



## CITY MANAGER'S WEEKLY UPDATE

April 28, 2023

### HUMAN RESOURCES UPDATES

**HPD:** There have been no applicants for either open position this week.

**WWTP:** We interviewed 2 candidates for the WWTP laborer position this week. Neither candidate was selected to move forward with the application process. I reached out to the VBC ISD to discuss the WWTP as a career opportunity for a graduating senior. I spoke with the advanced manufacturing administrator who agreed to pass along the information to the seniors.

**NEW STAFF** Below is a photo of our newest hires: DPW FT Steven Pena (left), Deputy Clerk PT Alora Gatties (center) & DPW PT Shaun Sweet (right)



### GENERAL UPDATES

**CINCO de MAYO FESTIVAL** The Cinco de Mayo Festival is this weekend. The event will kickoff with a concert at Ely Park Friday evening at 7pm. Beginning Saturday there will be food and drink vendors, street vendors, folkloric dancing, jalapeno eating contest, and much, much more. Here is link to the article published in the

**BUDGET & FEE SCHEDULE:** The Fee Schedule Committee is meeting today after the Council Meeting. The Memo outlining costs to the City was provided in the Council packet along with the City Manager and City Clerk's recommendations for the Fee Schedule. An update will be provided prior to the Council meeting to ensure that everyone has the most up to date documents.

**DDA:** I spoke with Roger Swets, the City's Bond Attorney, at the recommendation of the MML about working with the DDA to understand the Tax Increment Financing Act, the Tax Increment Financing Plan and the Downtown Development Plan. He is reviewing the currently approved Plans from 2000 now. There are a number of compliance points that the DDA has not been meeting with regards to actionable items required per the Act and/or associated rules issued by the SOM Department of Treasury.

**PLANNING COMMISSION:** As a reminder, there will be a 2<sup>nd</sup> reading and consideration to approve the updated Planning Commission Ordinance at the May 22, 2023 Council Meeting, as mentioned in the detailed Memo I provided at the last Council Meeting.

I am recommending this occur so that the Planning Commission can recommend Bylaws and then the Council can appoint a new member of the Planning Commission as outlined in the Michigan Planning (2008) and Zoning (2006) Enabling Acts. Again, while guidance received states that this likely does not affect the day-to-day work of the Planning Commission, the City should take proactive steps to bring their Ordinances into compliance.

There has been a preliminary request for information on how to receive a variance. The City's currently adopted Ordinance does not comply with State standards and court mandated review requirements; nor has there been a Board of Review appointed per the Ordinance and/or appropriate legislation in quite some time. As such, the Council should take proactive steps to bring their Ordinances into compliance.

**SOUTH PARKING LOT:** Excellent progress is being made on the South Parking lot upgrades. There is some damage noted that will need to be taken care of by the contractors, prior to final payment. We have made notes and will work out those details appropriately.

**CITY HALL ROOF** The work on the City Hall roof has begun this week. They started on Monday; it takes 5 days to conduct the work, provided good weather and then 2-5 days with no one on it to seal correctly. After it has sealed, they will return to finish the metal work which is expected to take 2-3 days. Finally, the product manufacturer will inspect the roof for quality control and provide final approval.

**BRUSH PILE:** Estimates to clear the piles from the WWTP are coming in much higher than expected ranging from \$75,000 to over \$325,000. Meanwhile, I have also reviewed many laws, rules and ordinances to determine *why* we cannot burn the materials. After careful review, I did not see anything expressly prohibiting a burn, so I reached back out to EGLE who provided the attached response indicating that right now, they are requesting that we do not burn the pile due to the new combined air quality- waste management rules.

All communities received a notice to participate in upcoming mandated surveys and requests for information about waste management due to the updates to Part 115 of NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT) Act 451 of 1994 so changes are coming to all communities.

**BORING PROJECT WWTP** The boring project at the WWTP to install monitoring wells has begun this week. Scott and I met with members of the drilling team to discuss their timeline and construction management. Scott will be their on-site contact. They are expected to be on-site for at least 2 months constructing and installing the monitoring well.

**DEMOS- 215 Shepard** Cross Excavating cannot start the demolition at 215 Shepard for 4-6 weeks. Meanwhile the grant for Blight Elimination has been issued. The Council will have to pass a Resolution in order to apply for this grant at the May 22, 2023 meeting. The property owners would have to sign an agreement with the City stating that they agree to the demolition and associated lien restriction. The grant states: *applicants will require that a lien in favor of the State Landbank Authority (SLBA) be placed on the privately-owned Eligible Property. A release of lien may be provided conditioned upon demonstration of future development plans satisfactory to SLBA and the local unit of government.* I have reached out to both property owners to come in and sign an agreement in case the Council decides that the City should apply for these funds.

**1 & 5 W MAIN** In communicating with the Chairwoman of the VBC Landbank this week, I have learned that the Landbank is now considering selling the properties. They will vote on this at their next meeting.

Last week when I emailed, I asked about the staircase and when it would be stabilized and the Chairwoman included the contractor and asked that he weigh in. As he did not and she did not follow up, I reached back out this week and asked him to weigh in again. The Chairwoman responded instead saying there was a miscommunication and now the Landbank is seeking contractors to do the staircase stabilization work. She went on to say that she has had no communication with the proposed developers but that she had met with a group out of Paw Paw that had some success developing a building there to see if they had some insight and contacts. She then emailed back asking if the City wanted to purchase the properties as the Landbank was going to consider selling the.

I have asked our VBC Trustee, Mike Chappell to advocate on our behalf or to provide advice on how I can better advocate on the City's behalf given the ongoing lack of support by the VBC Landbank to uphold their agreement with the City. See attached email communication.

**DWSRF APPLICATION** Wightman has issued a draft of the City's Drinking Water State Revolving Fund application. It is attached for your review. Please note that it is over 300 pages. The pages that discuss the projects we are applying for are highlighted on the following pages:

Page 273 Appendix F: Report 1 Water System Improvements Project Map

Page 274 Appendix F: Report 2 Water System Improvements Project Map

Page 275 Capital Improvement Plan: Summary of Water Capital Improvement Projects

Pages 278- 305 Capital Improvement Plan: Project Listings

The remaining pages discuss the current condition of the City's water infrastructure, the need for funding, a review of current and projected water rates, the water reliability study and the capital improvement plan, an assessment of the water town and an in-depth environmental overview.

As a reminder, the ultimate goal is to garner enough funding to minimally comply with the mandated Lead and Copper Rule. Should the City be eligible for a greater grant due to the Significantly Overburdened Status, then the Council would want to consider additional

**BULLET PROOF VEST GRANT** The Patrick Leahy Bullet Proof Vest Grant is open right now. I am working with Chief Prince and Lt. Ivy to prepare the application for 5 new vests.

**CLARK AND LINDEN** The work on Clark and Linden is expected to start Monday and last through the beginning of September. They are starting on Clark. We issued a notice on Facebook this week and delivered notices door to door via DPW.

**DWAM** The discovery of lead service lines has been delayed for the last few weeks due to an equipment failure on the contractor's end. This project was slated to complete last year, however, through a gentleman's handshake between the engineer, the contractor and the former City Manager. This is the note I received from Mickey when I requested information about the extension:

*As for the extension – you are correct that it was never formally extended. We discovered how challenging it was to get affirmative responses back from property owners and we (Yemi, contractor, and us) all agreed that we didn't know how long it would take. Instead of executing a Contract Modification to extend the completion date and likely doing that multiple times, we just agreed to try and get the permissions and then formally extend the completion date when they were completed. If you want to do one now, we can prepare one and likely set the date for August or September to make sure we are covered and hopefully don't have to do another one.*

I am advising Mickey that there should be a contract extension as there should be a projected close out date and obligation by the contractor and engineer to complete the agreement in a timely manner.