

MINUTES OF THE REGULAR MEETING OF THE PARCHMENT CITY COMMISSION HELD ON
MONDAY MAY 17, 2010 AT 7:00 P.M.

1. **Call to Order**

The meeting was called to order by Mayor Heasley at 7:00 p.m. He led those present in the "Pledge of Allegiance".

2. **Roll Call**

Present: Commissioners Balmer, Banner, Fleckenstein, Hageman, Heasley, and Sell. Dennis Durham, City Manager; Curt Flowers, City Clerk; Robert Soltis, City Attorney; Tonya Schuitmaker, 20th District Senate Candidate; Dave Person, Kalamazoo Gazette.

Absent: Vice-Mayor Britigan

Moved by Hageman and supported by Fleckenstein to excuse Vice-Mayor Britigan who was home sick. Carried

3. **Minutes**

Moved by Banner and supported by Sell to approve as presented the minutes of the May 3, 2010 regular meeting. Carried

4. **Additions or Changes to the Agenda**

None

5. **Citizen Comments**

State Representative Tonya Schuitmaker introduced herself and stated she was a candidate for the 20th District State Senate seat being vacated by Tom George.

6. **Consent Agenda**

Moved by Hageman and supported by Fleckenstein to receive and/or approve as indicated the following consent agenda items:

- A. Warrant No. 1153 - receive
- B. Police Report for April - receive
- C. MMRMA Claims Report - receive

Motion Carried

7. **Unfinished Business**

None

8. **New Business**

A. Moved by Banner and supported by Hageman to adopt the following 2010/2011 fiscal year budget resolution:

WHEREAS, the City Manager did submit to the City Commission a proposed budget estimating revenues and expenditures for the 2010/2011 fiscal year on April 5, 2010 as required by Chapter VII, Section 7.4 of the City Charter; and

WHEREAS, the City Commission in accordance with Act 621 Michigan Public Acts of 1978, did hold a public hearing on May 3, 2010 at 7:00 P.M. to receive citizen comment on the proposed budget as presented herein. A copy of the affidavit of publication being on file with the City

Clerk.

NOW THEREFORE BE IT RESOLVED THAT, the City Commission of the City of Parchment, does hereby adopt said budget as represented herein; and

BE IT FURTHER RESOLVED, that the City Treasurer be authorized and directed to make such transfers between the various funds in accordance with the adoption of this budget; and

BE IT FURTHER RESOLVED, that the City Manager be authorized to transfer up to \$5,000.00 from any function of this budget to any other function of the budget within the same fund without further approval.

General Fund

Revenues		Expenditures	
Taxes	\$767,544	Legislative	\$72,125
Fees & Permits	96,700	Administration	278,293
State Grants	161,100	Police	341,458
Charges for Services	6,850	Fire	96,685
Fines	5,350	Public Services	303,975
Interest	10,000	Parks & Rec.	89,080
Other Revenues	107,000		
From Fund Bal.	27,072		
<u>Total Revenues</u>	<u>\$1,181,616</u>	<u>Total Expenditures</u>	<u>\$1,181,616</u>

Major Street Fund

Revenues		Expenditures	
Intergovernmental	\$82,233	Routine Maintenance	\$14,331
Interest	3,000	Traffic Services	20,214
From Fund Balance	13,546	Winter Maintenance	20,515
		Administration	3,719
		To Local Streets	40,000
<u>Total Revenues</u>	<u>\$98,779</u>	<u>Total Expenditures</u>	<u>\$98,779</u>

Local Street Fund

Revenues		Expenditures	
Intergovernmental	\$32,916	Routine Maintenance	\$98,118
Interest	200	Traffic Services	12,048
From Major Streets	43,719	Winter Maintenance	20,516
From Fund Bal.	56,267	Administration	2,420
<u>Total Revenues</u>	<u>\$133,102</u>	<u>Total Expenditures</u>	<u>\$133,102</u>

Kindleberger Arts Commission

Revenues		Expenditures	
Grants	\$34,000	Performance Expense	\$10,000
Fund Raising	18,700	Festival Day	4,800
Fees	14,300	Fund Raising	7,800
Car Show	500	Administration	8,850
		Stage Expense	18,200
		Publicity	14,500
		Car Show	300
		To Fund Balance	3,850
Total Revenues	\$67,500	Total Expenditures	\$67,500

Downtown Development Authority

Revenues		Expenditures	
Tax Revenue	\$238,100	Debt Retirement	225,000
Interest	1,000	Interest Expense	12,825
From Fund Bal.	28,050	Bond Fees	275
		Personnel Services	29,050
Total Revenues	\$267,150	Total Expenditures	\$267,150

The roll call vote was as follows:

Ayes: Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
 Nays: None
 Absent: Britigan
 Abstain: None

Resolution declared Adopted

B.Moved by Balmer and supported by Banner to adopt the following Millage Rate resolution:

WHEREAS, the Board of Review of the City of Parchment has completed its review and correction of the Assessment Roll for 2010; and

WHEREAS, said Assessment Roll shows the taxable value of all property in the City of Parchment subject to general Ad Valorem taxation to be as follows: \$43,144,457 for real property and \$4,618,046 for personal property totaling \$47,762,503; and

WHEREAS, the City Commission has adopted a budget for the 2010-2011 fiscal year which will require the levy of 16.6772 mills in order to adequately fund the operations of the City of Parchment; and

WHEREAS, the City Commission has complete authority to establish 16.6772 mills be levied in 2010 for operating purposes; and

WHEREAS, the City Commission of the City of Parchment did hold a public hearing Monday, May 3, 2010 at which time the property tax millage rate proposed to be levied to support the proposed budget was a subject of this hearing.

NOW THEREFORE BE IT RESOLVED, by authority granted by the City Charter, Chapter IX, Section 9.1, the City Commission of the City of Parchment does hereby set the millage rate for 2010 at 16.6772 mills to be levied against each dollar of taxable value of Real and Personal Property within the City of Parchment for general operating purposes.

BE IT FURTHER RESOLVED, pursuant to the authority of Parchment City Charter, Chapter IX, Section 9.6 the City Clerk is hereby directed to certify to the Assessor the total amount of \$724,210.00 (adjusted for DDA capture) to be raised by taxes.

FURTHER, when extensions have been made by the Assessor, that the City Assessor, pursuant to City Charter, Chapter IX, Section 9.8, shall execute the necessary warrant directing the City Treasurer to collect the tax set forth in said warrant, and that same when collected be credited to 2010-2011 GENERAL OPERATIONS in the amount of \$724,210.00.

The roll call vote was as follows:

Ayes:	Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays:	None
Absent:	Britigan
Abstain:	None

Resolution declared Adopted

C.Moved by Hageman and supported by Sell to adopt the following water rate resolution:

WHEREAS, in accordance with the City of Parchment Compiled Ordinances specifically section 58-113, the City Commission is empowered to fix rates charged to customers of the City of Parchment Water System for operation and maintenance of said system.

NOW THEREFORE BE IT RESOLVED, effective with the July 1, 2010 billing, the charges for water supplied by the City of Parchment Water System shall be computed as follows:

A. RATE SCHEDULE "A"

Demand Charge - The minimum charge covering periods during which no water has been used shall be referred to as the demand charge. The demand charge shall be based on the size of the meter installed. The demand charge shall apply whenever water service is on and available to the customer and shall be discontinued only after the meter has been removed by authorized City personnel.

Domestic and Commercial Size of Meter	Base Charge charge per quarter
less than one inch	\$15.00
one inch	16.00
one an 1/2 inch	25.00
two inch	37.00

three inch	52.00
four inch	100.00
six inch	150.00
eight inch	150.00

Commodity Charge - Customers in all account classes located within the corporate limits of the City of Parchment shall pay \$1.40 per 100 cubic feet of water usage.

Customers located outside the corporate limits of the City of Parchment and those customers not on the real property tax rolls of the City of Parchment shall pay one and one half the rate for the demand and commodity charges.

Discount volume contracts in existence at the time of the adoption of this resolution shall be entitled to the rate structures and/or formulas set forth within their respective contracts.

B. RATE SCHEDULE "B" - FIRE SPRINKLER

Demand Charge

Fire Sprinkler Service Pipe Size	Ready to Serve Charge per Quarter
four inch	\$100.00
six inch	150.00
eight inch	150.00

Commodity Charge: \$1.40 per 100 cubic feet of water.

Rate schedule "B" shall apply to all service pipes furnishing water to fire protection sprinkler systems. It shall be unlawful to use water through such service pipes for any purpose other than extinguishing fires, testing or filling of the sprinkler system or its appurtenances. Customers using water under schedule "B" shall maintain their sprinkler systems in a tight condition free from drips, leaks, and unlawful uses of water at all times and at such frequencies as to best protect the interests of the City of Parchment water system.

C. PENALTY

A penalty of ten (10) percent of the billing for services shall be charged on all accounts not paid on or before the due date as indicated on the billing.

D. TURN ON - TURN OFF CHARGES

A charge of \$15.00 shall be made whenever a meter is removed or service is turned off, and a charge of \$15.00 shall be made whenever a meter is reinstalled or service is turned on. (No charge shall be made for the initial installation of a meter)

E. PARALLEL METERS

When two or more meters are connected parallel, the size for the purpose of billing shall be considered as the size meter having the next largest cross sectional area than the total of the cross sectional areas of the meters so connected.

The roll call vote was as follows:

Ayes: Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays: None
Absent: Britigan
Abstain: None

Resolution declared

D.Moved by Sell and supported by Hageman to adopt the following sewer rate resolution:

WHEREAS, in accordance with the City of Parchment Compiled Ordinances, specifically section 58-61, the City Commission is empowered to fix rates charged to customers of the City of Parchment Sewer System for efficient operation and maintenance of said system.

NOW THEREFORE BE IT RESOLVED, effective with the July 1, 2010 billing, the charges for sewer services supplied by the City of Parchment Sewer System shall be computed as follows:

- A. Measurement - The charges for sewer services shall be based upon the cubic feet readings from the water system. The charges for the summer quarters shall be based on an average of the two previous winter quarters or the actual readings whichever is lower.
- B. Demand Charge - The minimum charge, covering periods during which no water usage has been recorded shall be referred to as the demand charge. The demand charge for all account classes shall be \$10.00 per quarter.

Commodity Charge - Customers of all account classes located within the corporate limits of the City of Parchment shall pay \$3.36 for sewer services per 100 cubic feet of water usage.

Customers located outside the corporate limits of the City of Parchment and those customers not on the real property tax rolls of the City of Parchment shall pay one and one-half the rate for demand and commodity charges.

Exceptions - Discount volume contracts in existence at the time of the adoption of this resolution shall be entitled to the rate structures and/or formulas set forth within their respective contracts.

Excess sewer use charges received from the City of Kalamazoo after biennial use audit shall be equally divided by the number of all sewer accounts in effect at the time of the charges with that amount billed to and paid by each account owner in four (4) equal quarterly billings beginning with the 2nd quarterly bill in the year in which the charges are received. For charges received in 2009, only, the charges shall be divided equally by the number of sewer accounts presently in effect with that amount billed to and paid by each account owner

in three (3) equal quarterly billings beginning with the July quarterly billing.

- C. PENALTY - A penalty of ten percent (10%) of the billing for services shall be charged on all accounts not paid on or before the due date as indicated on that billing.

The roll call vote was as follows:

Ayes: Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays: None
Absent: Britigan
Abstain: None

Resolution declared

E.Moved by Hageman and supported by Balmer to approve payment of membership dues in the amount of \$1,356.00 to the Michigan Municipal League for fiscal year 2010/2011, Said disbursement to come from the legislative activity of the 2010/2011 fiscal year budget. Carried

F.Moved by Hageman and supported by Fleckenstein to adopt the following resolution approving a Fifth amendment to the Urban Cooperation Act Agreement which established the Public Media Network to permit the City of Portage to become a Member Public Agency and to approve a Memorandum of Understanding related thereto:

WHEREAS, the City Commission of the City of Parchment entered into an Urban Cooperation Act Agreement (the "Agreement") to establish a separate legal entity (the "Public Media Network") to administer cable television public access and other community media services on a cooperative basis with other local governments (the "Member Public Agencies"); and

WHEREAS, the Agreement established a Board of Directors to operate the "Public Media Network"; and

WHEREAS, the Board of Directors has recommended to the Member Public Agencies that the Agreement be amended to permit the City of Portage to join the Public Media Network as a Member Public Agency on the terms and conditions of the Agreement and a Memorandum of Understanding between the PMN and the City of Portage; and

WHEREAS, the Board of Directors has submitted to the Member Public Agencies a Fifth Amendment to the Agreement (attached) and a Memorandum of Understanding(attached) and requested that both be approved; and

WHEREAS, the Agreement provides that it may be amended with the approval of two-thirds of the Member Public Agencies; and

WHEREAS, the City Commission of the City of Parchment finds and determines it to be in the public interest to approve the Fifth Amendment and the Memorandum of Understanding;

NOW, THEREFORE, BE IT RESOLVED THAT the City Commission of the City of Parchment hereby approves the Fifth Amendment and Memorandum of Understanding in substantially the form attached to this Resolution.

BE IT FURTHER RESOLVED THAT the Mayor and the City Clerk are hereby authorized to sign the Fifth Amendment and Memorandum of Understanding in substantially the form attached to this Resolution.

The roll call vote was as follows:

Ayes:	Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays:	None
Absent:	Britigan
Abstain:	None

Resolution declared

G.Moved by Fleckenstein and supported by Balmer to adopt the following substance abuse resolution:

WHEREAS, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems; and

WHEREAS, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being; and

WHEREAS, it is illegal to give or allow your teen's friends to drink alcohol in your home, even with their parent's permission; and

WHEREAS, anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and 60 days in jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense; and

WHEREAS, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol free activities; and

WHEREAS, the City Commission of the City of Parchment encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling the local police.

NOW, THEREFORE BE IT RESOLVED, that the City Commission of the City of Parchment not only discourages the use of alcohol by those below the legal age of

consumption but also strongly suggests that all residents of the City of Parchment refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity; and

BE IT FURTHER RESOLVED that the City Commission of the City of Parchment wholeheartedly supports the Kalamazoo County Substance Abuse Task Force in its initiative to reduce the health, safety and legal risks associated with underage drinking by proclaiming the month of May as: "Parents Who Host, Lose The Most: Don't be a party to teenage drinking" Month.

The roll call vote was as follows:

Ayes: Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays: None
Absent: Britigan
Abstain: None

Resolution declared

I.Moved by Banner and supported by Sell to change the following Commission meeting dates in the month of July:

- A. change the first meeting in July from Monday, July 5, 2010 to Tuesday, July 6, 2010.
- B. Cancel the Monday, July 19, 2010 meeting

The roll call vote was as follows:

Ayes: Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays: None
Absent: Britigan
Abstain: None

Motion carried

J.Moved by Banner and supported by Balmer to terminate the bid from Tony LaRoma, granted April 19, 2010 and accept the bid from Rod Benson Concrete in the amount of \$16,857.00 approximately 750 linear feet of side walk throughout the City.

The roll call vote was as follows:

Ayes: Balmer, Banner, Fleckenstein, Hageman, Heasley, Sell
Nays: None
Absent: Britigan
Abstain: None

Motion carried

10. **Mayor and Commissioner Comments**

Commissioner Banner noted one of the cross walk signals at Riverview and Espanola was crooked.

Commissioner Fleckenstein asked if there were any buyers for the vacant Bank of America building.

Mayor Heasley noted there would be a meeting of the Downtown Development Authority on Monday, June 7, 2010 at 6:00 p.m.

11. **City Manager Comments**

Manager Durham stated it was his understanding that the mill property would be mowed sometime this week.

12. **Adjournment**

There being no more business to come before the Commission, it was moved by Commissioner Balmer and supported by all to adjourn the meeting at 8:07 p.m.

Curtis E. Flowers, CMC
City Clerk