

**MINUTES OF A REGULAR MEETING OF THE MILAN CITY COUNCIL
HELD ON FEBRUARY 23, 2015 AT 7:30 P.M. IN THE COUNCIL CHAMBERS,
147 WABASH ST., MILAN MI 48160**

Mayor Armitage called the meeting to order at 7:30 p.m. and opened with the Pledge of Allegiance.

COUNCIL MEMBERS PRESENT: Mayor Armitage, Council Members Churchill, Gee, Gilson, Hamden, Moyer, Williams.

OTHER OFFICERS PRESENT: City Administrator Smith, City Attorney Mann, City Clerk Frye, Building/Zoning Official Grostick (excused), Parks and Recreation Director Bell, Police Chief Scherlinck (excused), MIS & Communications Director Slay

OTHERS PRESENT: Steven Price, David Snyder, Lieutenant Jeremy Neiman, Fire Chief Stevens

APPROVAL OF AGENDA: February 23, 2015

Motion by Gee to approve the agenda as presented, seconded by Moyer.

Motion carried unanimously.

APPROVAL OF MINUTES:	February 9, 2015	-	Work Session
	February 9, 2015	-	Regular Meeting

Motion by Churchill to approve the minutes as presented, seconded by Gilson.

Motion carried unanimously.

CITIZENS MATTERS FROM THE FLOOR: None

MATTERS TO RECEIVE AND FILE:

1. Planning Commission Meeting Minutes of November 28, 2014.
2. Milan Youth Council Meeting Minutes of November 18, 2014.
3. Milan Youth Council Meeting Minutes of December 16, 2014.
4. Washtenaw Area Transportation Study (WATS) Meeting Agenda for February 18, 2015.
5. Building/Zoning/DPW/ Parks and Recreation Monthly Report for January 2015.
6. Police Department Monthly Report for January 2015.

Motion by Gee to receive and file items #1 through #6, seconded by Williams.

Motion carried unanimously.

MATTERS FOR ACTION:

- 1. Approve or Not Approve Second Reading of Ordinance No. 2015-01-An Ordinance to Amend Chapter 13 “Miscellaneous Offenses and Provisions” of the Milan City Code, by adding a new Article X “Theft”, and by adding to Article X – Theft, in order to provide a description of and penalty for specific theft crimes.**

An on-going project has been to review, reorganize, and update pertinent sections of the City Code specific to criminal offenses. City Prosecutor Jesse O’Jack has been working with the department in this regard. This step in that process would in-essence, reorganize Chapter 13, Article X entitled “Theft”, and within that new article add the offenses of “Third Degree Retail Fraud” and “Defrauding an Innkeeper”, which currently do not exist within the City Code. This will result in all fraud and theft type city code violations being listed in and grouped together under one article. In addition, the language in the existing theft and fraud sections have been reviewed and updated.

Motion by Williams to approve at second reading Ordinance No. 2015-01, seconded by Hamden.

ROLL CALL VOTE:

AYES: Churchill, Gee, Gilson, Hamden, Moyer, Williams, Armitage
NAYS: None
ABSENT: None
ABSTAIN: None

Motion carried unanimously.

- 2. Approve or Not Approve Reconstruction of the Platt and Redman Roads Intersection.**

On February 6th, four bids came in for the Redman and Platt Roads Intersection through the MDOT’s bid process. Low bid was Florence Cement Company in the amount of \$814,860. The estimate was \$675,000 and Federal funding is CAPPED at \$564,000. The project came in 17% over the estimate. The total project costs including the bid from Florence Cement Company are as follows: Florence Cement Company Construction Cost - \$814,860, Construction Engineering (CE) Cost - \$90,775 with a total cost of \$905,635 with the Federal portion being \$564,000 and the City of Milan portion being \$341,635. Discussion was held with the MDOT and they suggested that the City direct 100% of the Federal dollars to the construction cost. The Federal funding is capped at \$564,000 and then the City is responsible for the balance of the construction (\$250,860) plus the Construction Engineering Cost. City Administrator Smith outlined the funds in Major Street and how the project can still move forward with there still being a fund balance. The work is expected to be completed by the 1st of September.

Motion by Gilson to approve awarding the contract for reconstruction of the Redman and Platt Roads Intersection to Florence Cement Company for the amount not to exceed \$814,860.00.

Motion carried unanimously.

- 3. Approve or Not approve an Amendment to the Development Agreement between the City of Milan, Wabash & Main LLC, Wabash & Main Properties Corp., and Kincaid Henry Building Group, Inc.**

The E. Main Street redevelopment project is rapidly moving towards a closing date. There have been changes to the funding model since original adoption of the agreement. Changes and proposed amendments to the existing Development Agreement include:

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1) the increase in funding and provision for an additional source of funding for the Project, which is now available and would also flow through the City under the Development Agreement, and 2) setting forth with additional specificity the regulatory provisions applicable to this funding as requested by Kincaid Henry. The question was asked as to when the project is expected to start and Mr. Snyder was no able to make an announcement at this time, but one will be coming soon.

Motion by Williams to approve the amendment to the existing Development Agreement, seconded by Gilson,

Motion carried unanimously.

4. Approve or Not Approve a Fundraiser, Parade, Solicitation and Special Event Request from the Knights of Columbus Howard Heath Council #7587 to hold the annual Special Event on March 27, 2015 – March 28, 2015.

The Knights of Columbus would like to conduct an event to raise money for the mentally impaired children. They would like to canvass for money on the street corners of Main St/Platt Road, as well as at Dexter/County roads. The use of cones and reflective apparel (vests) will be required during the event dates. Police Chief Scherlinck approved this requested from the Police Department pending proof of insurance.

Motion by Gilson to approve the Special Event Requested as presented, seconded by Moyer.

Motion carried unanimously.

BILLS PAYABLE AND PAYROLL: \$344,376.33

Motion by Moyer to approve bills payable and payroll as presented, seconded by Churchill.

Motion carried unanimously.

CITIZENS MATTERS FROM THE FLOOR: None

City Administrator Smith reported that Ground Maintenance and Emergency Snow Removal bids were received and reviewed. These items will be presented to council in March. Budget work has begun with the staff and Plante and Moran.

Fire Chief Stevens addressed City Council and expressed his appreciation to the citizens that keep the fire hydrants clear of snow and debris. He asked that residents that have a fire hydrant where they live to please do the same, as it keeps them easily accessible in case of emergencies.

MIS/Communications Director Slay reported that there have been some network issues with the fiber connectors, this has been taken care of and now the WIFI is down at City Hall. He will be working to get that back up and running.

Parks and Recreation Director Bell indicated that there were 70 girls each night that attended the Daddy/Daughter Dance. The Mother/Son Dance is being held on March 13th and the deadline to register is March 9th. A Blood Drive is being held on Friday, March 6th at the Milan Senior/Community Activity Center. She also wanted residents to know that a fundraiser is being held to raise funds for the new Wilson Park Pavilion. You can donate online or visit city hall.

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MAYOR, COUNCIL & STAFF REPORTS AND/OR COMMENTS: (con't)

Councilmember Gee congratulated the Greater Milan Area Community Foundation on a great event held on Saturday evening.

Councilmember Gilson again expressed his concern with the parking along Main Street in front of Dance Xplosion, as he is concerned for the safety of the children.

Councilmember Williams informed everyone that the Milan Youth Council is holding Skating in the Park from 7 – 9 p.m. on Friday, February 27th. They will be holding a bake sale to raise money for the group and they will be serving hot chocolate. You can wear your shoes or skates, but no skates will be available for rental.

Mayor Armitage thanked those sponsors and supporters that came out for the Gala on Saturday night. The preliminary results are that approximately \$40,000 was raised. He was happy with the event and the generosity that made it all possible. He also reported on the Wilson Park Pavilion Fundraiser that is currently taking place. If the City is able to raise \$10,000 by April 21, 2015, the Michigan Economic Development Corporation will match those funds. There are several ways to make a donation either by visiting the City's website, visiting City Hall or sending a check. He asked that if donations are made by check, please make sure that it states that it is for the pavilion fundraiser.

ADJOURNMENT: Motion by Gilson to adjourn meeting at 8:38 p.m., seconded by Hamden.

Motion carried unanimously.

Michael Armitage, Mayor

Candy S. Frye, CMC
City Clerk