

August 11, 2008

Regular meeting of the Ludington City Council held in the Council Chambers of the Municipal Building on Monday, August 11, 2008, at 7:30 o'clock p.m.

Present: His Honor Mayor John Henderson, Councilors Kaye Holman, Paul Peterson, Greg Dykstra, Brent Scott, Dave Weston, Pete Enghlade, and Gary Castonia.

Absent: None

Also present were City Manager John Shay, Police Chief Mark Barnett, Fire Chief Jerry Funk, City Treasurer Mary Reeds-Mortensen, and City Clerk Deborah Luskin.

Invocation was pronounced by Councilor Pete Enghlade.

Pledge to the Flag was given.

His Honor Mayor Henderson asked to have Item 9a-Proclamation of Appreciation-Cary Shindeldecker removed from the agenda and this will be addressed at the meeting held on August 25. Moved by Councilor Castonia, seconded by Councilor Dykstra, that the Agenda be approved as corrected. Motion Carried.

The meeting was opened for public comments.

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

Moved by Councilor Weston, seconded by Councilor Holman, the minutes of the regular meeting held 07/28/08 be approved as printed. Motion Carried.

Moved by Councilor Holman seconded by Councilor Peterson, that the Finance Report with total expenditures in the amount of \$657,653.09 for this period be approved and orders drawn according to the City Charter. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Scott, to approve seeking bids for the Bryant Road Sewer and the Tamarac Village Force Main projects. City Manager Shay explained that over the last few years residents on the 1000 block of North Ferry Street have been complaining about the sewer odors. This began after the City replaced the sewer line on North Ferry Street which collapsed in 2004. Several conservative measures had been taken by the City since that time. It was determined that Tamarac's sewage is pumped via its lift stations through a force main that empties into a manhole at the intersection of North Ferry Street and Bryant Road. Tamarac has made improvements and has adjusted the level of bioxide in the force main but these efforts have not solved the odor problem. The recommendation is that Tamarac's sewage be rerouted, such that it flows into a new manhole at the northeast corner of Lakeshore Drive and Bryant Road. It would then flow east on Bryant Road in a new sewer main and then south in the existing sewer main on Vogel Street. The total estimated cost of this project is \$146,720 plus engineering. The Public Utility Committee is recommending that bids be obtained for the Bryant Road Sewer Project in the amount of \$60,220 and the Tamarac Village Force Main Project in the amount of \$86,500. It is also the recommendation to postpone the North Lewis Street project with a cost of \$155,269 until next year. Councilor Peterson stated this project must be done and that he would support it wholeheartedly. Councilor Enghlade questioned what the City Manager means when he says he is quite comfortable that FEMA would reimburse the City for the storm costs. City Manager Shay explained that FEMA would reimburse 75% of the storm costs with the State to reimburse 12.5% of these costs. The City would be responsible for 12.5% of these costs. It was noted that FEMA would not reimburse any upgrades that were made at the time the storm costs were completed. Another avenue of reimbursement is through the Federal Highway Administration. Madison Avenue is a federal aid road so the Federal Highway Administration would reimburse the road work and FEMA would then reimburse the sanitary sewer and force main issue. City Manager Shay stated that he was comfortable with FEMA reimbursing the City this calendar year so the City has proceeded to seek bids for the other budgeted projects which include the Rowe Alley Sewer Project and the Leachate Receiving Station. The North Lewis Street Project would be pushed to next year and this Ferry Street Project would be put in this place. The engineering costs for the Ferry Street Project will be brought to the next City Council meeting. Motion Carried.

Councilor Weston presented the July 2008 Monthly Police Activity Report. Police Chief Mark Barnett briefly explained that the service load was normal this year as compared to previous years. Councilor Weston questioned what was considered a non reportable item on the activity report. Police Chief Barnett explained that the non reportable item was an item that was not in the MICR (state reporting system,) but was part of the Ludington Police Department total. Moved by Councilor Weston, seconded by Councilor Castonia to accept the July 2008 Monthly Police Activity Report. Motion Carried.

Councilor Holman commented on how impressive the Ludington Fire Department looked during the recent Blessing of the Badges event. She also stated the Blessing of the Badges was nice ceremony and hopes that this event would continue next year.

Moved by Councilor Scott, seconded by Councilor Dykstra , to go into closed session at 7:48 p.m. to discuss the status of the Beyer Lawsuit.

Roll Call: Ayes: Councilors Engblade, Dykstra, Peterson, Scott, Weston, Holman, and Castonia.

Nays: None. Motion Carried.

Moved back to open session at 8:28 p.m.

Moved by Councilor Scott, seconded by Councilor Holman, to follow the strategy laid out by Attorney VanderLaan and to pursue his recommendation regarding the Beyer Lawsuit. Motion Carried.

His Honor Mayor Henderson commented on the four Friday Night Live events and expressed appreciation to many people including the City employees, Dow Chemical, the Ludington Daily News. He also stated that many merchants saw significant business as a result of these events. Councilor Peterson stated that he has heard nothing but positive comments from the public.

Councilor Holman reminded everyone that the movie this Thursday in the Park is the Bee Movie and the Mini-Badger will be in operation.

Moved by Councilor Dykstra, seconded by Councilor Holman, that the meeting be adjourned. So carried at 8:30 p.m.

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Deborah L. Luskin, City Clerk