

January 11, 2010

Regular meeting of the Ludington City Council held in the Council Chambers of the Municipal Building on Monday, January 11, 2010, at 6:30 o'clock p.m.

Present: His Honor Mayor John Henderson and Councilors Kaye Holman, Paul Peterson, Wally Taranko, Brent Scott, Wanda Marrison, Pete Engblade, and Gary Castonia.

Absent: None.

Also present were City Manager John Shay, City Attorney Richard Wilson, Police Chief Mark Barnett, Fire Chief Jerry Funk, Interim City Treasurer Linda Rogers, and City Clerk Deborah Lusk.

Invocation was pronounced by Councilor Pete Engblade.

Pledge to the Flag was given.

Item b under Communications, Approval to hold a Right to Life March on January 17, 2010, was added to the agenda. Moved by Councilor Castonia, seconded by Councilor Holman, that the Agenda be approved as corrected. Motion Carried.

The meeting was opened for public comments.

Greg Balcom, 403.5 S Harrison St, asked Council for assistance with his parking. He can only park in the alleyway and he is experiencing problems in the winter with the snow plows coming through and burying his car. He is a driver for Michigan Works and his job depends on being on time to drive others to their jobs. He is asking the City for some options with the parking. Police Chief Mark Barnett offered to meet with him after the meeting to discuss some options.

After no further comments were received, the regular order of business was resumed.

Moved by Councilor Peterson, seconded by Councilor Holman, to approve the minutes of the regular meeting 12/21/09. Motion Carried.

His Honor made the following appointments to the Standing Committees:

Finance: K.Holman, Chrm., P.Peterson, W.Taranko.

Personnel, Rules and Resolutions: B.Scott, Chrm., P.Engblade, W.Marrison.

Public Safety/Public Utilities: G.Castonia, Chrm. Safety, P.Peterson, Utilities, B.Scott

Cemetery, Parks & Recreation/Waterfront: W.Marrison, Chrm., K.Holman, G.Castonia.

Building & Licenses/Long Range Planning: P.Engblade, Chrm., K.Holman, W.Taranko

Moved by Councilor Holman, seconded by Councilor Peterson, to approve the Mayor's appointments to the Standing Committees for 2010. Motion Carried.

His Honor made the following appointments to the Official Boards.

CITY OF LUDINGTON
OFFICIAL BOARDS

Term Expiring December 31

FIRE COMMISSIONER

Councilor Castonia – Public Safety Committee Chairman 2010
Mayor & City Manager

DISTRICT LIBRARY BOARD – Formed in 1994

Marilyn Bannon (City Appt.) 2010
Ivan Anthony (County Appt.) 2010
Laura Thompson (City Appt.) 2011
Robert Kran (County Appt.) 2011
Gilbert Larsen (City Appt.) 2012
Michael Sutton (County Appt.) 2013
Kristen Biggs (Mutual Appt.) 2013

POLICE PENSION BOARD

Helen DeBeck (City Appt.).....	2010
John Fellows (City Appt.).....	2011
Matthew McMellan (Elected by PD).....	2011
Mike Haveman (Elected by PD).....	2012
*City Treasurer	

SENIOR CITIZENS ADVISORY BOARD

Margaret Utley.....	2010
Don Allen Jr.	2010
Dave Hanson	2011
Marsha Kennedy	2012
Helen Vanderveer	2012
Wil Fortier	2012
Patricia Johnston.....	2013
Sonny Bridges.....	2013

RECREATION BOARD

City Councilor Marrison-Chrm. Of Parks & Recreation Com.....	2010
Mary Jo Pung (School Board Member)	2010
Jerry Erickson (City Appt. / At-Large)	2010
Dan Neil (School Board Appt. / At-Large)	2010
Gene Jorissen (PM Township Appt.)	2010
Nancy Estola (Summit Township Appt.).....	2010
Nancy Vandervest (Hamlin Township Appt.).....	2010
Gary Castonia (City Council Member).....	2011
Rob Killips (City Appt. / At-Large)	2011
Steve Brockelbank (School Appt. / At-Large)	2011

BOARD OF REVIEW

Fred Hackert	2010
Sue Ann Schnitker.....	2010
Debby Stevenson.....	2010
Dave Germain	2010
Robert Bachman	2010

CONSTRUCTION & PROPERTY MAINTENANCE CODE APPEAL BOARD

Frank Sagan	2010
Tom Coleman	2011
Jim Nordlund	2012
Robert Bradshaw.....	2013
Bill Roy	2014

ZONING BOARD OF APPEALS

Brian Purtee	2010
Roger Starr	2010
Vacancy.....	2010
Joe Moloney (Planning Commission Liaison).....	2011
Bill Loforte.....	2011
Tom Tyron	2012
Bonnie Vaught	2012
VACANCY (Alternate)	
VACANCY (Alternate)	

LUDINGTON MASS TRANSIT AUTHORITY

Russell Peterson	2010
Robert Overholt	2010
Kim Halladay.....	2011
Karen Nielsen.....	2011
Harold Madden	2012
City of Scottville Appointment (Scottville Senior Center Director)	

MUNICIPAL MARINA BOARD

DickBoes.....	2010
Jack Bulger.....	2010
Councilor Kaye Holman (Finance Committee Chairman.....	2010
Avery Benedict.....	2011
Fred Hackert.....	2011

COMMUNITY DEVELOPMENT BLOCK GRANT STEERING COMMITTEE (CDBG)

Judy Ewing.....	2010
Mike Klemm.....	2011
Dennis Walunus	2012
Mike Nekola.....	2013
Gilbert Larsen.....	2014
*Community Development Director	

CABLE ADVISORY BOARD

John Fellows	2010
Caroline Johnson.....	2010
Kirk Josvai.....	2011
VACANCY.....	2011
Robert Garrett.....	2012
Dave Weston	2012
Sharon Petzak	2012

BOARD OF ETHICS (Appointed 07/00)

Chuck Hagerman	2010
Jim Carey.....	2011
VACANCY.....	2011
Thom Hawley.....	2012
Marianne Dila Strickland.....	2012
VACANT (Alternate)	
VACANT (Alternate)	

BUILDING AUTHORITY

Tim Hansen.....	2010
Deborah Luskin	2010
John Shay.....	2011
Jack Bulger.....	2011
Milan S. (Budde) Reed.....	2012

PARKS ADVISORY COMMITTEE (Formed January 2008)

Planning Commission Member Bob Garrett.....	2010
Kirk Josvai.....	2010
Kevin Spuller.....	2010
Kathie Bachman.....	2010
Roger Starr.....	2010
Paul Peterson.....	2010
Karen Nielsen.....	2010

MISC APPOINTMENTS

Term Expiring December 31

MICHIGAN WORKS

Brent Scott	2010
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MASON COUNTY SOLID WASTE

Gilbert Larsen	2010
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WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION

Gary Castonia	2010
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The following were appointed at the December 21, 2009 City Council Meeting

PLANNING COMMISSION

Mike Nekola.....	2010
Bob Garrett.....	2010
Tom Coleman.....	2010
Kirk Josvai.....	2011
Joe Moloney.....	2011
Kaye Ferguson-Holman (City Council Liaison).....	2011
Chris Gamble.....	2012
Lynn Pontz.....	2012
Clay Olmstead.....	2012

DOWNTOWN LUDINGTON BOARD – DLB (Newly Established - January 2004)

(This Board also functions as the Downtown Development Authority.)

Sara Jeruzal.....	2010
Les Johnson.....	2010
Gail Lyons.....	2010
Barry Neal.....	2011
Kathy MacLean.....	2011
Carrie Kosla.....	2011
Julie Payment.....	2012
Aleksy Urich.....	2012
Wayne Brown.....	2012
Amanda St.Hillaire	2013
Nick Tykoski.....	2013
VACANCY.....	2013
Mayor John Henderson	

*Ex-Officio Members

Community Development Director, Chamber of Commerce Director, Mason County Growth Alliance Director & Planning Commission Representative.

Moved by Councilor Castonia, seconded by Councilor Scott, for all other appointments of the 2010 committees except for the LMTA and the Police Pension Board. Councilor Holman questioned whether a council member is required to be on the Cable Advisory Board. It was noted that a council member is not required on that committee and that specifically, Dave Weston is serving as a resident and not as a council member. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Peterson, to approve the appointment to the Police Pension Board for 2010. Councilors Castonia, Engblade, and Taranko abstained from vote due to conflict of interest. Motion Carried.

Moved by Councilor Scott, seconded by Councilor Holman, to approve the LMTA appointments for 2010. Councilor Castonia abstained due to conflict of interest. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Scott, to nominate Councilor Holman as Mayor Pro Tem for 2010. Councilor Holman accepted the nomination. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Taranko, that the 2010 regular meeting dates and times for the Ludington City Council be set for the 2nd and 4th Mondays of each month except for the months of March and December when the meetings will be held on the 1st and 3rd Mondays. All meetings will begin at 6:30 p.m. Motion Carried.

The Council set a public hearing for January 25, 2010, at 6:30 p.m. to hear public comments on the Application for Industrial Facilities Exemption Certificate filed by the House of Flavors, Inc.

Moved by Councilor Scott, seconded by Councilor Holman, to approve the Right to Life March to be held January 17th at 2:00 p.m. Councilor Holman asked that if the sidewalks were not clear of snow and because they have not asked for police presence, if they are going into the street, will there be police presence. Police Chief Barnett stated that he would have police assistance for this event in the event of snow. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Peterson, that the Finance Report with total expenditures in the amount of \$515,238.72 for this period be approved and orders drawn according to the City Charter. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Peterson, to approve the Summary of Investments, Designation of Depositories, for 2010 as presented by Interim City Treasurer, Linda Rogers. It was explained by the Interim City Treasurer that the amounts listed on the Summary of Investments are the maximum amounts that can be invested in each financial institution. It was noted that most of the banks are local banks. His Honor Mayor Henderson asked if the investment at West Shore Bank had been at a maximum of \$7,000,000 last year and it was confirmed that it had been at that amount last year. Interim City Treasurer Rogers assured Council that this bank has the highest rating of all local banks. Motion Carried.

Moved by Councilor Scott, seconded by Councilor Holman, to approve the proposed collective bargaining agreement with the Police Officers Labor Council. This is a one year contract, expiring 12/31/10, with a change in health insurance provider to Priority Health's HRA Plan with a \$1,500/\$3,000 deductible or the choice of the Priority Health HSA Plan with the City funding the \$1,200/\$2,400 deductible, no wage freezes, and to have the City form a committee with the POLC to look into the impact of establishing a Cost of Living Adjustment on the police pension. Motion Carried.

Moved by Councilor Scott, seconded by Councilor Castonia, to approve the proposed changes to the SEIU contract. This contract will be effective until May 31, 2011. Councilor Holman publicly thanked the union members for both the Police Officers Union and the Service Employees International and expressed appreciation for how quickly they came to an agreement with the City knowing the financial condition of the City. Councilor Scott also thanked all of the employees including the office staff for realizing these changes as well. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Scott, to approve the Consent to Assignment of Development Agreement in which all Brownfield reimbursement payments for the Ludington Harbor Terrace condominium project be assigned from Fifth Third Bank to RDR Properties, Inc. City Manager Shay explained that there was a Brownfield project approved in 2004 and subsequent to that, the Brownfield payments were assigned over to Fifth Third Bank and now these payments are to be assigned to RDR Properties, Inc. All parties involved including Ludington Harbor Terrace, Fifth Third Bank, RDR Properties, and the Mason County Brownfield Authority have approved this assignment. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Scott, to approve the resignation of Bernard Schlacht from the Fire Department with regrets. Fire Chief Funk explained that he has been with the department for 7 to 8 years and prior to that was a full time employee on a fire department in southern Michigan. Motion Carried.

Fire Chief Funk then discussed the fire at Longfellow Towers. He publicly thanked the fire departments from Pere Marquette Township, Hamlin Township, Riverton Township, City of Scottville, Custer Township, Life Ambulance, Ludington Police Department, Mason County Sheriff Department, Michigan State Police, Emergency Management, St. John's Church, Red Cross, Salvation Army who fed all residents and first responders, Dial a Ride, the School who provided buses, Memorial Medical Center, American Legion, and the office staff at Longfellow Towers. He explained that it was a real good joint effort with a debriefing held last Wednesday and this Wednesday night the Fire Department will be going to Longfellow Towers to see if the residents have any questions. Councilor Holman expressed thanks and was very impressed with the way things were taken care of. City Manager Shay expressed appreciation to Chief Funk for his dedication to the Fire Department.

Councilor Peterson complimented all involved in the New Years' Eve Ball Drop. He thanked Mayor Henderson and his wife for initiating this event. His Honor Mayor Henderson then thanked all the folks who gave their time, effort, and dollars for this event. He publicly thanked City Council for their support of this event, the Police Department who worked to make this event very safe, the DPW for their help in setting up the event, to the Fire Department for one of the firefighters who let the fireworks off, and to WMOM for their sponsorship.

Police Chief Mark Barnett discussed the Drive Safe, Drive Sober Program and publicly thanked all those that sponsored the Dial a Ride taking people to and from their destinations on New Year's Eve. The ridership was 841 and he explained that not one drunk driving arrest was made through the whole county that night.

Moved by Councilor Engblade, seconded by Councilor Holman, that the meeting be adjourned. So carried at 7:05 p.m.

Deborah L. Luskin, CMC
City Clerk