

COUNCIL PROCEEDINGS
Regular Meeting
Monday, May 24, 2010

CALL TO ORDER: By Mayor Deleski Smith Monday, May 24, 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 Mayor Smith, followed by the pledge of allegiance.

APPROVAL OF MINUTES FOR THE REGULAR MEETING OF MAY 10, 2010 AND SPECIAL MEETING OF MAY 17, 2010: Motion by Councilmember Cuttle, second by Kruger to approve the revised minutes of the regular meeting of May 10, 2010, and the minutes of the Special Meeting on May 17, 2010, as presented. Carried. 7 Yeas. 0 Nays.

EXCUSE ABSENT MEMBERS: None

PUBLIC COMMENT: Mary Bennett, 455 E. Kalamo Highway, requested a copy of the Leash Law, and urged Council to revise the council policy to read no unleashed dogs anywhere at any time.

Bob Robertson (Vermontville), running for State Representative 71st District introduced himself and requested the support of the Charlotte community.

Sheila Katherine McCoy (Delta Township) running for Eaton County Probate Court introduced herself and requested the support of the Charlotte Community

Sheryl Haddock (Grand Ledge) candidate for State Representative 71st District, asked Council to look for ways to trim the budget other than Police staff

CHARLOTTE HIGH SCHOOL LIAISON: No Report

APPROVAL OF AGENDA: Motion by Councilmember Kruger, second by Baker to approve the agenda with the addition of item 11b, “Consider request by the Charlotte Eagles for the closure of Church Street for the purpose of the Annual Nascar Derby.” Carried. 7 Yeas. 0 Nays.

APPROVAL OF CONSENT AGENDA:

- A. Approve Resolution adopting 2010 Frontier Days schedule of activities

WHEREAS, the Frontier Days Festival is a community based, organized event that is to be held September 9 through 12, 2010; and

WHEREAS, the Frontier Days Festival Committee is responsible for organizing events that contribute to community wide fellowship, benevolence, and welfare; and

WHEREAS, the Committee in conjunction with the Chief of Police, Lieutenant and DPW Director, have planned the Frontier Days Parade and other events that require use and closure of certain public streets and right of ways; and

WHEREAS, the Committee has requested that the Charlotte City Council approve the following requests and conditions:

CLOSURE OF STREETS

1. Closure to through traffic from 6:00 a.m. to 1:00 p.m. on Saturday, September 11, 2010:
West Lovett from Cochran to Bostwick

East Lovett from Cochran to Pleasant
Seminary from Cochran to Pleasant
Krebs Ct. from Cochran to Horatio
Henry from Cochran to Pleasant
Warren from Cochran to Pleasant
Shaw from Cochran to Pleasant
Horatio from Lawrence to Shepherd
Washington from Lawrence to Seminary

With one side of above mentioned street remaining open for emergency vehicle access.

2. The Committee will provide for street closure signing as per the Michigan Manual of Uniform Traffic Devices for the above streets, except for Horatio. The city will supply closing signs for Horatio at Shepherd and Lawrence.
3. The Committee requests the 100-300 block of S. Cochran be closed on Thursday, September 9, from 3:00– 9:00 p.m. for a Classic Car Show. The center two lanes will be kept open at all times.
4. The Committee requests both sides of Lovett Street on each side of Cochran (W. Lovett from Cochran to Bostwick and E. Lovett from Cochran to Washington) be closed on Thursday, September 9 from 3:00– 9:00 p.m. for the Classic Car Show.
5. The Committee requests W. Lovett from Cochran to Bostwick closed on Saturday, September 11, at 6:00 pm for special events.
6. The Committee requests E. Lovett from Cochran to Washington closed on Saturday, September 11, at 6:00 pm for placement of a “Reviewing Stand” east of the Cochran intersection.

7. The Committee requests Cochran from Lawrence south to Fourth St. be closed from 9:30 a.m. Saturday, September 11, until 1 p.m. Saturday, September 11 for a parade and as approved by the Michigan Department of Transportation Permit.

PARADE – SEPTEMBER 11, 2010

1. The Department of Public Works shall be responsible for placement of the required “NO PARKING” signs at 5:00 am, Saturday, September 11, 2010, along the parade assembly area as well as Third St., Fourth St., and the 100 Blk. of W. Stoddard St. or as designated by the Charlotte Police Department.
2. The Committee will provide parade marshals near the street closure locations to assist with traffic.
3. The Committee requests that the Charlotte Police Department provide assistance for the parade on September 11, and further assistance will be provided by parade marshals, with the route and detour of the parade and time being provided to the Charlotte Police at the earliest opportunity.
4. The Committee will rope the parade route and display “No Parking” signs on the morning of the parade between 5:00 am and 6:00 am and remove them immediately after the parade.
5. Due to the parade route no parking will be allowed on Third Street, both on the East and West side of the fairgrounds.

OTHER REQUESTS

1. Council gives special approval for the use of Eatran Trolley pickup signs placed in the right-of-way where necessary.
2. The Committee will provide “No Parking” signs for the above streets except for Horatio which the city will provide the “No Parking” signs.
3. The Committee will provide, for approval, to the Chief of Police, a completed liquor license application for the saloon.
4. HGB Hospital in cooperation with the Committee will organize and hold a “5 K Race” on Saturday morning, September 11, 2010. The race will begin in the 200 Block of N. Oliver St., follow the parade route, circle through Bennett Park and return to finish on Lawrence Ave. near Pleasant Street.
5. That the City Department of Public Works install event signs to be placed in the right of way on S. Cochran . South bound, North of Third Street (60” x 18”), North bound South of Third Street (48” x 6”), and North bound, South of tennis court/fairgrounds entrance (60” x 18”).
6. Grant the use of Bennett Park, south of the river, for the 18th Century Encampment as in the past years and in front of foot bridge to history camp for Antique show and sale.
7. Grant use of Camp Francis roadway and back roadway of Bennett Park for Conestoga wagon rides from 1 to 4pm, Saturday, September 11, 2010 only.
8. The Committee will provide several kids rides and petting zoo, at the Eaton County Fairgrounds from September 9 through September 11, 2010.
9. The use of the back entrance into the fairgrounds camping area located adjacent to the waste water

treatment plant, for the entrance and exit of campers and their vehicles and for access on and off the grounds Saturday, September 11, during the 5k race and the parade (9:30 am – 1:00 pm)

10. That the following area be designated as “No Parking”: All four sides of the 1885 Courthouse block which includes East bound Harris, South bound Cochran, West bound Lawrence, and North bound Bostwick and the North side of 100 and 200 blocks of West Harris, with a portion of N. Bostwick Ave. reserved for handicapped parking. The “No Parking” signs will be placed around the square as coordinated by the Charlotte Police Department and the Arts and Craft Chairman with signing to be provided by the Arts and Crafts Committee.
11. Permission to place arts and crafts in the parkway around Courthouse square boarded by Cochran, Lawrence, Bostwick, and Harris streets under the direction of the Charlotte Police Department in accordance with a layout map provided.
12. A license will be granted to Charlotte Frontier Days, Inc. to be the designated agent for all solicitor licenses in the City of Charlotte during the Frontier Days Celebration from September 8 through September 12, 2010, per City Code, Chapter 46, Section 2.

WHEREAS, the City Council of the City of Charlotte determine these temporary street closings and other requests are in the best interest of the City.

WHEREAS, the City of Charlotte may require payment for in kind services to cover the costs of overtime labor and equipment charges used in conjunction with this special event.

NOW, THEREFORE BE IT RESOLVED, that these street closures at the specified times and the other requests be granted.

BE IT ALSO RESOLVED, that the Department of Public Works will provide the requested barricades and signs for street closings and parking.

- B.** Approve recommendation of DPW Director to award bid for asbestos roof replacement at the Meter Shop to Joe Montgomery Builders, the lowest qualifying bid, in the amount of \$6,838.
- C.** Approve the recommendation of the Community Development Director to award the bid for Combs Park Tree Replacement to the low bidder, Trees n Scapes in the amount of \$14,800.
- D.** First Reading of Rezoning of 615 E. Shepherd and Set Public Hearing for July 6, 2010 Planning Commission Meeting

Ordinance entitled "ZONING ORDINANCE OF THE CITY OF CHARLOTTE," being Chapter 82 of the Code of the City of Charlotte, as follows:

That the zoning classification of the following described real estate located in the City of Charlotte, Michigan be changed from R-1 (Residential) to B-3 (Commercial)

**615 E. Shepherd Street
(Property descriptions on file in the Clerk's office)**

and that it be passed to second reading and that the Planning Commission of the City of Charlotte, Michigan, hold a public hearing in the City Hall of said City on **July 6, 2010 at 7:00 P.M.** (Or as soon as business allows) for the purpose of hearing

and considering the recommendation of a proposed amendment to the Ordinance entitled:

"Zoning Ordinance of the City of Charlotte," being Chapter 82 of the Code of the City of Charlotte, which proposed amendment would change the zoning classification of the above described real estate located in the City of Charlotte, Michigan from R-1 Residential to B-3 Commercial and that the City Clerk be and hereby is directed to give not less than 15 days notice by publishing the same in a local newspaper that a public hearing will be held in the Council Chambers on the 6th day of July, 2010 at 7:00 PM, (or as soon as business allows) for the purpose of hearing any and all persons interested in said proposed amendment, and said clerk is further directed to give not less than 15 days notice of the time and place of said public hearing by certified United States mail to each public utility company and to each railroad within the zone affected and that any person interested will be heard at the time and place specified.

- E.** Claims and Accounts – Total Claims - \$290,013.95

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

ITEMS OF BUSINESS:

- A. Discussion Regarding 2010/2011 Fiscal Year Budget**
City Manager Guetschow gave some introductory comments regarding the proposed 2010/2011 FY Budget. The following audience members spoke:
Joel West representing the Charlotte Police Department, 111 E. Lawrence Avenue and FOP Maple City Lodge (residing outside the City) questioned some expenditures the City is making while contemplating laying off Police

Officers; also questioned the City Managers figures for wage and benefit costs for the two officers

Jeremy Hafner representing the Charlotte Police Department, 111 E. Lawrence Avenue and FOP Maple City Lodge (residing outside the City) to date they have over 700 signatures requesting no Police layoffs

Linda Spica, Carlisle Highway (residing outside the City) considers herself a part of the City, does not want to see Police cuts

Rich Frazer, representing the Charlotte Police Department, 111 E. Lawrence Avenue (City resident) the Department of Justice website indicates that all cities in Michigan with a population of 8,000 to 11,000 average 18.5 officers

Discussion was held regarding Police Department staffing levels, what the fund balance outcome is if only one officer is laid off and what, if any, cuts can be made to prevent laying off officers altogether. Councilmembers addressed the specific concerns expressed by Officer West.

Discussion was held regarding the allocation of funds for one of the downtown parking lots. The DDA has a meeting on June 10th, and the City Manager will request that the agenda include discussion of some cost sharing of the actual paving along with the beautification they plan to do.

There is \$10,000 allocated for updating the Parks and Recreation Master Plan. The Recreation Cooperative intends to update that plan with funds already allocated to them.

Motion by Councilmember Arnold, second by Kruger to remove \$10,000 from the Parks and Recreation fund that is allocated to the Parks and Recreation Master Plan Update. Carried. 7 Yeas. 0 Nays.

Funding of the Airport was discussed. Council recommended the City stay the course of evicting lessee's who are not paying their hangar rent and leasing them to others who will pay.

Motion by Councilmember Arnold, second by Kruger to cut the subsidy to the Airport from \$42,000 to \$30,000 and that hopefully those funds can be made up, at least in part, by putting into place hangar lessees who will pay their rent. Carried. 6 Yeas. 1 Nay. (Baker)

City Manager Guetschow indicated that this reduction will cause the staff to look at costs associated with the Airport because it is unlikely that \$12,000 can be made up in hangar leases alone.

Motion by Councilmember Arnold, second by Weissenborn to continue the sidewalk program but adjust the budget from \$64,320 to \$40,000. Failed. 3 Yeas. 4 Nays (Weissenborn, Baker, Sanders, Cuttle)

Discussion was held regarding the utility investment into Lincoln Park. It is doubtful that Rotary will begin the project this year, but may be able to start it in their next fiscal year. Paying for the utilities for this project is a commitment made by a former council, and this council has stood by it so far.

The Water and Sewer Rate Resolution was discussed.

Councilmember Kruger offered the following Resolution and moved its adoption:

WHEREAS, the City of Charlotte completed a Water and Sewer Utility Rate Study to develop a schedule of rates which equitably reflect the cost of service to each customer class and to recommend a rate adjustment necessary to fund operations, maintenance and improvements, and

WHEREAS, this Council has evaluated said report and concur that said rates are required

NOW, THEREFORE, BE IT RESOLVED, that the following schedule of water and sewer rates be adopted:

Quarterly		
<u>Meter Size</u>	<u>Base Charge</u>	<u>Rate per 1,000 gal.</u>
5/8 x 3/4	\$ 36.40	\$ 2.08
1"	58.25	2.08
1.5"	120.15	2.08
2"	192.95	2.08
3"	364.00	2.08
4"	564.25	2.08
6"	1,212.20	2.08

Quarterly		
<u>Meter Size</u>	<u>Base Charge</u>	<u>Rate per 1,000 gal.</u>
5/8 x 3/4	\$ 65.45	\$ 3.94
1"	104.70	3.94
1.5"	216.00	3.94
2"	346.90	3.94
3"	654.55	3.94
4"	1,014.50	3.94
6"	2,179.60	3.94

BE IT FINALLY RESOLVED, that these rates be effective July 1, 2010.

Second by Mayor Pro Tem Baker. Carried. 7 Yeas. 0 Nays.

Council asked City Manager Guetschow and Finance Director Mossner to determine what part of the millage available to the City could be levied that would maintain the same funding level as the previous year, and would that allow us to retain one officer? This information will be prepared and presented to council.

Motion by Councilmember Cuttle, second by Arnold to officially request DDA pick up an additional \$20,000 for parking lot replacement in the DDA area and ask them to consider picking up the entire cost. Carried. 7 Yeas. 0 Nays.

City Manager Guetschow indicated that all capital improvements scheduled for 2010/2011 are located in the back of the budget book. The City Manager will direct staff to compile a true cost analysis of the K-9 program.

B. Consider Request by the Charlotte Eagles for closure of Church Street for the purpose of the Annual Nascar Derby

City Manager Guetschow indicated that we have been asked to add this to tonight's agenda so that the Eagles may obtain the other licenses and permits they need to host the event.

Motion by Mayor Pro Tem Baker, second by Kruger to approve the request from the Charlotte Eagles to close Church Street for the Annual Nascar Derby on July 17, 2010 from 6 a.m. to 6 p.m. Carried. 7 Yeas. 0 Nays.

COMMUNICATIONS AND COMMITTEE REPORTS:

CITY MANAGER REPORT: The City Manager stated that he has already discussed everything on his report except for an update on 220 W. Shaw. Demolition should begin as early as this week. The

contractor will be doing the finish work on the property on Henry Street at the same time he does the work on Shaw Street.

COUNCILMEMBER COMMITTEE REPORTS:

Councilmember Cuttle attended the DDA meeting on May 13th as a representative of Step by Step to give them an update on the downtown mural project. The location has moved to the Sheriff's residence, but the DDA has committed to continue its support of the project. Step by Step hopes to have the mural completed by Frontier Days.

Mayor Smith left at 9:28 p.m. Mayor Pro Tem Baker presided. Councilmember Arnold announced that the Recreation Cooperative will meet on Wednesday, May 26th at 7:00 p.m. in the Eaton Township Hall. All are welcome.

Councilmember Kruger attended the Planning Commission meeting on May 11, 2010, at which the Planning Commission gave approval to Eaton County for a Community Dental Building on their property next to the USDA Office. They also gave approval for fireworks to be sold in the Meijer's parking lot from June 22-July 6. New Commissioner Lee Howser attended his first Planning Commission meeting.

Mayor Smith returned at 9:30 p.m.

PUBLIC COMMENT: Fred Koning representing the Charlotte Police Department, 111 E. Lawrence Avenue and FOP Maple City Lodge (residing outside the City) would like to meet with the City Manager this week to go over some areas where the Police Officers believe cuts can be made in the budget

Eric Hafner, 1025 Independence Blvd, (residing outside of the City) believes that a personal attack has been made on himself and his family and believes it to be vindictive

MAYOR AND COUNCIL COMMENTS:

Councilmember Weissenborn has spoken with the Police and Fire Chiefs on numerous different occasions and believes that they have the utmost respect for one another. He commended the City Manager on the job he is doing and stated that the City's department heads are all very passionate about their jobs and attentive to the issues of the City.

Councilmember Kruger expressed his pleasure that the Council made some progress tonight and thanked Councilmember Arnold for taking the lead.

Mayor Pro Tem Baker thanked the speakers for their comments.

Councilmember Sanders indicated that he is more than happy to address any issues between the Police and Fire Departments.

Councilmember Cuttle thanked the audience for staying so late.

Mayor Smith thanked staff and Mayor Pro Tem Baker for filling in for him. He thanked and commended our Police Officers.

There being no further business, the meeting was adjourned at 9:45 p.m.

Deleski R. Smith, Mayor

Michelle M. King, City Clerk