

**Alma, Michigan**  
**April, 24 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, Legene, Mapes, & Nyman.

**Absent:** Dancer & Moes.

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

Motion by Commissioner Mapes seconded by Commissioner Ayers to approve the minutes of the April 10, 2007 regular meeting as submitted.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Ayers seconded by Commissioner Legene to receive a communication from the Government Finance Officers Association (GFOA) notifying the City of Alma that its Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2005 qualifies for a Certificate of Achievement for Excellence in Financial Reporting.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Mapes seconded by Commissioner Comer to set a public hearing for Tuesday, May 8, 2007 at 6:10 p.m. to consider a request from Arialink LLC for a bilateral rights-of-way permit under METRO Act provisions.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Ayers seconded by Commissioner Comer to approve the following items on the Consent Agenda for payment: \$2,790.16 to Morning Star Publishing Company for March publications; \$1,620 to Emergency Vehicle Services, Inc. for 8 Indura Wildland jumpsuits for use by the Alma Fire Department; \$90,908 to Michigan Municipal League Workers Compensation Fund to be paid in quarterly payments for the period July 1, 2007 through June 30, 2008; \$3,142.65 to The Street.com for annual publications for the Alma Public Library.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Legene seconded by Commissioner Comer to approve the request to purchase 3 - 38" John Deere 540 26 hp mower tractors with 42" mulch decks in the amount of \$6,000 from Bader & Sons.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Ayers seconded by Commissioner Mapes to approve the request to engage EQ Industrial Services in the estimated amount of \$3,611.33 for the 2007 Annual Household Hazardous Waste Program, to be held May 1, 2 & 3, 2007.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Mapes seconded by Commissioner Comer to approve the request to purchase in the amount of \$4,907.75 for fencing, related accessories and installation from Heritage Fencing & Vinyl Products for use at the Alma Yard Waste site.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Ayers seconded by Commissioner Mapes to approve the request to purchase in the amount of \$3,494 from Weingartz one 5' power angle blade for MTV trackless mower used by the Buildings and Grounds Division.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Comer seconded by Commissioner Legene to approve the request to purchase in the amount of \$8,724 from Video-Tech-Tronics a motion sensor and door sensor security system with full installation for use at the Alma Public Library.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Comer seconded by Commissioner Ayers to approve the request to purchase one Epson PowerLite 821p Media projector, ceiling mount projector screen and mounts in the amount of \$2,397.99 from Epson Direct for use at the Alma Public Library.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Legene seconded by Commissioner Mapes to approve the request to purchase two 4-door Chevrolet Impala Patrol cars from Berger Chevrolet in the amount of \$36,903.06 for use at the Alma Police Department under a grant received from the State of Michigan "Click it or Ticket" program.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Ayers seconded by Commissioner Comer to approve the request to purchase an Equalizer tax system software program from BS&A Software in the amount of \$5,995 to be used by the City of Alma Treasurer.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Mapes seconded by Commissioner Ayers to receive the bids for the 2007 Traffic Control Pavement Markings Project and to award the bid to the low bidder of Michigan Pavement Markings, LLC, Grandville in the amount of \$13,076.55.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

The following preamble and resolution was offered by Commissioner Comer seconded by Commissioner Mapes:

**Whereas**, Sections 22-62 and 22-63 of the Code of Ordinances of the City of Alma, Michigan, provides for the determination of a public nuisance and a method to recover the entire cost or expense to abate such a nuisance, and

**Now, Therefore, Be It Resolved**, that the City Commission of the City of Alma, Michigan, does hereby declare that the uncontrolled growing of noxious weeds is a public hazard or nuisance, dangerous to the health, safety and welfare of the inhabitants of the City, and

**Be It Further Resolved**, that the City Clerk give notice by publication in the Morning Sun, that the owners of all lots be required to abate such nuisance before May 10, 2007, and

**Be It Further Resolved**, that if at the expiration of the time limit set in said notice, the owner of the lot or lots has not complied with the requirement thereof, that the City Manager be directed to cause said nuisance to be abated and the cost thereof assessed by special assessment against the premises upon which said hazard or nuisance is located.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

#### **Resolution Declared Adopted**

The following preamble and resolution was offered by Commissioner Legene seconded by Commissioner Ayers:

**Whereas**, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**Whereas**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**Whereas**, Arbor Day is now observed throughout the nation and the world, and

**Whereas**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

**Whereas**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

**Whereas**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

**Whereas**, trees are a source of joy and spiritual renewal, and

**Whereas**, the City of Alma has been recognized as Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting ways, and

**Whereas**, the City of Alma will be planting twenty-five trees at various locations within the City of Alma.

**Now, Therefore,** I Melvin A. Nyman, Mayor of the City of Alma do hereby proclaim April 27, 2007 as ARBOR DAY in the City of Alma, and I urge all citizens to support efforts to protect our trees and woodlands and to support our city's urban forestry program, and

**Further,** I urge all citizens to plant trees to gladden the hearts and promote the well being of present and future

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

**Resolution Declared Adopted.**

The following preamble and resolution was offered by Commissioner Mapes seconded by Commissioner Ayers:

**Whereas,** the City Manager presented his 2007-2008 fiscal budgets to the City Commission on April 10, 2007, and

**Whereas,** the proposed recommended millage to support these budgets are General Fund millage of 13.13; Transportation millage of .9604; Voted Street millage of 2.50; Voted Library millage of 2.000 for a total of 18.5904 mills to be spread on all taxable property in the City of Alma, and

**Be It Further Resolved,** that 1.9716 mills for administration be spread on all taxable property within Alma Downtown Development District, and

**Be It Further Resolved that** the City Commission authorizes a public hearing on the 2007-2008 proposed fiscal budgets on Tuesday, May 8, 2006 at 6:05 p.m.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

**Resolution Declared Adopted.**

The following preamble and resolution was offered by Commissioner Legene seconded by Commissioner Mapes:

**Whereas,** Blaine R. Hinds served as City Manager for the City of Alma from February 1978 through March 1988, and

**Whereas,** under Blaine's guidance, many cost cutting programs were instituted within the City of Alma in health, dental and liability insurance, the Library Endowment Trust Fund was established, an improved budget process was implemented and an employee evaluation and selection process was instituted, and

**Whereas,** during his tenure as City Manager he advanced the City of Alma in many ways and poised the City for the many exciting projects that are on the horizon, and

**Whereas,** Blaine left the City of Alma to take a position as City Manager in Junction City Kansas and since that time he has served his profession faithfully as City Manager in Terrell, Texas, Ardmore, Oklahoma and Bonham, Texas, and

**Whereas,** after thirty-nine years in local government, Mr. Hinds plans to retire this month and enjoy his retirement in Huntsville, Texas with his family.

**Now, Therefore Be It Resolved**, that the City of Alma City Commission thanks Mr. Blaine Hinds for his dedication and commitment to his profession and all the positive advances he made for the City of Alma during his ten-year tenure as City Manager, and

**Be It Further Resolved** that City staff and citizens of the City of Alma join with the City Commission in wishing Blaine and his wife Joan the best of luck and many enjoyable times for the years to come.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

**Resolution Declared Adopted.**

The following preamble and resolution was offered by Commissioner Mapes seconded by Commissioner Comer:

**Whereas**, the Gratiot County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), have established a Brownfield Redevelopment Authority and Board (BRA) to facilitate the clean up and redevelopment of Brownfields within Gratiot County’s communities; and

**Whereas**, the property located at 520 Republic in the City of Alma (“the Property”) is a “facility” under state statute, and a non-producing parcel for many years; and

**Whereas**, a Brownfield redevelopment plan (the “Plan”) has been prepared to describe the redevelopment of the Property which the BRA has reviewed and modified; and

**Whereas**, the BRA, pursuant to and in accordance with Section 13 of the Act, has recommended that the Gratiot County Board of Commissioners approve the Brownfield Plan to be carried out within the City of Alma, relating to the redevelopment of the Property; and

**Whereas**, the members of the City Commission have reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Sections 13(13) of the Act.

**Now Therefore Be It Resolved** that, the City Commission of the City of Alma hereby concurs with the provisions of the Plan including approval of the Plan by the Gratiot County Board of Commissioners and implementation of the Plan by the BRA.

**Be It Further Resolved** that, should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

**Be It Further Resolved** that all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Don Schurr, President, Greater Gratiot Development, Inc. addressed the City Commission and reviewed the Brownfield Redevelopment Authority establishment process and the redevelopment plan for the former Oxford Automotive property. Merrill Fabricators plans to move into the building within the next few months. The brownfield plan calls for a site analysis, cleanup, administrative costs and a utility separation, totaling approximately \$334,000. Mr. Schurr introduced Chelsea Foster, Greater Gratiot Development, Inc. and Jim Linton, AKT Peerless. AKT Peerless will be performing the environmental services for the project and plans to proceed immediately with the project. Mr. Schurr also introduced Randy Yackel, President, Merrill

Fabricators. Mr. Yackel advised that they plan to move into the facility as soon as the environmental clean up is completed, hopefully by July or August. Work will begin on the building while the clean up is being done and production is scheduled to be started in August or September. Mr. Yackel thanked the City Commission and City of Alma for their cooperation.

Mr. Schurr advised that with the adoption of the above resolution concurring with the provisions of the plan, the plan will go to the Gratiot County Board of Commissioners on May 15, 2007 for approval.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Ayers seconded by Commissioner Comer to adopt a resolution authorizing the annual maintenance agreement with Commercial Blueprint in the amount of \$2,068 for engineering equipment.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Motion by Commissioner Comer seconded by Commissioner Legene to receive the following reports and place them on file: Alma DART & Bus Depot March reports; Gratiot County Brownfield Redevelopment Authority meeting minutes of 2/27/2007; Rural Urban Fire Control Board meeting minutes of 4/17/2007; 2006 Annual Public Services Report; Alma Housing Commission meeting minutes of 3/20/2007; March Financial Reports.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

The City Commission continued their discussion and consideration of a resolution concerning Confined Animal Feeding Operations. Commissioners agreed the resolution was appropriate and were pleased that action was being proposed.

The following preamble and resolution was offered by Commissioner Comer seconded by Commissioner Mapes:

**Whereas**, the City of Alma is concerned about the health and welfare of the City's residents, the well being of the local economy and the quality of life in Gratiot County; and,

**Whereas**, the City of Alma has developed a waterfront master plan to clean-up, beautify and revitalize the north bank of the Pine River; and,

**Whereas**, the Gratiot County Soil Conservation District lists manure management as a chief concern for surface water quality; and,

**Whereas**, the City Commission of Alma believes in the concept of home rule and local control; and,

**Whereas**, the City of Alma relies on the Pine River as a source of water for its water plant as well as for the recreation of its citizens; and,

**Whereas**, the City of Alma recognizes that agriculture is a large and essential component of the Gratiot County and City of Alma economy; and,

**Whereas**, the City of Alma, Greater Gratiot Development, Alma College and the Michigan State University Extension Office hosted two forums to educate the community about the impact of livestock operations;

**Therefore Be It Resolved** that; the City of Alma encourages the Michigan State Legislature to review the Michigan Right to Farm Act to provide greater local control for zoning and land use planning; and,

**Be It Further Resolved** that the City of Alma requests that the Michigan Department of Agriculture carefully review and modify its list of generally accepted agricultural management practices in light of current environmental and water quality research findings; and,

**Be It Further Resolved** that the City of Alma requests that the Michigan Department of Agriculture and the Michigan Department of Environmental Quality carefully review all livestock permitting applications on or near the Pine River to ensure that the Pine River water quality is maintained and that proper manure management practices are followed to prevent any contamination of the Pine River; and,

**Be It Further Resolved** that the City of Alma requests that the Michigan Department of Agriculture carefully review all livestock permitting applications near the City of Alma to ensure that the operations strictly follow generally accepted agricultural management practices and to ensure that the operations do not harm the health and well-being of our residents and to ensure that the operations do not harm the local economy.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

### **Resolution Declared Adopted.**

Motion by Commissioner Mapes seconded by Commissioner Comer to approve Warrant No. 07-20 and to authorize the City Treasurer to issue checks in payment of all claims.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Commissioner Legene expressed his happiness to see a resolution on CAFO adopted which adequately answers questions related to CAFOS and addresses the issues that residents and Commission expect from current and proposed CAFOs.

Commissioner Ayers agreed that the CAFO resolution was appropriate and thanked Merrill Fabricators for their commitment to the Alma community. Mr. Ayers also commented on the recent Senate energy hearing which heard comments on the proposed Great Lakes Energy Park.

Commissioner Mapes agreed with Commissioner Ayers comments. He said he had talked to many people this past week and all expressed their excitement concerning Merrill Fabricators move to Alma and the great opportunity for the community. Mr. Mapes also commented on the Senate hearing concerning the energy park. It was a good presentation and seemed to be well received by Senate Energy committee. He encouraged everyone to write letters to both House and Senate energy committees as well as our local representatives and Governor Granholm. This is a big project which will take time. Support from the community is crucial.

Commissioner Comer echoed Commissioner Mapes' and Commissioner Ayers' comments.

Mayor Nyman thanked Merrill Fabricators and Greater Gratiot Development, Inc.

Don Schurr thanked the City and City Commissioner for their cooperation and also thanked the current owner of building and AKT Peerless for working very quickly to get this project underway. The project is happening because all entities have worked together.

Mrs. Lois Ramsey, 7708 N. Bliss Rd., Elwell and Mrs. Marilyn Lorenz, 610 Woodworth, both thanked the City Commission for their action on the proposed CAFO in Seville Township.

Motion by Commissioner Comer seconded by Commissioner Ayers to adjourn the meeting at 6:37 p.m.

**Yes:** Ayers, Comer, Legene, Mapes, & Nyman.

**No:** None.

Mayor Nyman announced that the City Commission would be continuing their review of the FY 2008 budget.

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Melvin A. Nyman, Mayor

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Barbara A. Gager, City Clerk