

**APPROVED MINUTES OF THE  
COMMITTEE OF THE WHOLE**

June 18, 2019  
Commission Chambers  
6:00 P.M.

Present: Commissioners: Mayor Pro-Tem Michael Brown, Betsy Artz, Emily Bridson, Robert Coughlin, Maurice Groce, Thomas McKelvey, and Mayor Stephen Kepley. Also present: Deputy Finance Director Bhama Cairns, Fleet Services Supervisor Jamie King, Human Resources Director Gail Dewey, Community Development Director Terry Schweitzer, Senior Planner Joe Pung, City Assessor Andy Johnson, Fire Chief Brent Looman, Fire Department Administrative Assistant Nancy Shane, Deputy City Administrator Mark Rambo, Deputy Police Chief Richard Roberts, Communications Specialist Lisa Levandoski, Deputy City Clerk Becky Schultz and six (6) citizens.

**MAYOR'S OFFICE:**

**A. RECOMMEND RESOLUTION TO PURCHASE TAX FORECLOSED  
PROPERTY AT 4568 TERRY DRIVE SE.**

Community Development Director Schweitzer reviewed his memorandum dated June 11, 2019, explaining municipality's opportunity to purchase tax foreclosed properties in June before they go to the County tax sale. The property at 4568 Terry Dr. was originally planned as a private neighborhood park and walking path.

Residents Linda Doody, Jane VanBelle, Scott Bush, Virginia Zimmerman, and LC Burrell noted their questions and concerns: if the City were to divide the property amongst the neighboring properties and lot sizes increase, what will be the cost to owners; will lot owners be notified and held responsible for maintenance; will there be a survey to clearly define lot lines; who will do/fund the initial clean up; will the property be split evenly; how long will the process take; why weren't neighbors notified of the meeting and discussion?

Answers were provided by City Assessor Johnson, Deputy City Administrator Rambo, and Schweitzer: Owners will not incur costs for parcel split fees, the addition of sliver of property would have very minimal effect on property tax (larger triangle lot is anticipated to have more impact) and tax notifications in February will show any change in value which can be appealed. Lot owners will be subject to City ordinance for maintaining lots. City will be responsible for property during transition and will clean up anything that is a safety issue. The property will be split evenly (about 10 feet added to the back of each parcel). The process could take 6 months to one year. The City had no requirement to notify, but should have done better, and will work to better communicate as the process goes forward.

For both Terry Drive open space properties, the City is researching through the County whether the property should indeed be a separate parcel or should have been recorded as owned by individual home owners with an easement for the parks and trails. If there was an error at the County, the plat vacation may not be necessary and the larger property to the west may also revert to homeowners.

Potential costs incurred by City would include \$600 to purchase the property, cost of maintenance or clean up, estimated legal fees to file for plat vacation of \$15,000, and surveying up to \$2,000.

Motion made under item B.

**B. RECOMMEND APPROVAL TO FILE A PLAT VACATION LAWSUIT FOR PROPERTY LOCATED AT 4568 TERRY DRIVE SE.**

Motion by McKelvey, seconded by Groce to (a) recommend the City Commission adopt a resolution to purchase tax foreclosed property at 4568 Terry Drive SE; and (b) recommend approval to file a plat vacation lawsuit for property located at 4568 Terry Drive SE to remove private parks Springbrook Estates Park No. 1 and Springbrook Estates Park No. 2, to retain the public easement for ponding and drainage, and revise the lot lines of the plat to distribute title of the land to the adjoining property owners.

Motion Carried.

**C. RECOMMEND RESOLUTION TO PURCHASE TAX FORECLOSED PROPERTY AT 3701 VALLEY WAY DRIVE SE.**

Community Development Director Schweitzer explained the road and utilities cannot be extended if the parcel is owned separately. The desire to transfer ownership to the owner of the large parcel to the west, but a split to the adjacent homeowners on Valley Way Drive would also be an option. The affected property owners have not been contacted.

There are potentially a dozen similar parcels in Kentwood, which are “left over” property from developments that the County must account for and therefore assigns a parcel number. It would be the responsibility of the developer to re-plat the development, which would incur time and expense and they are not inclined to do so.

Motion by Kepley, seconded by McKelvey to recommend the City Commission adopt a resolution to purchase tax foreclosed property at 3701 Valley Way Drive SE contingent on clean title work and finding no encumbrances, and expectation of \$1,000 or less in annual fees or expenses until the property can be sold or assigned to adjoining property owners.

Motion Carried.

**HUMAN RESOURCES DEPARTMENT:**

**A. RECOMMEND RESOLUTION TO EXEMPT THE CITY FROM PA 152 FOR COVERAGE YEAR 2019-2020**

Human Resources Director Dewey reviewed her memorandum dated June 18, 2019. The City's options to comply with State law are: require employee cost share of 20%; keep expenses under the "hard cap" set by the State; or opt out of the hard cap requirement. Because the City has moved to a self-funded plan and true costs aren't known until the end of the fiscal year, compliance with the first two options isn't feasible.

Motion by McKelvey, seconded by Kepley to recommend the City Commission approve a resolution to exempt the City from the requirements of PA 152 of 2011 (Publicly Funded Health Insurance Contribution Act) for coverage year 2019-2020.

Motion Carried.

Police and Fire monthly reports and a walk-on related to a Woodland Mall sculpture will be added to tonight's City Commission agenda.

The meeting was adjourned at 7:03 P.M.

Becky Schultz  
Deputy City Clerk

Michael Brown  
Mayor Pro-Tem