

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**Monday, January 11, 2010**

**CALL TO ORDER:** By Mayor Smith Monday, January 11, 2010, at 7:00 p.m.

**PRESENT:** Councilmembers Arnold, Cuttle, Kruger, Sanders, Weissenborn, Mayor Pro-Tem Baker, Mayor Smith, and City Manager Guetschow

**ABSENT:** None

The invocation was offered by Councilmember Kruger followed by the pledge of allegiance.

**APPROVAL OF MINUTES FOR THE REGULAR MEETING OF DECEMBER 28, 2009:** Motion by Councilmember Cuttle, second by Arnold to approve the regular minutes of December 28, 2009, as presented. Carried. 7 Yeas. 0 Nays.

**PUBLIC COMMENT:** Julie Kimmer, 333 E. Lovett Street - interested in working with the city to keep the Dolson House (345 Horatio) from being torn down. Also on behalf of the Eaton County Historical Commission and Courthouse Square offered some resources to try to save it from demolition.

**Lee Howser, 210 W. Henry Street** - would like to see 345 Horatio Street restored to a private residence

**Patti Bruinsma, 1681 S. Stewart Road** - opposes the leash ordinance in Bennett Park and would like to see Council wait until spring to make any decision

**Tom Fullerton, 338 Prairie Street** - in favor of leash ordinance in Bennett Park

**Richard Slabaugh, Eaton County Drain Commission** - updated the Council on what is happening in the Drain office and offered assistance to the City and community with questions or problems they may have regarding drains.

**Marty Alwood, 2440 Lansing Road** - opposed to leash ordinance

**Patty Trabue, 3692 Benton Road** - agrees that having a policy that dog owners could walk pets on the wooded side of park without leash is a good compromise

**Mike Ranville, 403 S. Cochran** – would like to see a compromise between the leash ordinance and the Bennett Park trails, allowing dogs off leash between the hours of 9 p.m. and 9 a.m.

**Lee Howser, 210 W. Henry Street** – supports Mr. Ranville's suggestion

**John Berry, Ionia** – not in favor of a leash ordinance, uses Bennett Park to train a search and rescue dog

**Eileen Boone, 293 VanSickle** – in favor of leash ordinance, wants to see it enacted as soon as possible, and does not think it should be contingent upon the dog park.

**CHARLOTTE HIGH SCHOOL LIAISON:** Kelsey Mansel indicated that last week was the first full week back to school after Holiday Break and next week is exam week. Students involved in Harvard Model Congress are going to San Francisco January 20<sup>th</sup> - 24<sup>th</sup>.

**APPROVAL OF AGENDA:** Motion by Mayor Pro Tem Baker, second by Kruger to approve the agenda with the addition of

**item 11E “Consider Resolution Recognizing “Friends of Charlotte Community Library” as a Non-Profit Charitable Organization for the Purpose of a Gaming License.” Carried. 7 Yeas. 0 Nays.**

**APPROVAL OF CONSENT AGENDA:**

- A. Set Hearing for Dangerous Building at 345 Horatio for the Regular City Council Meeting on January 25, 2010, at 7:00 p.m.
- B. Approve Resolution #2010-01 - 2010 Poverty Guidelines

WHEREAS, the adoption of guidelines for poverty exemption is within the purview of the City Council; and

WHEREAS, the homestead of persons who, in the judgment of the City Assessor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL.211.7u); and

WHEREAS, pursuant to PA 390, 1994 the City of Charlotte, Eaton County adopts the following Income and Asset levels establishing eligibility for Poverty Exemptions in the year 2010,

**2009 FEDERAL POVERTY GUIDELINES FOR 2010 ASSESSMENTS**

1 person .....	\$ 10,800
2 persons .....	\$ 14,600
3 persons.....	\$ 18,300
4 persons.....	\$ 22,100
5 persons.....	\$ 25,800
6 persons.....	\$ 29,500

7 persons.....	\$ 33,300
8 persons.....	\$ 37,000
For Each Additional Person add.....	\$ 3,700

**MAXIMUM ASSET STANDARDS TO BE ELIGIBLE FOR A POVERTY EXEMPTION**

*(PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall include an asset level test)*

1 person .....	\$ 23,928
2 persons .....	\$ 29,710
3 persons.....	\$ 35,393
4 persons.....	\$ 40,976
5 persons.....	\$ 46,759
6 persons.....	\$ 52,442
7 persons.....	\$ 58,224
8 persons.....	\$ 63,907
9 persons or more.....	\$ 69,191

NOW, THEREFORE, BE IT RESOLVED that the Board of Review shall follow the above stated income and asset level guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these are communicated in writing to the claimant.

- C. Claims and Accounts – Total Claims - \$292,698.00

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

**ITEMS OF BUSINESS:**

**A. Discuss Policy Regarding Dogs in Bennett Park**

Pursuant to the discussion at the last meeting, and the recommendation of the Parks Board, the City Manager has written a council policy addressing dogs in Bennett Park. This policy, in addition to the leash ordinance that is also up for consideration will help to address the concerns about dogs in the park and throughout the city. Both of these issues are separate from the issue of a dog park which is anticipated to cost about \$119,000 and will probably not receive priority grant funding from the State of Michigan.

**Motion by Councilmember Sanders, second by Kruger to table the Council Policy regarding dogs in Bennett Park to the next meeting. Failed. 3 Yeas. 4 Nays (Arnold, Baker, Cuttle, Smith)**

**Motion by Councilmember Cuttle, second by Baker to adopt the proposed Council Policy for Bennett Park with the following changes:**

- 1) all dogs north of the Battle Creek to be leashed at all times
- 2) dogs on the south side of the Battle Creek may be off a leash except during times of special events
- 3) re-evaluation of this policy during the first meeting after April 1, 2010.

**Carried. 4 Yeas. 3 Nays. (Weissenborn, Arnold, Sanders)**

**B. Second reading of the Leash Ordinance**

City Manager Guetschow indicated that the leash ordinance as presented tonight reflects councils wish from first reading to delete the prohibition of dogs at special events in paragraph E3, and a slight change to paragraph E2 pursuant to the Policy just adopted.

**Motion by Councilmember Kruger, second by Arnold to approve second reading and adoption of the Leash Ordinance #2010-01 with the suggested change in**

**Paragraph E2, changing “in areas specifically designated for the running of dogs” to “pursuant to rules adopted by the City Council”. Carried. 7 Yeas. 0 Nays.**

**C. Consider Action Regarding 220 W Shaw Street**

City Manager Guetschow stated that John Berry has filed a plan for rehabilitating his mother’s house on W. Shaw. Mr. Guetschow has a note from Keith Berry indicating that the house will be transferred into John Berry’s name at some point in the future. The City has fulfilled all of its legal obligations giving the family ample notice and time to resolve these issues, but in light of Mr. Berry’s interest in rehabilitating the house, Mr. Guetschow feels that the city is doing the right thing by allowing him some time to work on the project. However, if the project is abandoned, or if Mr. Berry decides not to finish, the City can, and will, rebid the demolition and move forward.

**Motion by Mayor Pro Tem Baker, second by Cuttle to reject the demolition bids for 220. W. Shaw. Carried. 7 Yeas. 0 Nays.**

**D. Consider New Paragraph 11 of the Interlocal Agreement for Recreation**

Councilmember Arnold explained that this language is based upon the recommendation of our City Attorney and has been reviewed by both Mr. Hitch and City Manager Guetschow. Eaton Township approved the language at their meeting on Thursday, January 7, 2010.

**Motion by Councilmember Kruger, second by Cuttle to approve the revised language for Paragraph 11a) Dispute Resolution of the Interlocal Agreement for Recreation. Carried. 7 Yeas. 0 Nays.**

**E. Consider Resolution Recognizing “Friends of Charlotte Community Library” as a Non-Profit Charitable Organization for the Purpose of a Gaming License**

This resolution is part of the approval process for obtaining a gaming license. The Friends of the Charlotte Community Library want to hold a raffle for a quilt that has been donated by the Courthouse Square Quilters.

**Motion by Councilmember Arnold, second by Kruger to approve Resolution #2010-02, recognizing Friends of the Charlotte Community Library as a non-profit organization in the City of Charlotte. Carried. 7 Yeas. 0 Nays.**

**COMMUNICATIONS AND COMMITTEE REPORTS:**

**CITY MANAGER REPORT:** City Manager Guetschow reviewed the information in his written report.

**COUNCILMEMBER COMMITTEE REPORTS:**

Councilmember Cuttle indicated that CARA will be meeting January 26, 2010, but has stopped taking miscellaneous plastics (#3, 4, 5, 6 and 7) due to severe market conditions.

Councilmember Arnold announced that the Recreation group will meet Wednesday, January 27, 2010 at 7 pm at Eaton Township Hall. At this meeting they will hopefully elect members to the Co-operative and work on creating a budget.

Councilmember Weissenborn stated that he attended a meeting of the City/Township Group. He is stepping down from that position and asks that the Mayor find another person to represent the City. He also thinks the City needs to address whether this is a beneficial group for the City to be a part of.

**PUBLIC COMMENT:** Julie Kimmer, 333 E. Lovett – clarified and corrected comments she made earlier in the evening.

**MAYOR AND COUNCIL COMMENTS:**

Councilmember Cuttle announced that Step By Step will meet January 20<sup>th</sup> in Council Chambers of City Hall at 7:00 a.m.

Councilmember Sanders stated that he has received several requests that the City consider installing lights on the sledding hill. Several Councilmembers stated that they enjoyed going to the sledding hill with their families this past weekend.

Councilmember Arnold asked that the Council and staff consider how to better promote openings on boards and commissions, and perhaps create a pool of applicants that the Mayor can choose from as openings occur. Councilmember Kruger asked if there was a way to do this through Facebook.

Councilmember Weissenborn wished Mr. Berry good luck rehabilitating the house at 220 W. Shaw and indicated that he is unable to attend the Planning Session Saturday. He also mentioned that in the MML Review there are several good articles regarding winter sports, etc.

Mayor Smith announced that he is looking for two or three people to fill some vacancies. He had the opportunity to speak at the Annual Fire Department Christmas Party and to thank the volunteers for all that they do.

**There being no further business, the meeting was adjourned at 8:55 p.m.**

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Deleski R. Smith, Mayor

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Michelle M. King, City Clerk