moved by Cramer, seconded by Grossi, to adopt Resolution No. 2018-41 accepting the bid from American Excavating of Saginaw, Michigan to construct the Plant Street Sanitary Sewer Improvements for a total of \$270,579. Unanimously carried.

RESOLUTION NO. 2018-42 - APPROVE FRANKENMUTH BUSINESS PARK PLANNED UNIT DEVELOPMENT (PUD)

DDA Director Stamiris and City Manager Smith reviewed the City's request to proceed with the next phase of the Frankenmuth Business Park PUD, which is approximately 9.08 acres in Section 23 of Frankenmuth Township, 5000 block of S. Gera Road. Smith advised that after holding a

public hearing, the City and Township Joint Planning Commission has recommended approval of this development. The Frankenmuth Township Board has approved this development.

Moved by Schmitzer, seconded by Ackerman, to adopt Resolution No. 2018-42 approving the 9.08 acres, Frankenmuth Business Park Planned Unit Development Project. Unanimously carried.

RESOLUTION NO. 2018-43 - APPROVAL OF ANNEXATION OF 9.08 ACRES OF THE FRANKENMUTH BUSINESS PARK IN SECTION 23

Moved by Ackerman, seconded by Cramer, to adopt Resolution No. 2018-43 approving the annexation of a 9.08 acre portion of the Frankenmuth Business Park in Section 23 of Frankenmuth Township. Unanimously carried.

RESOLUTION NO. 2018-44 - APPROVE ENDOWMENT FUND AGREEMENTS BETWEEN THE FRANKENMUTH COMMUNITY FOUNDATION AND THE FRANKENMUTH JAYCEES FOR THE MEMORIAL PARK SPRAY PARK

The Mayor Pro Tem advised of the two agreements pertaining to the endowment funds donated to the Frankenmuth Community Foundation by the Frankenmuth Jaycees for use at the Memorial Park Spray Park.

Moved by Ackerman, seconded by Reindel, to adopt Resolution No. 2018-44 approving two endowment fund agreements between the Frankenmuth Community Foundation and the Frankenmuth Jaycees pertaining to the Memorial Park Spray Park. Unanimously carried.

RESOLUTION NO. 2018-45 - APPROVE A CONTRACT FOR ENGINEERING SERVICES FOR THE LEVEE ASSESSMENT AND MAPPING PROCEDURES PROGRAM

The Mayor Pro Tem advised of a proposal from Matteo Engineering & Consulting, Inc. (MEC) to provide coordination and with the Federal Emergency Management Agency (FEMA) and technical support to the City for FEMA's Levee Assessment and Mapping Procedures Program.

Moved by Schmitzer, seconded by Cramer, to adopt Resolution No. 2018-45 approving a contract for engineering services for the Levee Assessment and Mapping Procedures Program and to authorize the City Manager to execute a contract with MEC not to exceed \$8,607.20. Unanimously carried.

RESOLUTION NO. 2018-46 - EXECUTING A REVISED MEMORANDUM OF UNDERSTANDING WITH THE WIRT RIVETTE GROUP FOR REPRESENTATION OF THE BUSINESS PARK

DDA Director Stamiris advised that the proposal is to extend the representation of property in the City's business park to Wirt Rivette Group for six additional months and allow selling flexibility through June 30, 2018.

Moved by Schmitzer, seconded by Cramer, to adopt Resolution No. 2018-46 approving a six month extension with the Wirt Rivette Group for the City's business park. Unanimously carried.

Item(s) Removed From the Consent Agenda - None

AUTHORIZE INVOICE PAYMENTS

Moved by Schmitzer, seconded by Cramer, to authorize invoice payment for February 2018 in the amount of \$3,436,260.53. Unanimously carried.

CORRESPONDENCE

1. City Manager ó Monthly Report.
2. City of Saginaw ó PFAS Detection in Lake Huron as it pertains to our drinking water source.
3. City Manager ó 2018 Annual Known Related Parties Report.

MINUTES

1. Downtown Development Authority Board ó February 8, 2018.
2. Economic Development Corporation Board ó February 15, 2018.
3. Historic District Commission ó February 14, 2018.
4. Library Board ó January 8, 2018.
5. Planning Commission ó February 12 (Joint & Regular meetings), 2018.
6. Parks & Recreation Commission ó January 24, 2018.
7. Sister City Committee ó February 22, 2017.
8. Frankenmuth Chamber of Commerce Board ó December 20, 2017.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:25 P.M.

Phillip Kerns
City Clerk