

COUNCIL PROCEEDINGS

Regular Meeting

Monday, January 26, 2009

CALL TO ORDER: By Mayor Shaughnessy on Monday, January 26, 2009 at 7:01 p.m.

PRESENT: Councilmembers Arnold, Baker, Lewis, Spielmaker, Weissenborn, Mayor Pro-Tem Smith, Mayor Shaughnessy, City Manager Guetschow and City Attorney Hitch

ABSENT: None

The invocation was offered by Mayor Shaughnessy followed by the pledge of allegiance.

APPROVAL OF MINUTES FOR REGULAR MEETING OF JANUARY 12, 2009: Motion by Councilmember Lewis, second by Baker to approve the minutes of January 12, 2009, as presented. Carried. 7 Yeas. 0 Nays.

EXCUSE ABSENT MEMBERS: None

PUBLIC COMMENT: Neil Klais, 416 W. Lawrence Ave., snow removal district extends into residential area on West Lawrence, but not in the entire city. All residents should be held to the same standard, not just a select few on W. Lawrence.

Edith Winegar, 5100 W. Gresham Hwy., owner of 316 W. Lawrence, received a ticket even after the snow was shoveled because the snow plow came through and put snow back onto the sidewalk

Carol Hoyt, 618 W. Lawrence, believes Senior Citizens should be exempt from the snow removal requirement

Kelly Cool, 706 High Street, her children could walk to school but because the sidewalks are not clear, it is not safe for them to walk; she is a runner, and often has to run in the street because residents do not clear the sidewalks, she believes that the whole city should be held to some standard

Jennifer Bursley, 409 W. Lawrence, believes that the ordinance was written with businesses in mind, and unfortunately extended to a select number of residences; she thinks the ordinance should be rewritten so it is not so vague, and that if some residential areas are included, all residential areas should be included

CHARLOTTE HIGH SCHOOL LIAISON: Damian Spielmaker was present, but made no report.

APPROVAL OF AGENDA: Motion by Councilmember Spielmaker, second by Arnold to approve the agenda as presented. Carried. 7 Yeas. 0 Nays.

APPROVAL OF CONSENT AGENDA:

A. Claims and Accounts – Total Claims - \$476,439.86

APPROVAL OF CONSENT AGENDA: Motion by Councilmember Weissenborn, second by Smith, to approve the consent agenda. Carried. 7 Yeas. 0 Nays.

ITEMS OF BUSINESS:

A. **Discussion of Sidewalk Snow Removal**

City Manager Guetschow made introductory comments. DPW Director Schoonover explained the procedure currently in place and answered questions from the Council. She explained that it takes at least three employees approximately ½ day to clear the snow. There were different charges for December 8th and December 11th because of the amount of the snowfall. DPW Director made the decision

not to charge the full cost because there was less snow on the 11th than on the 8th. She also explained that the DPW does not immediately go out to remove snow, that sidewalk shoveling comes after snowplowing of the areas the city is responsible for, the DPW regular duties and emergencies. DPW Director Schoonover recognized and thanked the many individuals who get out on ATV's, plows, snow blowers and shovels, and do more than just their own sidewalk.

Based upon their discussion, it was the general consensus of the Council that businesses should be held to a higher standard for requiring snow removal; that the residential snow removal policy, if there is one, should be consistent throughout the city, and that the ordinance may need to be reviewed and recommendations be made to address concerns.

Motion by Councilmember Weissenborn, second by Lewis to direct staff to amend the snow removal ordinance to remove West Lawrence from Bostwick to Lincoln Streets, and to suspend enforcement of the snow removal ordinance in that area immediately. Carried. 7 Yeas. 0 Nays.

Motion by Councilmember Arnold, second by Lewis to authorize the Mayor to appoint a committee of community members, council members and staff to review the snow removal ordinance and make recommendations to the City Council. Carried. 7 Yeas. 0 Nays.

Council members Spielmaker and Arnold volunteered to serve on the committee as did Kelly Cool and Jennifer Bursley from the audience.

COMMUNICATIONS AND COMMITTEE REPORTS:

CITY ATTORNEY REPORT: Attorney Hitch highlighted the information in his written report. He has been in contact with the attorney for the owners of Lawrence Manor and is expecting to reach a settlement to pay the fines and costs of clean-up levied upon the property. If a settlement is not reached, the contempt hearing is scheduled for Friday, January 30, 2009.

CITY MANAGER REPORT: City Manager Guetschow reviewed the information in his written report and indicated that ACD.Net has been working in the City this week to install the fiber optic lines for the West Side Fire Station. Hopefully it will be complete by the second week in February.

COUNCILMEMBER COMMITTEE REPORTS:

Councilmember Lewis announced that there is a CARA (recycling) meeting on Tuesday, January 27, at 5:30 p.m. in Council Chambers. Councilmember Arnold announced that there is CARC (recreation) meeting Wednesday, January 28 at Eaton Township Hall at 7:00 p.m. Councilmember Spielmaker announced that there is an Airport Advisory Board meeting Tuesday, January 27th at 8:00 a.m. at the Airport. Councilmember Baker stated that she attended the Step By Step Committee meeting and they are working on the plan that will be submitted for grant applications.

Discussion was held on the Brownfield alternative strategy and which locations are being targeted for that. Councilmember Baker pointed out the good news that the City's Water and Sewer Bond rating improved to A+ which translates into better interest rates for future projects. Discussion was held regarding the Standard and Poor' report.

PUBLIC COMMENT:

Ryan Nelson, 316 W. Lawrence Ave., stated that the fee charged for snow removal was too high considering the short length of time it took to remove the snow and said that the snow was removed less than 12 hours following the snow fall

Steve Stofflet, 415 W. Lawrence Ave., stated that the snow is not being removed at all from the abandoned gas station where pipes and wires sticking up from the ground recently damaged a vehicle

MAYOR AND COUNCIL COMMENTS:

Councilmembers thanked the residents who were in attendance at the meeting for their feedback.

Councilmember Arnold announced that Can-Do is hosting a series designed to develop leadership skills. First Gentleman Dan Mulhern is keynote speaker at the first meeting February 4, 2009, at 7:00 p.m. in Council Chambers. There is no cost to attend the program. He will be absent from the February 9, 2009, Council Meeting.

Mayor Pro Tem Smith stated that he was honored to be invited, along with the Mayor, to judge essays in a state-wide event the VFW sponsored in Kalamazoo.

Mayor Shaughnessy echoed Mayor Pro Tem Smiths comments about the VFW event and stated that the Charlotte area is very well represented. She also attended a meeting of local officials in Delta Township organized by Congressman Schauer to give local governments a heads up about the upcoming federal stimulus plan.

There being no further business, the meeting was adjourned at 8:16 p.m.

Deb Shaughnessy, Mayor

Michelle M. King, City Clerk