

**CITY OF BANGOR**  
**REGULAR COUNCIL MEETING MINUTES**  
 February 20, 2024 @ 7:00 PM  
 257 W. Monroe St. Bangor, MI // City Council Room

**1. CALL TO ORDER.**

Meeting was called to order at 7:00 PM by Mayor Farmer.

**2. PLEDGE OF ALLEGIANCE.**

The Pledge of Allegiance was recited by all present.

**3. ROLL CALL.**

Attendee Name	Title	Status
Pati Martinez-Serratos	Mayor Pro Tem	Present
Heléne Rivers	Councilmember	Present
Jeremy Uplinger	Councilmember	Present
Jerry Muenzer	Councilmember	Present
Amber Garcia	Councilmember	Present
Darla McCrumb	Councilmember	Present
Lynne Farmer	Mayor	Present

**OTHERS PRESENT.**

City Manager Justin Weber, Acting DPW Director Steve Lowder, Treasurer Stephenie Cagle, Clerk Shelly Umbanhowar, and approximately 20 members of the public.

**4. APPROVAL OF REGULAR AGENDA.**

Motion to accept Regular Meeting Agenda with the addition of 9 d. Attorney Log	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jeremy Uplinger, Councilmember
<b>SECONDER:</b>	Pati Martinez-Serratos, Mayor Pro Tem

**5. APPROVAL OF MEETING MINUTES.**

**a. Approval of Minutes of the Council Meeting held on February 5, 2024**

Approval of Minutes of the Council Meeting held on February 5, 2024	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jerry Muenzer, Councilmember
<b>SECONDER:</b>	Jeremy Uplinger, Councilmember

**Discussion:** Chuck Moore Memorial Bench (*invoice approved at 2/5/24 Meeting*) – There was a brief discussion that the bench cost \$3,250.00 but the donations received were only \$890.00. Mayor Farmer explained that she was told more people would come in to donate and did not.

**6. APPROVAL OF ACCOUNTS PAYABLE AND PAYROLL.**

**a. General Checking Accounts Payable and Payroll.**

Motion to pay bills from General Checking 2 in the amount of \$103,560.80.	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jeremy Uplinger, Councilmember
<b>SECONDER:</b>	Darla McCrumb, Councilmember
<b>AYES:</b>	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

**Discussion:** What were the bills for Midway? It is explained by DPW Director Lowder that the ceiling fans at DPW required work to be done on them. They are high up and commercial grade fans. The water leak at the library was a higher bill because it was a weekend charge.

b. **Roads Checking Accounts Payable**

<b>Motion to pay bills from Roads Checking in the amount of \$4,250.00.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jeremy Uplinger, Councilmember
<b>SECONDER:</b>	Darla McCrumb, Councilmember
<b>AYES:</b>	Rivers, Uplinger, Muenzer, Garcia, McCrumb, Martinez-Serratos, Farmer

**Discussion:** What is the bill for Mike Sullins and why did we need snow removal assistance? It is explained that Mike Sullins was called in to assist DPW remove snow from Railroad St and in front of the Bank where our front-end loader could not go without damaging property. **Councilmember Muenzer** Wanted to know why the Council did not know that DPW required additional assistance. **City Manager Weber** We are allowed to request outside help. I can make those calls and did in this instance.

c. **T&A2 Checking Accounts Payable**

<b>Motion to pay bills from T&amp;A2 Checking in the amount of \$294,350.60.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jeremy Uplinger, Councilmember
<b>SECONDER:</b>	Darla McCrumb, Councilmember
<b>AYES:</b>	Uplinger, Muenzer, Garcia, McCrumb, Martinez-Serratos, Rivers, Farmer

7. **OTHER REGULAR BUSINESS.**

- a. **RBDG Parking Lot Project Resolution #2024-03:** Katie with Abonmarche gave a brief description and answered questions. This first grant is for the design costs. This is a 100% grant for the City. The second part of the grant (can budget for next year) can be for \$99K and the total costs around \$112,300.00. Would be no match for the City. This is for the parking lot between the bank and medical building and behind the law office.

**Councilmember Muenzer** Wants to know why this project when the parking lot is not that bad and areas of roads can be fixed? It is explained that this is allocated money that the City can only get for a project like this (parking lot), it cannot be used for other areas.

Other brief discussion regarding the chances of getting or not getting the second part of the grant. Katie explains that chances are very high that the grant will be funded. There is no penalty to the City if we don't do construction but at least the design phase will have been paid for and no out of pocket money for the City.

<b>Motion to approve RBDG Parking Lot Project Resolution #2024-03.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jeremy Uplinger, Councilmember
<b>SECONDER:</b>	Darla McCrumb, Councilmember
<b>AYES:</b>	Muenzer, Garcia, McCrumb, Martinez-Serratos, Rivers, Uplinger, Farmer

- b. **Lions Club/Apple Festival:** The Apple Festival is scheduled for Saturday, October 12, 2024. There will be a car show - would like Center Street closed, with overflow Charles from Center and Douglass and Cass, if needed. The Apple Festival is being planned by Lions Club and Legion. Would like to put out banners to advertise. There is room on the Apple Festival committee if anyone would like to join. It will be advertised.

**Councilmember Muenzer** said this is a positive event that brings people to Bangor and that the City should support it.

**Mayor Farmer** Can we get students from the school involved to help. Yes, Mayor Farmer will contact Lenny and discuss.

c. **Department Head Reports**

i) **City Treasurer**

It is City Treasurer's recommendation that the City move \$500K from the savings account and move to MI Class. They have a 5% return right now.

<b>Motion to move \$500K from Savings to MI Class.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jerry Muenzer, Councilmember
<b>SECONDER:</b>	Heléne Rivers, Councilmember
<b>AYES:</b>	Garcia, McCrumb, Martinez-Serratos, Rivers, Uplinger, Muenzer, Farmer

**Discussion:** Councilmember Muenzer wants to know if the Treasurer has someone assisting with treasury tasks. Yes, an accountant with SeberTans will assist when Treasurer Cagle requests assistance from them. They mostly assist with the Audits and Bank Reconciliations. Clerk Umbanhowar assists with Accounts Payable. Mayor Farmer said she spoke with Kate at SeberTans and that she said Treasurer Cagle is doing good and things are getting cleaned up. That she mostly just helps with the Audits.

ii) **DPW**

DPW Director gives a report of current tasks within the DPW. He explains the need for Mike Sullins to assist with removing snow.

iii) **Fire Department**

Mayor Farmer gives a report for Fire Chief Derek Babcock (not in attendance/out of town). Annual Budget Meeting 5/28/24 @ 7 PM – Mayor Farmer would like all of the Councilmembers to attend.

iv) **Police Department**

Officer Leonard gives a report.

v) **Other**

Kurt Doroh gives a report.

8. **OPPORTUNITY FOR PUBLIC COMMENT.**

Public comments were heard.

9. **UNFINISHED BUSINESS:**

a. **City Logo.**

**City Manager Weber** gives the results of the public survey. The survey revealed the people do think a change is necessary but not with the presented logo. They would like to see the current logo of Apples and Trains stay and be updated.

**Councilmember Muenzer** wants to know why the Council was not informed about the \$800 fee before and why the community was not involved until after. Mayor Farmer reminds Councilmembers that the amount is well below the purchasing policy requirements and that the City Manager has every authority to spend money on business.

It is explained and discussed that in order to present something to the public as a starting point, there had to be a logo created for them to decide on. Most people need a visual perspective. Now that we have done that we can move on to the results of the survey and respond accordingly. There is a discussion about seeing if Blue Fire Media can update the Apples and Train logo. It is suggested that we use a streamlined train vs a smokestack one. It is also suggested that the City look to ISD students to see if they can design a logo for the City.

**Mayor Pro-Tem Martinez-Serratos and Councilmember Rivers** The logo presented was fine, it was handled fine, let's move on.

b. **Pump at Well #9 (Peerless Midwest)**

**DPW Director Lowder** reports that Peerless Midwest has pulled the pump and has it. He received quotes for repair. He also explained that the companies need to be certified well drillers, this was confirmed with EGLE and MRWA.

**Mayor Farmer** reports that she spoke with Dig Doctor and they can save the City money by rebuilding it for \$3-4K. She also contacted Kennedy and they work on pumps.

**Councilmember Muenzer** does Peerless Midwest give a warranty? Steve confirms that yes, a one year warranty is included.

**Councilmember McCrumb** states that she agrees with Councilmember Muenzer and should have voted with him at the last meeting because the pump should have been pulled and repaired as an emergency all together.

There is a brief discussion that this needs to be done as soon as possible. It is an emergency. It will cause water pressure/supply issues. This would be detrimental if there was a fire that needed to be tended to.

<b>Motion to approve Peerless Midwest to repair or replace the pump at Well #9, as an emergency.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jerry Muenzer, Councilmember
<b>SECONDER:</b>	Darla McCrumb, Councilmember
<b>AYES:</b>	McCrumb, Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, Farmer

c. **Bryce Saylor/Total Lawn Care**

**Attorney Graham** explained that now that the weather is good, the work can be reviewed and this situation needs to come to an end soon. There is nothing new at this point and information has been given to the Council to help them make a decision. It will be up to the Council the amount they will seek from Bryce Saylor. The amount is in excess of \$25K, so there is grounds for litigation. If Bryce Saylor makes an offer, the Attorney, City Manager and Abonmarche can help the Council with the decision on if the offer should be accepted. He has attempted to get Bryce Saylor to meet with him and the City Manager to review completed work. He has not received any response. This meeting would give Bryce an opportunity to come up with a specific amount to pay the City to correct the problems with the work performed. The lack of response is not promising.

**Attorney Graham** advises the Council that at the next Council meeting they need to 1) evaluate any good faith offers received from Bryce Saylor or 2) decide that litigation needs to be filed.

d. **Attorney Log**

There is a discussion that the attorney fees need to be kept in check. The budget for attorney fees so far in this fiscal year are way over budget. This was brought up at the 02/05/24 regular Council meeting.

Councilmember McCrumb wants to know what Attorney Graham recommends. He says that at the time he submitted an RFQ to the City, the City was paying a flat fee of \$5K per month. He said in his opinion that is unacceptable for the City to pay a retainer. He advises the Council to do whatever they feel most comfortable with. If they want a log, that is fine, he can present a log with his invoices. A helpful system and what most Councils do is to have the bill by the 10<sup>th</sup> of the month and present it at the following meeting for approval and payment. With previous administration, several months worth of invoices were presented to the Council all at once which is usually quite a shock to everyone because the amount is so high. The Council has a right to examine the work being billed for and keep an eye on what is causing any expenditure in the budget. He reminds the Council that the invoices will be redacted in the case of a FOIA request.

Attorney/Client privilege is exempt from FOIA. The City is being billed in 6 minute increments. Attorney Graham says that the City isn't always billed for phone calls. Sometimes the charges are for doing the work not always talking about the work. He also remind them that the charter dictates who speaks with the attorney: City Manager, Mayor and department heads. This includes the chair of any city organization (DDA, EDC, BHC, etc) When the City has asked for the Attorney to investigate, change ordinances, look at contracts, etc, that has to be paid for.

There is a discussion about the type of information that everyone would like to see accompany the attorney invoices.

<b>Motion to Request Attorney Log with Invoices – Log will include: Date, Time, City Staff Contacting, Reason City Staff Contacting, and Detailed Description of Work Performed.</b>	
<b>RESULT:</b>	<b>APPROVED (6 to 1)</b>
<b>MOVER:</b>	Amber Garcia, Councilmember
<b>SECONDER:</b>	Heléne Rivers, Councilmember
<b>AYES:</b>	Martinez-Serratos, Rivers, Muenzer, Garcia, McCrumb, Farmer
<b>NAYES:</b>	Uplinger

<b>Amended Motion to Add – City Staff Log will include: Date, Time, City Staff Contacting, and Reason for Contacting Attorney.</b>	
<b>RESULT:</b>	<b>APPROVED (6 to 1)</b>
<b>MOVER:</b>	Amber Garcia, Councilmember
<b>SECONDER:</b>	Heléne Rivers, Councilmember
<b>AYES:</b>	Martinez-Serratos, Rivers, Muenzer, Garcia, McCrumb, Farmer
<b>NAYES:</b>	Uplinger

These logs will be used by the Treasurer and Council to match up to invoices.

## 10. NEW BUSINESS.

### a. Heléne Rivers Board of Review Resignation.

<b>Motion to accept Heléne Rivers Board of Review Resignation effective 02/09/24.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Jeremy Uplinger, Councilmember
<b>SECONDER:</b>	Pati Martinez-Serratos, Mayor Pro Tem
<b>AYES:</b>	Uplinger, Muenzer, Garcia, McCrumb, Martinez-Serratos, Rivers, Farmer

**Discussion: Councilmember McCrumb** we have other Councilmembers on other boards. Is this a conflict? **Attorney Graham** says that it will be easy to figure out. He will need to look at who holds a Council seat and what boards they are on. Some situations do not apply to our City because of the size. City Manager Weber and Attorney Graham to check for conflict.

**Councilmember Muenzer** Thank you for your dedication to the Board of Review and serving. **Mayor Farmer** we are sorry to see you have to step down from the Board of Review, I know they will miss you.

## 11. OPPORTUNITY FOR PUBLIC COMMENT.

Public comments were heard. DPW Director Lowder would like to thank the Police Department for their response. Renee Doroh would like to know if the City looked at local bank rates to see if they could match the rate MI Class quoted on the \$500K?

<b>Motion to reconsider move \$500K from Savings to MI Class, until Treasurer can look into rates at local banks.</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Heléne Rivers, Councilmember
<b>SECONDER:</b>	Pati Martinez-Serratos, Mayor Pro Tem
<b>AYES:</b>	Rivers, Uplinger, Muenzer, Garcia, McCrumb, Martinez-Serratos, Farmer

Attorney Graham informs the Council that super majority is all you need to reconsider a motion. That would be five (5) votes and the Council received more than five (5) votes.

**12. COUNCILMEMBER COMMENTS.**

**Martinez-Serratos:** Have a good evening. Thank you for coming.

**Rivers:** Thank you Renee for bringing that to our attention, we should try to keep things local.

**Uplinger:** Thank you for coming and voicing your opinions and concerns.

**McCrumb:** Thanks for waiting and being here. Have a good night.

**Garcia:** Thank you for coming and offering your opinions, they matter.

**Muenzer:** History Lesson: After the train brought growth to the City, there was a chemical and alcohol plant that continued to provide growth to the City.

**Farmer:** Everybody has a right to voice opinion. Sorry if sometimes the Council sounds grumpy. Why did I call vendors regarding the pump? I believe in saving the City money. I felt the fee we paid to have the pump pulled was excessive as the fee for the repair/replacement. I wanted to vote no at the last meeting regarding the Peerless Midwest pulling the pump bid but I didn't. The purchasing polices we have in place are there for a reason and I don't feel we should have went against it so soon after approving it. Even if I do not like policies, they still have to be followed. We are here to watch the money and we are here to save the City money.

**CITY MANAGER WEBER COMMENTS.**

Councilmember Muenzer thank you for sharing your opinions. I apologize if I sounded frank.

**13. ADJOURNMENT.**

<b>Motion to adjourn at 8:55 PM</b>	
<b>RESULT:</b>	<b>APPROVED (UNANIMOUS)</b>
<b>MOVER:</b>	Heléne Rivers, Councilmember
<b>SECONDER:</b>	Jeremy Uplinger, Councilmember
<b>AYES:</b>	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

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Shelly Umbanhowar, City Clerk

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Mayor Lynne Farmer