

COUNCIL PROCEEDINGS
Regular Meeting
Monday, September 28, 2009

CALL TO ORDER: By Mayor Shaughnessy Monday, September 28, 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 SEPTEMBER 14, 2009: Motion by Councilmember Lewis, second by Cuttle to approve the regular minutes of September 14, 2009, with the correction of “Mary” Crittenden to “Marilyn” Crittenden. Carried. 7 Yeas. 0 Nays.

PUBLIC COMMENT: None

CHARLOTTE HIGH SCHOOL LIAISON: No Report

APPROVAL OF AGENDA: Motion by Mayor Pro Tem Smith, second by Baker to approve the agenda, as presented. Carried. 7 Yeas. 0 Nays.

APPROVAL OF CONSENT AGENDA:

- A. Approve Water and Sewer Rate Resolution as outlined at the meeting on September 14, 2009
- B. Approve Battle Creek River Cleanup Resolution
- C. Claims and Accounts – Total Claims - \$204,085

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 Recommendation of the Utility Board of Appeals Regarding 464 Horatio

City Manager Guetschow indicated that Council was provided with the unapproved minutes of the Utility Board of Appeals meeting and they are an accurate representation of that meeting. The Utility Board of Appeals recommended that a split of the water usage portion of the bill be made with the homeowner, Jamil Cage. The total water usage billed was \$79.64; Mr. Cage’s portion would be \$39.82.

Motion by Mayor Pro Tem Smith, second by Lewis to concur with the recommendation of the Utility Board of Appeals to bill Mr. Cage \$39.84 for water usage for the period of March through August 2009. Carried. 6 Yeas. 1 Nay. (Weissenborn)

B. Hearing Regarding Dangerous Building at 220 West Shaw

Hearing opened at 7:15 p.m. City Manager Guetschow advised Council that this building has been deemed dangerous by the Building Department and the Building Board of Appeals “Hearing Officer” (Zoning Board of Appeals). Owners and parties of interest have been notified of each step in the process and no action or verbal communication has taken place since late fall of 2008. The hearing officer ordered the building to be demolished. Council’s responsibility is to confirm, modify or set aside the decision of the hearing officer. There was no one in the audience to speak on behalf of the property at 220 W. Shaw. Hearing closed at 7:18 p.m.

C. Consider Action Regarding Dangerous Building at 220 West Shaw

Motion by Councilmember Lewis, second by Arnold to confirm the order of demolition by the Building Board of

Appeals Hearing Officer (Zoning Board of Appeals) regarding 220 West Shaw. Carried. 7 Yeas. 0 Nays.

D. Consider Amendment to Lease Contract with CJO Football Program to Reduce the General Liability Limit from \$2 million to \$1 million

City Manager Guetschow explained that the lease that we have for Goebel Field with the Charlotte Junior Orioles (CJO) Football League requires that they purchase general liability insurance in the amount of \$2 million. When CJO applied for insurance this year costs had increased greatly and a policy for \$2 million was very expensive so they are requesting that the City consider accepting \$1 million instead. We have confirmed with our insurance company that this amount is standard and should be adequate.

Motion by Mayor Pro Tem Smith., second by Baker to amend the lease agreement with Charlotte Junior Orioles to accept general liability insurance in the amount \$1 million as opposed to \$2 million. Carried. 7 yeas. 0 Nays.

E. Consider Contract with Airport Manager

City Manager Guetschow indicated that this contract is with Professional Aviation Services (Mark Cosgrove) who is also one of the current Fixed Based Operators. This agreement is for Airport Manager and is separate from his duties as FBO. He has been performing most duties since July 1st, and some before that. The contract as distributed to Council needs a couple of changes. They are that the term of the contract should be changed from September 1, 2009 to July 1, 2009 and the first sentence of Section 1.4, page three should be deleted. Council requested an addition to the language of section 3, page 4 to include that reports should be submitted at least quarterly.

Motion by Councilmember Lewis, second by Smith to approve the Airport Manager Contract with Professional Aviation Service with the following changes:

1) **The effective date is July 1, 2009.**

2) **Delete the first sentence of section 1.4, “Airport Manager shall maintain and operate Airport radio facility (UNICOM).”**

3) **Add in Section 3, after “as City shall require,” “but in any event no less than quarterly.” Carried. 7 Yeas. 0 Nays.**

COMMUNICATIONS AND COMMITTEE REPORTS:

CITY ATTORNEY REPORT: Attorney Hitch reviewed the information in his written report for Council.

CITY MANAGER REPORT: City Manager Guetschow reviewed the information in his written report. He also announced that the City has new letterhead and name badges with a logo that emphasizes the “Maple City” theme. It is standardized, cost effective and updated.

COMMENTS ON REPORTS:

City Manager Guetschow indicated that Hydrant Flushing was cancelled due to budget constraints. It will save the city money because hydrant flushing is performed at night on overtime.

He also explained that the DPW yard is pretty open to the public and we will be considering ways to close it off for the safety of the public. This is a proactive step and not in response to any injury or threat.

COUNCILMEMBER COMMITTEE REPORTS:

Councilmember Arnold indicated that he attended the Carmel Township Board meeting on September 17th and they requested a review of the funding sections, asking that the Recreation Council consider changing it to a dollar figure based upon population or SEV. The Recreation Council representatives will be at the Eaton Township Board meeting on October 2nd then the revised agreement will come back to City Council for final approval.

PUBLIC COMMENT: None

MAYOR AND COUNCIL COMMENTS:

Councilmember Baker commended volunteers who, on September 24th and 25th planted 500 – 600 plants in a rain garden project in the cul de sac at the end of Paine Drive. She announced that on September 29th & September 30th Hayes Green Beach and the Chamber will offer Flu Shots in the Spartan Room of the Charlotte Library for \$26. She concluded with an invitation for the public to attend the Fall Home Tour sponsored by the GFWC on October 4th.

Councilmember Arnold attended the MML Conference in Kalamazoo on September 23rd and 24th. He believes that regional cooperation was a key concept introduced, and that the City's concentration of neighborhood development was supported and affirmed at the conference. He also attended the Can-Do presentation by community members involved in the Arts and was pleased that Can-Do has agreed to add the Arts as a community initiative.

Mayor Pro-Tem Smith commended City Manager Guetschow, Finance Director Mossner and Assessor Jewell on the Citizens Symposium. It was very timely and informative. He echoed Councilmember Arnold's comments on Can-Do making the Arts a priority. He also indicated that Can-Do, the City, Small Business Development Technology Center and the Charlotte Area Chamber of Commerce will be working together to offer one on one counseling to small business owners on the first and third Mondays in October and the Small Business Development Technology Center will eventually be conducting the Evening with the Experts classes. He also attended the MML Conference in Kalamazoo and would like to give a brief presentation to council during the October 26th meeting.

Councilmember Cuttle attended the Step-by-Step meeting. They are reviewing and updating their mission statement and looking for donations for the downtown mural. This coming Saturday is National River Conservation Day. Volunteers will meet in the Bennett Park Pavilion at 9 a.m. where they will disperse and begin clean-up on the Battle Creek and Thornapple Rivers.

Mayor Shaughnessy expressed the Council's sympathy to the Potterville community for the tragic death of Tabitha Stanton in a car accident and Nick Lafave who lost his battle with cancer.

There being no further business, the meeting was adjourned at 8:07 p.m.

Deb Shaughnessy, Mayor

Michelle M. King, City Clerk