

Mayor Greg Mapes called a regular meeting of the Alma City Commission to order at 6:03 p.m. at the Alma Municipal Building. A quorum of the Commission was present.

Mayor Mapes led those present in a recitation of the Pledge of Allegiance to the United States of America.

Roll Call

Present: Roger Allman, Roxann Harrington, Greg Mapes, Nick Piccolo, Michelle Pitts, and Audra Stahl.

Absent: Larry Mott.

Motion by Allman, seconded by Piccolo, to amend the agenda to include two additional items under "Section I. Agreements". Motion carried.

Yes: Allman, Harrington, Mapes, Piccolo, Pitts, and Stahl.

No: none.

Absent: Mott.

Approval of Minutes

Motion by Pitts, seconded by Allman to approve the minutes of January 28, 2020 as presented. Motion carried.

Yes: Allman, Harrington, Mapes, Piccolo, Pitts, and Stahl.

No: none.

Absent: Mott.

Resolutions

2020-00020 Proclamation of Women's History Month

The following preamble and resolution were offered by Commissioner Piccolo, and seconded by Commissioner Allman:

WHEREAS: The week of March 8, 2019, marks the Forty-first anniversary of Women's History Week; created by The Education Task Force of the Sonoma County (California) Commission on the Status of Women which became a celebration of American Women and honored their American heritage, contributions, and sacrifices for our nation. In 1987 President Reagan proclaimed March as "Women's History Month" and called upon all Americans to mark the month with observances to honor the achievements of American women ¹.

WHEREAS: In 1981 Congress passed Pub. L. 97-28 which authorized and requested the President to proclaim the week beginning March 7, 1982 as "Women's History Week". As requested by Congress, President Reagan issued Presidential Proclamation 4903 proclaiming the week beginning on March 7, 1982 as the first "Women's History Week" and recognizing the vital role of women in American history.

WHEREAS: In 1987 after being petitioned by the National Women's History Project, Congress passed Pub. L. 100-9 which designated the month of March 1987 as "Women's History Month." This law requested the President to issue a proclamation calling upon the people of the United States to observe this month with appropriate activities and ceremonies. President Reagan then issued Presidential Proclamation 5619 supporting the decision. Between 1988 and 1994, Congress passed additional resolutions requesting and authorizing the President to proclaim March of each year as Women's History Month.

¹ Women's History "Women's History Month" accessed December 1, 2019, <https://www.womenshistory.org/womens-history/womens-history-month>

WHEREAS: It is fitting and proper to accord official recognition to the many Women of the United States and their sacrifices and contributions to our great nation. Therefore, we honor this memorable anniversary; and the American Women whose sacrifices, contributions and honor defended and shaped our great Nation.

NOW, THEREFORE I, Gregory Mapes, by virtue of the authority vested in me as Mayor of the City of Alma do hereby proclaim the Month of March 1st through 31st as Women's History Month AND ask our citizens to honor the ideals, sacrifices, and contributions of the women who helped build and shape our nation. May these citizens and all they have done for the United States of America never be forgotten. IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Alma to be affixed this 11th day of February of the year of our Lord two thousand twenty.

Resolution declared adopted.

Yes: Allman, Harrington, Mapes, Piccolo, Pitts, and Stahl.
No: none.
Absent: Mott.

2020-00021 Motion by Commissioner Pitts, seconded by Commissioner Allman, to adopt the following Performance Resolution and authorize street closures and banner placements in conjunction with 2020 Special Community Events as shown on the table attached hereto as Attachment A:

RESOLVED WHEREAS, the City of Alma, hereinafter referred to as the "GOVERNMENTAL AGENCY," 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 utilities 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 GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement 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 GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY 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 acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY 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 GOVERNMENTAL AGENCY, 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 GOVERNMENTAL AGENCY.