

CITY OF BANGOR
REGULAR COUNCIL MEETING MINUTES
 November 6, 2023 @ 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.

Interim City Manager Justin Weber, Attorney City Attorney Scott Graham, Acting DPW Director Steve Lowder, Clerk Shelly Umbanhowar, Treasurer Stephenie Cagle, City of Bangor Police Officers, and approximately 35 members of the public.

4. APPROVAL OF REGULAR AGENDA.

Motion to accept regular agenda with the following changes: Move #12. Council Member Comments to 13, moving #13. Adjournment to #14, and adding #12. Closed Session.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Heléne Rivers, Councilmember
SECONDER:	Pati Martinez-Serratos, Mayor Pro Tem
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

5. APPROVAL OF MEETING MINUTES.

a. Approval of Minutes of the Council Meeting held on October 16, 2023

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jerry Muenzer, Councilmember
SECONDER:	Pati Martinez-Serratos, Mayor Pro Tem
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

b. Approval of Minutes of the Special Council Meeting held on October 30, 2023

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Heléne Rivers, Councilmember
SECONDER:	Amber Garcia, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

6. APPROVAL OF ACCOUNTS PAYABLE AND PAYROLL.

- a. **Motion to pay bills from General Checking 2 in the amount of \$321,871.32**

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Darla McCrumb, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

- b. **Motion to pay bills from Roads in the amount of \$16,326.02**

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Darla McCrumb, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

- c. **Motion to pay bills from T&A2 in the amount of \$19,033.83**

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Darla McCrumb, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

COMMENTS.

Darla McCrumb, Councilmember: The cemetery cannon project invoice going from \$8K to \$21K is an example of why we need be careful going forward and follow proper policy and procedure. This invoice should have come back to the City Council for additional approval before the \$21K was agreed upon.

Lynne Farmer, Mayor: On the T&A2 List of Invoices sheet, please identify what the pass through taxes are for on each item.

7. OTHER REGULAR BUSINESS.

- a. **Department Head Reports**

There are no department head reports due at this time they will be due and presented at the regular Council Meeting on 11/20/23.

8. OPPORTUNITY FOR PUBLIC COMMENT.

There were no public comments.

9. UNFINISHED BUSINESS:

- a. **Bryce Saylor's Total Lawn Care Invoices.**

Scott Graham, City Attorney gave an update on the review of the invoices. The Attorney reports that the first stage of the review is completed. He recommends that the next stage is to allow and Abonmarche, City Engineer of Record to inspect, evaluate, and give cost estimates on jobs throughout the City completed by Bryce Saylor's Total Lawn Care. Abonmarche will need to determine the amount of money the City might need to recover and if any of the work requires correction. They can also identify pieces of work that were not up to industry standards and the best estimates of costs to re-do the work. This information will give the City Council the amount of money the city might need to recover, if any.

COMMENTS.

Tony McGhee, Abonmarche: Tony explains that a priority list needs to be made with the winter months coming. There has been concern that the snow plows could be damaged by concrete patches. It is explained that those areas could be mapped out and going into snowy months the snow plow driver could lift up the blade a little in order avoid damaging the blade. There is not adequate time to secure asphalt going into winter.

Jerry Muenzer, Councilmember: What would the timeline be? Answer from Abonmarche: It would take about 1 to 1 ½ weeks to assess the areas in question, around November 15th they could have the information compiled. Answer from Attorney: A deadline isn't necessary but getting it completed as soon as possible is best. There would need to be a priority list for getting repair work done.

Darla McCrumb, Councilmember: Will this require the current work to be torn up? Answer from Abonmarche: Not necessarily, investigation will need to be done first to determine the answer. They will be very selective in what does and doesn't need to be torn up.

Amber Garcia, Councilmember: Will the City be paying a second time for the work? Answer from Attorney: Yes, up front to get the work corrected. If need be, a demand can be made to recover the money. Not certain of the answer until a thorough investigation is completed by Abonmarche.

Motion to allow Abonmarche to do an evaluation and cost estimate of the Bryce Saylor's Total Lawn Care invoices.

RESULT:	APPROVED (6 TO 1)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Heléne Rivers, Councilmember
AYES:	Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer
NAYS:	Martinez-Serratos

b. Approve 1st Quarter Budget Amendments.

COMMENTS.

Lynne Farmer, Mayor read statement from Treasurer's 10/16/23 memorandum: "This report will show a deficit in the amount \$747,103.38. However, the City has a healthy fund balance." The City is not in debt. It's like using your savings account. The auditors don't like to see a large fund balance. She then read the current bank balances.

Stephenie Cagle, Treasurer: There will be three more budget amendments for the remainder of the fiscal year. They are quarterly.

Motion to approve 1st Quarter Amendments as presented.

RESULT:	APPROVED (6 TO 1)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Heléne Rivers, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Garcia, McCrumb, Farmer
NAYS:	Muenzer

10. NEW BUSINESS.

a. City Manager Report.

Justin Weber, Interim City Manager: Updates on general office operations, emails for all employees and city council, new website is coming along and should be live shortly, meeting with local business regarding possible ideas and uses for the Train Depot, tree removal in front of Dr. Hermann's office – DPW removed, now the stump needs to be removed, construction projects, AEP storing equipment in dump area and in return will clean the dump for free, and next fiscal year projects – bridge project that you'll hear about tonight. Procurement policies will be reviewed and discussed at the 11/20/23 Regular City Council meeting. Woodside Construction will be working on DPW metal roof soon.

Purchasing Procurement Policy from City Attorney was submitted for review and discussion at the 11/20/23 Regular City Council meeting.

b. **Second Street Bridge.**

Jox Moxey with Fleis & Vandenbrink spoke about the need for this bridge project. We have five (5) bridges in our City. They are our most expensive asset and we want to protect them. There is MDOT funding available to cover 95% of the construction costs.

Motion to accept Fleis & Vandenbrink proposal for Second Street Bridge for the 2024/2025 fiscal year.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Heléne Rivers, Councilmember
SECONDER:	Darla McCrumb, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

COMMENTS.

Amber Garcia, Councilmember: When the bridge at Arlington gets hit, does it jeopardize the integrity of the structure? Answer from Fleis & Vandenbrink: No, they are built to withstand impact. They are inspected by CSX each time something hits it.

Lynne Farmer, Mayor: The new blinking lights are helping warn people so they do not hit the bridge.

Stephenie Cagle, Treasurer: ACT 51 money can cover the 5% that the City would be responsible for.

c. **Skid Steer & Accessories.**

Justin Weber, Interim City Manager presented a quote from Kubota for a Skid Steer and accessories. Proposed that the City get a four year loan not to exceed \$85,000.00 to purchase the skid steer and four accessories (snow plow, angle blade, snow blower and bucket). DDA would reimburse the City for the cost of the Skit Steer, the City would be responsible for the accessories around \$25,000.00. That would be about \$7,500.00 per year for four (4) years. Kubota is giving the City a \$17,000.00 in discounts. In the past DDA has provided snow plow services to the downtown district. With this equipment the DPW would be able to do snow plowing during the snow season and not an outside contractor.

Comment front public attendee about how Kubota is the best equipment/company. They are local, reliable and will offer replacement equipment if yours is being repaired. Kubota comes highly recommended by others and the DDA. Short discussion that we need three (3) quotes before making a decision and we need to take the advice of experts.

It is decided that two more quotes need to be obtained and presented at the 11/20/23 Council Meeting before further discussion or decisions will be made.

d. **Appoint Mark Hills to DDA.**

Motion to appoint Mark Hills to DDA with the term of 01/01/2021 to 12/31/2024.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Pati Martinez-Serratos, Mayor Pro Tem
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

11. **CLOSED SESSION FOR LEGAL OPINION.**

Motion to go move into closed session at 7:51 PM for attorney advice.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Heléne Rivers, Councilmember
SECONDER:	Pati Martinez-Serratos, Mayor Pro Tem
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

RETURN TO REGULAR COUNCIL MEETING.

Motion to move back into regular session at 8:51 PM.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Heléne Rivers, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

12. OPPORTUNITY FOR PUBLIC COMMENT.

Will there be specialized training for the Kubota? Answer from Justin Weber, Interim City Manager: Yes, there will be training for anyone operating the Kubota.

The two new trucks that the City purchased for DPW need snow tires before the snow comes. The tires currently on them are not good tires for snow and could be potentially dangerous.

13. COUNCILMEMBER COMMENTS.

Martinez-Serratos: Thank you for waiting around while we went into closed session.

Rivers: Thank you for coming. We are making progress.

Uplinger: Thank you for coming and the support. I appreciate it, as do my friends and family.

McCrumb: Thank you for coming.

Garcia: Thanks for coming out and thanks for trusting us.

Muenzer: I was not pleased with City Hall closing at 1 PM on Friday. I would like to see staff alternate time off versus the City Hall being closed. I wanted to see the Interim City Manager one day recently and was told he was working from home. Do we schedule overtime hours for DPW?

Farmer: Thank you for coming. We appreciate you. Please know we can't release information until we have all of the facts. We need all of the facts before we speak and we and everyone need to respect that.

INTERIM CITY MANAGER COMMENTS.

Weber: Last week I took some vacation time. Its vacation time that I have earned. Besides I end up working on my vacation days. I am responsible for City Hall hours. There was staff at city hall late two nights that week and I made the decision in order to help balance work and life, City Hall could be closed at 1 PM on that Friday.

14. ADJOURNMENT.

Motion to adjourn at 8:59 PM

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Jeremy Uplinger, Councilmember
SECONDER:	Heléne Rivers, Councilmember
AYES:	Martinez-Serratos, Rivers, Uplinger, Muenzer, Garcia, McCrumb, Farmer

Shelly Umbanhowar, City Clerk

Mayor Lynne Farmer