

**Alma, Michigan
January 9, 2007**

Mayor Nyman called a regular meeting of the Alma City Commission to order at 6:00 p.m. at the Alma Municipal Building.

Present: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

Absent: None.

Mayor Nyman asked the City Commission and members of the audience to stand and recite the Pledge of Allegiance to the Flag.

Motion by Vice-Mayor Moes seconded by Commissioner Comer to approve the minutes of the December 22, 2006 regular meeting as submitted.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Ayers seconded by Commissioner Mapes to receive the Certificates of Appreciation presented to the City of Alma and Alma City Commission for their participation with the Vietnam Moving Wall display at Alma Elks Lodge #1400 September 7 – 11, 2006.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Vice-Mayor Moes seconded by Commissioner Dancer to receive and acknowledge a donation in the amount of \$100 from the Nichols Financial Group, Inc. for the Alma Police and Fire Benevolent Fund.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

A Public Hearing to consider an amendment agreement regarding the conditional transfer of property from Arcada Township to the City of Alma was held at 6:05 p.m. The City of Alma and Arcada Township entered into a conditional transfer agreement on December 21, 2001 which provided that on the fifth anniversary date of the agreement, jurisdiction of two tracts described in the agreement would automatically transfer from the township to the City. Since neither the City, the township nor the owners of tracts 2 & 3 desires that such a transfer take place at this time, a public hearing is necessary to amend the agreement. The City and the township are close to an agreement, but need an additional 90 days to work out the details. Arcada Township is holding a hearing on this item tonight at 7:30 p.m.

Jim Gilkins, Grafton Rd., asked for clarification of the agreement. He is concerned that tracts 2 & 3 will automatically be annexed into the city and as a property owner, he is opposed to that. He recently sold his property to his son, who also addressed the City commission.

City Manager Moore explained to Mr. Gilkins that this agreement was only to extend the deadline for the City and Township to reach an agreement, similar to one that was recently approved by the cities of Alma, St. Louis and Pine River Township. By taking no action tonight, the two tracts of land would automatically come into the City, which is not what the City of Township desires.

Mr. James Gilkins Jr. addressed the City Commission with his concerns. He and his wife do not wish to be annexed into the City. Their farm originated in 1912 and will soon receive designation as a centennial farm. He does not feel that his property should not be considered for development purposes, since the Gemstone property provides new development for the city and township. Also, with the agreement between Alma, St.

Louis and Pine River Township, this property is not needed for development. He also asked what would happen with the north side Hubbell Street, which is adjacent to his property. The city would need to acquire frontage from him and he would not sell cheap. He again asked that the City leave the property in Arcada Township.

Commissioner Mapes again reiterated the fact that if the City takes no action tonight, the property will automatically be transferred to the City and this is not the desire of the City or the Township. By approving the agreement, it will extend the PA 425 Agreement adopted five years ago for an additional 90 days and allow the City and Township time to develop an agreement more in line with the future plans for the area. He assured Mr. Gilkins that annexation to the City would only be at the Gilkins' request, not a mandate by the City or Township.

There being no further questions or comments, the public hearing was closed.

Motion by Vice-Mayor Moes seconded by Commissioner Legene to close the public hearing at 6:14 p.m.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Mapes seconded by Commissioner Ayers to approve a resolution adopting an amendment agreement regarding conditional transfer of property from Arcada Township to the City of Alma and to authorizing Mayor Nyman and City Clerk Gager to execute the agreement on behalf of the City of Alma.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Mapes seconded by Commissioner Comer to approve the following items on the Consent Agenda for payment: \$2,569 to Michigan Department of Environmental Quality for annual bio-solids land application fee for the Wastewater Treatment Plant; \$4,198.50 to Scholten Fant for December legal services rendered; \$5,426.25 to Brown Printing Service, Inc. for printing 4,000 community calendars; \$3,071.50 to Fortino, Plaxton, Moskal & Costanzo for December legal services rendered; \$2,500 to Gratiot Area Chamber of Commerce for annual membership dues.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Ayers seconded by Commissioner Comer to approve the request to purchase from Rosemount, Inc. in the amount of \$5,736.72 for two 6-inch magnetic flow meters for wells #1 & 7 for use by the Water Treatment Plant.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Mapes seconded by Commissioner Comer to receive the bids for the purchase of a 2008 one-ton 4 x 4 pickup with eight-foot box for use by the Alma Fire District and to award the bid to Jim Navarre Ford, St. Louis, MI in the amount of \$21,184.00.

This truck will replace the current AFD grass fire unit and was included in the FY 2007 Capital Improvement Program at a budgeted amount of \$36,000. This was originally bid and awarded to Navarre Ford on September 12, 2006 in the amount of \$20,996, but the 2007 truck was not available. This purchase order will be voided.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Ayers seconded by Commissioner Mapes to adopt a resolution approving a lease agreement between the City of Alma and MidMichigan Health renewing the previous lease for 200, 202 and 204 Prospect.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Mapes seconded by Commissioner Legene to adopt a resolution authorizing a one-year agreement with ASMI in the amount of \$1,360 per month for maintenance of various navigational equipment located at the Gratiot Community Airport and to authorize Mayor Nyman, Chair of the Gratiot Community Airport Commission to execute the agreement on behalf of the GCAC.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Ayers seconded by Commissioner Comer to approve a resolution adopting a Letter of Understanding between the City of Alma and the Police Officers Association of Michigan amending Section 8.8 of the Collective Bargaining Agreement to allow the Detective position to remain a permanent position.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Ayers seconded by Commissioner Dancer to adopt a resolution authorizing a 12-month IBM software maintenance and support service agreement with New World Systems for the City's AS400 in the amount of \$4,039.98.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Comer seconded by Commissioner Legene to receive the following reports and place them on file: Alma Police Department December 2006 reports; Alma Fire Department December 2006 report; Alma DART & Bus Depot December 2006 reports; Alma Fire District 2006 Annual Report; Alma Downtown Development Authority meeting minutes of December 7, 2006.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Comer seconded by Commissioner Dancer to adopt a resolution ratifying the investment of the following City funds on December 29, 2006:

<u>Investment Date</u>	<u>Maturity Date</u>	<u>Amount</u>	<u>Days</u>	<u>Interest Rate</u>	<u>Interest \$</u>	<u>Bank</u>	<u>Type</u>
12/29/06	10/17/07	\$200,000	292	5.17%	\$8,386.89	Fifth Third	CD
12/29/06	10/24/07	\$200,000	299	5.17%	\$8,587.94	Fifth Third	CD

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Legene seconded by Vice-Mayor Moes to receive a communication from Mr. Byron Barton, 312 Woodworth Ave. asking the City of Alma to designate four parking spaces in City Parking Lot #7 (between Gratiot & Woodworth) to be used for tenants of 312 Woodworth Ave. and to refer it to City staff for consideration.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Motion by Commissioner Comer seconded by Commissioner Dancer to approve Warrant No. 07-13 and to authorize the City Treasurer to issue checks in payment of all claims.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Commissioner Legene thanked the Nichols Group for their donation.

Mayor Nyman wished everyone Happy New Year.

Gretchen Harrison, 5473 Willowbend addressed the City Commission and asked them to adopt a resolution opposing the proposed CAFO in Seville Township. She urged them to act now before the siting of the property is approved.

Mike Harrison, 5743 Willowbend addressed the City Commission and also asked them to publicly oppose the proposed CAFO. He urged the City Commission to not take a “nothing we can do” attitude because the voters would want the City Commission to take a position. There will be many negative consequences if the CAFO develops and the farm would potentially drive people from the area. He said this is a fight worth fighting, even if the Commission feels they can’t win.

Motion by Vice-Mayor Moes seconded by Commissioner Comer to adjourn the meeting at 6:30 p.m.

Yes: Ayers, Comer, Dancer, Legene, Mapes, Moes, & Nyman.

No: None.

Melvin A. Nyman, Mayor

Barbara A. Gager, City Clerk