

CITY COUNCIL PROCEEDINGS

St. Louis, Michigan
January 7, 2025

The regular meeting of the Saint Louis City Council was called to order by Mayor Ralph R. Echtenaw on Monday, January 7, 2025 at 6:00 p.m. in the City Hall Council Chambers.

Council Members Present: Mayor Ralph R. Echtenaw, Fares E. Azzam, William R. Leonard, Kevin D. Palmer, Elizabeth A. Upton.

Council Members Absent: None

City Manager: Kurt Giles
City Clerk: Jamie Long
Police Chief: Richard Ramereiz

Others in Attendance: John Pavlik-Pavlik Auction & Real Estate, Peggy Slavens-Resident, Brian Buysse-Resident.

Mayor Echtenaw led the Pledge of Allegiance.

Approval of Agenda.

Moved by Palmer, supported by Azzam, to approve the agenda for January 7, 2025 with the addition of item 11L, along with the addition of appointments of Peggy Slavens and Robin Hart to the Board of Review. All ayes carried the motion.

City Council Minutes.

Moved by Upton, supported by Leonard, to approve the minutes of the Regular Meeting held on December 17, 2024. All ayes carried the motion.

Claims & Accounts.

City Council discussed the Claims & Accounts.

Moved by Azzam, supported by Leonard, to approve the Claims & Accounts in the amount of \$467,796.73. All ayes carried the motion.

Monthly Board Minutes.

City Council discussed the December, 2024 Monthly Board Minutes.

Moved by Leonard, supported by Palmer, to receive the December, 2024 Monthly Board Minutes and place on file. All ayes carried the motion.

Audience Recognition.

There were no comments.

Consent Agenda.

Mayor Echtenaw requested approval/receipt of Consent Agenda item “a” as shown below:

- a. Payment to A&S Repair for Truck #30-2015 International Dump Truck.

Moved by Upton, supported by Leonard, to approve Consent Agenda item “a” All ayes carried the motion.

New Business.

Appointment of City Boards and Commission Members.

Manager Giles requested members appoint the following Board & Commission Members:

Moved by Azzam, supported by Palmer, to appoint the following Board & Commission Members: All ayes carried the motion.

<u>Name</u>	<u>Board</u>
Sue Whitford	Board of Review Board of Special Assessments Zoning Board of Appeals
Mary Reed	Parks & Recreation
Bill Leonard	Board of Special Assessments
Tom Reed	Building Code Board of Appeals Zoning Board of Appeals
Robin Hart	Building Code Board of Appeals
Dorothy Trgina	Parks & Recreation
Sean Kelly	Planning Commission

Jim Horvat	Planning Commission
Jerry Lewis	DDA
Peggy Slavens	Board of Review
Robin Hart	Board of Review

Approve Designation of City Official Newspapers.

City Manager Giles requested City Council Members to designate the Gratiot County Herald and the Morning Sun as the City's Official Newspapers for the Year 2025.

Moved by Upton, supported by Leonard, to designate the Gratiot County Herald and the Morning Sun as the City's Official Newspapers for the Year 2025. All ayes carried the motion.

Designation of Official Depositories.

Manager Giles requested members designate St. Louis Commercial Bank, Mercantile Bank of Alma/Ithaca, US Bank of Detroit, Isabella Bank of Breckenridge/Mt. Pleasant, Michigan CLASS and Huntington Bank as the Official Depositories for the year 2025.

Moved by Palmer, supported by Upton, to approve to designate St. Louis Commercial Bank, Mercantile Bank of Alma/Ithaca, US Bank Detroit, Isabella Bank of Breckenridge/Mt. Pleasant, Michigan CLASS and Huntington Bank as the Official Depositories for the year 2025. All ayes carried the motion.

Approve Designated Attorneys.

Manager Giles requested Council Members to approve the designation of attorneys, Braun, Kendrick, Finkbiner PLC and Cummings, McClorey, Davis & Acho PLC, Smith Boville PC, Plunkett & Cooney; Varnum LLP, Miller Canfield: Keller, Thomas PC, for the year 2025.

Discussion was held.

Moved by Palmer, supported by Upton, to approve the designation of attorneys Braun, Kendrick, Finkbiner PLC and Cummings, McClorey, Davis & Acho PLC, Smith Boville PC, Plunkett & Cooney; Varnum LLP, Miller Canfield: Keller, Thomas PC, for the year 2025. All ayes carried the motion.

Cash Rent Contract.

Manager Giles requested approval of the Cash Rent Contract between the City of St. Louis and Gadde Farms, which allows Gadde Farms to rent the 75 tillable acres that is owned by the City

located in Section 4 of Arcada Township in the amount of \$10,000.00 for the 2025 growing season.

Discussion was held.

Moved by Azzam, supported by Leonard, to approve the Cash Rent Contract between the City of St. Louis and Gadde Farms in the amount of \$10,000.00 for the 2025 growing season. All ayes carried the motion.

Resolution 2025-01 Annual State Trunkline Right of Way Permit.

City Manager Giles requested Council Members adopt Resolution 2025-01 for the Michigan Department of Transportation State Trunkline Right of Way Permit Application.

The following preamble and resolution were offered by Member Azzam, and supported by Member Leonard:

RESOLVED WHEREAS, the City of St. Louis

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this Resolution shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Resolution, as provided by law. This Resolution is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful act of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY. Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to DEPARTMENT.

3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY, will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to the PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This resolution shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Kurt Giles, City Manager

Keith W. Risdon, PE, Public Services Director

Yeas: Azzam, Leonard, Palmer, Upton, Echtenaw

Nays: None

Resolution Declared Adopted this 7th day of January, 2025.

Proposal from Pavlik Auction & Real Estate L.L.C for Sale of Vacant Lots.

Manager Giles requested members to accept the offer from Pavlik Auction & Real Estate L.L.C for the sale of 5 vacant lots at a selling price of \$9,500, with no commission cost to the city, as Pavlik would donate his services.

Discussion was held.

Moved by Upton, supported by Leonard, members to accept the offer from Pavlik Auction & Real Estate L.L.C for the sale of 5 vacant lots at a selling price of \$9,500, with no commission cost to the city, as Pavlik would donate his services. All ayes carried the motion.

Resolution 2025-02 Medical Benefits Certification.

Minutes of the regular meeting of the City Council of the City of St. Louis, County of Gratiot, Michigan held on the 7th day of January 2025, at 6:00 PM.

Present: Azzam, Leonard, Palmer, Upton, Echtenaw

Absent: None

The following preamble and resolution were offered by Member Upton, and supported by Member Leonard:

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

WHEREAS, the three options are as follows:

- 1) Section 3 - “Hard Caps” Option - limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - “80%/20%” Option - limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - “Exemption” Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the City Council has decided to continue the 80%/20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of St. Louis elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80%/20% option for the medical benefit plan coverage year January 1, 2025 through December 31, 2025.

Upon roll call vote, the following voted:

AYE: Upton, Leonard, Azzam, Palmer, Echtenaw

NAY: None

ABSENT: None

Resolution declared adopted this 7th day of January 2025.

Resolution 2025-03-SolAmerica Solar Participation.

*City of St. Louis
County of Gratiot, State of Michigan*

Minutes of a regular meeting of the City Council of the City of St. Louis, County of Gratiot, State of Michigan, held on January 7, 2025, at the City Hall, City of St. Louis, County of Gratiot at 6:00 p.m.

PRESENT: Echtenaw, Azzam, Leonard, Palmer, Upton

ABSENT: None

The following preamble and resolution were offered by Member Palmer, and supported by Member Azzam:

WHEREAS, the City of St. Louis, County of Gratiot, State of Michigan (the “City”) has a

continual interest in projects and power supply opportunities that will improve its ability to provide safe, reliable, and cost-effective electric service to its customers; and

WHEREAS, through its membership with the Michigan Public Power Agency (MPPA), the City has been in collaboration with St. Louis MI Affordable Solar, LLC (SLMAS) in the development of a 1.2 Megawatt (MW) solar generating facility located in Bethany Township which is proposed to have an interconnection with the City's electric distribution system; and

WHEREAS, SLMAS has secured the rights for use of at least one viable parcel of land for siting the 1.2 MW solar photovoltaic (PV) distributed energy resource (DER) for a period of not less than 25 years; and

WHEREAS, MPPA members, including the City, have had impact studies performed by GRP Engineering to determine if the proposed interconnection with the City's distribution system would result in adverse impacts on the City's system or its customers and GRP's study has concluded that, with the proposed system upgrades, there will be no adverse impacts; and

WHEREAS, parties including the City, MPPA, GRP Engineering and SLMAS have reviewed and negotiated a proposed Interconnection Agreement (IA) with mutually acceptable terms; and

WHEREAS, parties including the City, MPPA and SLMAS and respective legal counsel reviewed and negotiated the terms of a proposed Power Purchase Agreement (PPA) in December of 2023 with mutually acceptable terms; and

WHEREAS, following the St. Louis City Council's adoption of Resolution 2023-26 on December 5, 2023, SLMAS submitted their final application for United States Department of Agriculture (USDA) Powering Affordable Clean Energy (PACE) funding including a loan with partial principal forgiveness; and

WHEREAS, USDA has reached certain conclusions about the financial model for this Project including the requirement for a higher maximum interest rate for the repayment portion of the loan and use of a more conservative projection of total generated energy from the Project; and

WHEREAS, the result of proposed changes to the financial model include a revision of the proposed energy cost from a flat rate of \$63.28/MWh over a 25-year period to a first-year rate of \$66.71/MWh and a 0.75% annual escalator over a similar 25-year period. Other terms of the proposed PPA remain unchanged from the December 2023 version except the estimated Commercial Operation Date (COD) is projected to change from on-or-before December 31, 2025, to on-or-before June 1, 2026; and

WHEREAS, MPPA staff has performed an updated mark-to-market analysis of the financial terms of the currently proposed PPA and, along with being a desirable addition to the City's energy portfolio, finds the proposed cost to be favorable to the City over the term of the PPA:

NOW, THEREFORE, BE IT RESOLVED THAT: the St. Louis City Council does hereby authorize the City Manager or designee and the City Clerk to execute the IA and PPA associated with the 1.2 MW Solar DER Project located in Bethany Township, provided the final form of the IA and PPA having no material changes from the terms presented on January 7, 2025 upon review of MPPA, legal counsel and the City.

AYES: Palmer, Azzam, Leonard, Upton, Echtenaw

NAYS:

Resolution Declared Adopted this 7th day of January 2025

Application to the State of Michigan Fleet Card Program.

Manager Giles requested members to approve the application to the State of Michigan Fleet Card Program. This program will replace the current fuel card program through Blarney Castle.

Discussion was held.

Moved by Upton, supported by Leonard, to approve the application to the State of Michigan Fleet Card Program. This program will replace the current fuel card program through Blarney Castle. All ayes carried the motion.

Renewal of the Uniform Video Service Local Franchise Agreement.

Manager Giles requested members to approve the renewal of the Uniform Video Service Local Franchise Agreement.

Discussion was held.

Moved by Azzam, supported by Palmer, to approve the renewal of the Uniform Video Service Local Franchise Agreement. All ayes carried the motion.

****Addition to Agenda** Taser Contract.**

Chief Ramereiz requested members to approve the five-year Taser Contract from Axon Enterprise, to upgrade the current taser 7 models, which will no longer be serviceable by the end of 2025, to the taser 10 models, in the amount of \$35,914.04, a promotional savings of \$11,095.36.

Discussion was held.

Moved by Azzam, supported by Leonard, to approve the five-year Taser Contract from Axon Enterprise, to upgrade the current taser 7 models, which will no longer be serviceable by the end of 2025, to the taser 10 models, in the amount of \$35,914.04, a promotional savings of \$11,095.36. All ayes carried the motion.

City Manager Report.

Manager Giles reported Consumers Energy met with the Utilities Director, Keith Risdon and DPW Superintendent regarding gas line replacements. Consumers Energy indicated they will be doing mailings or door knockers for neighborhoods where they will be working in. This project is planned to go through May 2025.

Manager Giles reported preparation has already begun for the July 12th Celebration with Miranda and the M-80's being scheduled along with the fireworks.

Manager Giles reported that the pipeline leak that was recently reported in Arcada township was reported to the city and Gratiot Water Authority early on so proper actions could be taken.

City Clerk Report.

Nothing to report.

Police Chief Report.

Chief Ramereiz reported that Timothy Kirby has started his third week of field training and is doing well. Ramereiz also reported that Officer Scott Clarke was on day two of his training, with Officer Jon Szafranski starting on the 8th of January. Ramereiz expects Clarke and Szafranski to need very limited training, due to their years of experience in the police force.

Chief Ramereiz reported that he and Sergeant Forshee have started working on rotations. With the additions of new officers and limited use of the part time officers, it will free up some time for officers to start going to more outside continuing education again. With the force being short staffed it had been very difficult to cover shifts for officers going to outside training.

Council Comments.

Member Upton reported very slippery road conditions on the corner where she lives, with several cars ending up going in the ditch during the few snowy days in December. Manager Giles stated he would inform the DPW.

Mayor Pro Tem Leonard reported Invenergy has given another sponsorship to the City of St. Louis, which is being used to pay for the July Celebration activities along with free swims for the pool. Leonard gave a shout out to Elsie Burton for all her hard work.

Member Azzam inquired what was being done to fill the position of Mike Parsons in the Electric Department. Manger Giles stated that it is to be determined.

Member Palmer informed Chief Ramereiz of a low hanging part under one of the police cruisers.

Mayor Echtenaw reported that a meeting with the City of Alma needs to get set for the discussion of the police merger.

Public Comments.

Brian Buysse, a resident, reported he was encouraged to hear that the police department is now at full staff. Buysse reported that he has made many complaints regarding loud vehicles downtown. Buysse stated he has been repeatedly woken up at 6 a.m. by loud vehicle noises. Buysse stated he has made six specific complaints of vehicles with infractions like no bumper, loud exhaust, and no catalytic converters and has not seen any changes. Buysse stated he would like to see the loud noise ordinance enforced or done away with.

Brian Buysse reported he watched a council approve funds for a taser program without any real data. Buysse stated the Chief was asked for statistics on the usage of the tasers and he could not provide it. Buysse also commented on the current equipment being functional until the end of 2025 and the council had time to wait until they had all of the facts before approving the contract.

John Pavlik- Pavlik Auction & Real Estate, stated he would take the Chief of Police at his word on the need for new tasers. Pavlik stated that it was a good thing that there wasn't a lot of reported use of the tasers. Pavlik hopes that the police guns and tasers never have to be used, but in the case that they do have to be used, he wants to know the police have what they need to do their jobs. Pavlik stated he supports the upgraded equipment for the police department.

Adjournment.

Moved by Upton, supported by Leonard, to adjourn at 7:18 p.m. All ayes carried the motion.

Cemetery Board of Trustees Meeting - Call to Order.

Mayor Echtenaw called the Oak Grove Cemetery Board of Trustees Meeting to order on January 7, 2025 at 7:18 p.m.

Cemetery Board Minutes.

Moved by Trustee Upton, supported by Trustee Leonard, to approve the minutes of the regular meeting held on January 8, 2024. All ayes carried the motion.

Cemetery Annual Report.

Moved by Azzam, supported by Upton to receive the annual report and financials and place on file. All ayes carried the motion.

Public Comments.

Byran Buysse commented on how well the cemetery is maintained and asked the Cemetery Board about repairing the damaged head stones in the cemetery. Manager Giles stated there are only certain actions that can be taken, as they are property of the grave owners, and this may be a good idea for a community project.

Adjournment.

Moved by Trustee Upton, supported by Trustee Leonard, to adjourn the Oak Grove Cemetery Board of Trustees meeting at 7:21 p.m. All ayes carried the motion.

Mayor Echtenaw called the council meeting back in session at 7:21 p.m.

Other Business.

There was no other business.

Audience Recognition.

There were no comments.

Adjournment.

Moved by Azzam, supported by Palmer, to adjourn at 7:22 p.m. All ayes carried the motion

Jamie Long, City Clerk