

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**Monday, June 22, 2009**

**CALL TO ORDER:** By Mayor Shaughnessy Monday, June 22, 2009 at 7:00 p.m.

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

**ABSENT:** None

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

**APPROVAL OF MINUTES FOR REGULAR MEETING OF June 8, 2009:** Motion by Councilmember Lewis, second by Baker to approve the minutes of June 8, 2009, as presented. Carried. 7 Yeas. 0 Nays.

**EXCUSE ABSENT MEMBERS:** None.

**PUBLIC COMMENT:** Laverne Bailey, 107 VanLieu, complaints regarding vacant house at 110 VanLieu

Shannon Potter, 120 VanLieu, complaints about 110 VanLieu and Legacy Parke Apartments

Phyllis Christie, 782 W. Seminary, representing the neighborhood watch, would like to see action on the complaints regarding 110 VanLieu

**CHARLOTTE HIGH SCHOOL LIAISON:** No Report

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

**APPROVAL OF CONSENT AGENDA:**

- A. Approve Budget Adjustment Resolutions #4, #5 and #6.
- B. Appoint Robert Monschein to fill vacancy on Planning Commission, term expiring 3/31/2011
- C. Claims and Accounts – Total Claims - \$270,890.38

**APPROVAL OF CONSENT AGENDA:** Motion by Mayor Pro Tem Smith, second by Cuttle to approve the consent agenda. Carried. 7 Yeas. 0 Nays.

**ITEMS OF BUSINESS:**

**A. Consider Approval of Liquor License Entertainment Permit – 107 S. Cochran**

Mikes Sports Page is requesting an Entertainment Permit to enable the bar to host an occasional musician or small band and perhaps karaoke. The Chief of Police has reviewed the request and sees no problem with approval.

**Motion by Councilmember Baker, second by Lewis to adopt Resolution 2009-11 to recommend approval to the State of Michigan for an entertainment permit for Mike's Sports Page, 107 S. Cochran Avenue. Carried. 7 Yeas. 0 Nays.**

**B. Second Reading and adoption of Ordinance to Amend Chapter 52: Property Maintenance by adding Article II – Nuisance Abatement and adding Article III – Fees, and by repealing Chapter 26: Environment, and Article III Weeds of Chapter 70: Vegetation of the Code of the City of Charlotte**

Second Reading usually goes onto the consent agenda, but there was some discussion regarding the tall weed/grass section of this ordinance at first reading. In response to those concerns, additional language has been drafted which will help clarify the ordinance.

Motion by Councilmember Arnold, second by Smith to approve Second Reading and adoption of Ordinance to Amend Chapter 52: Property Maintenance by adding Article II – Nuisance Abatement and adding Article III – Fees, and by repealing Chapter 26: Environment, and Article III Weeds of Chapter 70: Vegetation of the Code of the City of Charlotte with the following language change in Section 52.91, “ **WEED GROWTH PROHIBITED** (A) All areas, except those lots which are in excess of 5 acres in size, shall be kept free from weeds in excess of 10 inches. Lots *that* are in excess of 5 acres shall be kept free from weeds in excess of 10 inches within 100 feet of any street or alley and within 100 feet of any property line *that* abuts any platted lot; *provided, however, that the provisions of this section shall not apply to the following areas: 1) open space, landscaped areas and storm water retention and detention facilities developed in accordance with a site plan approved by the Planning Commission; 2) areas beside ponds, lakes and open waterways; 3) on steep slopes subject to erosion; 4) on parcels used for public parks or other governmental purposes; 5) to wildflower plantings, meadows or similar naturalized areas grown on portions of unplatted lots or parcels; 6) to groups of contiguous platted lots in excess of 5 acres; and 6) to unplatted parcels in excess of 5 acres zoned R-1 or R-2 that are vacant or used for farms or single-family developments of a rural character.* (B) Weeds shall be defined as all grasses, annual plants and vegetation other than trees or shrubs; provided, however, this terms shall not include cultivated flowers and gardens. It shall be the duty of any person owning, leasing, occupying or

**otherwise controlling any plot of ground in the city to prevent the growth of weeds thereon. Carried. 7 Yeas. 0 Nays.**

- C. **Consider Fee Schedule for Notices of Violation**  
 City Manager Guetschow indicated that this fee schedule goes hand in hand with the ordinance that was just adopted. It allows the City to recover some of the costs associated with enforcing the ordinance.  
**Motion by Councilmember Lewis, second by Arnold to approve Resolution 2009-12 adopting a Fee Schedule for violations of the Nuisance Ordinances. Carried. 7 Yeas. 0 Nays.**
  
- D. **Special Assessment District Resolution #1 – Snow and Ice Removal Downtown**  
 City Manager Guetschow explained that the two special assessment resolutions under consideration tonight are the beginning stages of creating a Snow Removal Special Assessment District in the Downtown Development Authority. Resolution #1 refers the matter to the City Manager to prepare a report which is included in this packet.  
**Motion by Mayor Pro Tem Smith, second by Baker to adopt Special Assessment District 2009-01 Resolution #1 directing the City Manager to prepare a report to the City Council with details of the proposed special assessment. Carried. 6 Yeas. 1 Nay (Weissenborn).**
  
- E. **Special Assessment District Resolution #2 – Snow and Ice Removal for Portions of Harris, E. Lawrence, Lovett, Seminary, Washington, Cochran & Bostwick**  
 Resolution #2 sets a public hearing on the proposed Special Assessment District for the Regular Council meeting to be held on July 27, 2009, at 7:00 p.m.  
**Motion by Mayor Pro Tem Smith, second by Baker to adopt Special Assessment District 2009-01 Resolution #2, setting a public hearing on the matter for July 27, 2009. Carried. 7 Yeas. 0 Nays.**

- F. **Consider Acquisition of Tax Foreclosed Property**  
City Manager Guetschow indicated that this property is a vacant piece of land next door to 768 W. Seminary. The City can acquire the property, valued at about \$17,500, for \$1,750.29. The public purpose is neighborhood stabilization.  
**Motion by Councilmember Weissenborn, second by Arnold to acquire the vacant lot next to 768 W. Seminary at a cost of \$1,750.29. Carried. 7 Yeas. 0 Nays.**

**COMMUNICATIONS AND COMMITTEE REPORTS:**

**CITY ATTORNEY REPORT:** Attorney Hitch summarized his written report for Council.

**CITY MANAGER REPORT:** City Manager Guetschow reviewed the information in his written report. He will begin the process for a Charter Amendment that would excuse the City Attorney from City Council meetings, unless it was deemed necessary that the City Attorney attend. The City Manager also discussed State Revenue Sharing cuts and how they will affect the city in the future.

**COMMENTS ON REPORTS:**

The DPW mechanic is now doing routine maintenance on the Police vehicles, and will consider taking on special police and fire vehicle projects as they come up.

DPW Director Schoonover is working with OHM to pinpoint projects for this construction season. They are very close to making some decisions. The preference is that they work on a neighborhood of streets where the most benefit will be derived.

There will be no port-a-johns in Oak and Lincoln Parks this year due to vandalism.

The Re-Appraisal project by the City Assessor is not expected to have a significant impact on the taxable or assessed value of the city as a

whole. The purpose is to update the information we currently have on property's to reflect the most accurate it can be.

**COUNCILMEMBER COMMITTEE REPORTS:**

Councilmember Baker announced that there was an Airport Advisory Meeting on June 9th at which they approved hiring Mark Cosgrove as the Airport Manager. The Chamber of Commerce is donating a pamphlet holder, and the Airport will use an old Police car as a courtesy car. The Father's Day fly-in went very well. On June 16, 2009, she attended the Step By Step meeting at which Bob Eldridge from Keep Michigan Beautiful was the speaker. He indicated that the City can apply for awards, and that is something the committee is interested in.

Councilmember Arnold announced that there is a Charlotte Area Recreation Council Meeting on June 24<sup>th</sup>. The City Manager and City Attorney have reviewed the recreation cooperative agreement on behalf of the City and Councilmember Arnold will share their comments with CARC at the meeting. They will also meet with various local athletic groups to ascertain their needs.

**PUBLIC COMMENT:** None

**MAYOR AND COUNCIL COMMENTS:**

Councilmembers thanked and congratulated the organizing committees and participants in Celebrate Charlotte, Southern Eaton County Recovery Coalition Walk/Run and Relay for Life for another successful year. They also congratulated and welcomed Councilmember Cuttle.

Mayor Pro Tem Smith announced that "Evening with the Experts is experiencing a very successful session. The final two events for this session are on June 24<sup>th</sup> and July 1<sup>st</sup>. On July 11<sup>th</sup>, VFW Post 2406 is sponsoring a ride for fallen soldiers. Any one interested may contact the VFW for more information.

Mayor Shaughnessy announced that on June 23<sup>rd</sup> the Eaton Township Board will be meeting to discuss developing a park on property behind Peebles and Dunham's. She also thanked and congratulated retiring

Administrative Assistant to the City Manager Kathy Graber for her years of service to the City.

**There being no further business, the meeting was adjourned at 8:45 p.m.**

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Deb Shaughnessy, Mayor

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Michelle M. King, City Clerk