

COUNCIL PROCEEDINGS
Regular Meeting
Monday, September 12, 2011

CALL TO ORDER: By Mayor Smith on Monday, September 12, 2011, at 7:00 p.m.

PRESENT: Councilmembers Conway, Cuttle, Kruger, Sanders, Weissenborn, Mayor Pro-Tem Baker, Mayor Smith, City Manager Guetschow and City Clerk King

ABSENT: None

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

APPROVAL OF MINUTES FOR THE REGULAR MEETING OF AUGUST 22: Motion by Mayor Pro Tem Baker, second by Sanders to approve the minutes of the regular meeting of August 22, 2011, as presented. Carried. 7 Yeas. 0 Nays.

EXCUSE ABSENT MEMBERS: None.

PUBLIC COMMENT/PRESENTATIONS: Tom Fogle, representing the Charlotte High School graduating Class of 1961, presented City Council with a proclamation on behalf of the graduating class, thanking the City of Charlotte for providing them with a solid foundation that has allowed them to prosper and live fruitful lives

Chief William Callahan presented retired Police Officer Steve Poshedly with a plaque commemorating over 25 years of service with the Department and congratulated Officer Poshedly on his retirement.

CHARLOTTE HIGH SCHOOL LIAISON: No report; in the process of locating a volunteer to act as liaison.

APPROVAL OF AGENDA: Motion by Councilmember Sanders second by Cuttle to approve the agenda, with the addition of item 11C) Consider Rescinding Development Agreement with Elm Investments, LLC. Carried. 7 Yeas. 0 Nays.

APPROVAL OF CONSENT AGENDA:

- A. Approve Change Order from AMEC in the amount of \$7,500 for work related to the connection of the new well to the well house, associated testing, and the abandonment of well 1A with associated reporting.
- B. Approve a Work Order from AMEC in the amount of \$20,000 for the on-going work related to the perceived water quality issue
- C. Approve proposal from Rowe PSC for design and construction engineering for the 2012 paving project – North Sheldon Street from Foote Street to Amity Street – in the amount of \$82,000
- D. Authorize the City Clerk to submit a statement to the Count of Eaton that a review of Farmland Agreements with John & Denise Forell for farmland in Chester and Benton Townships has been made and the City of Charlotte has no comments.
- E. Approve Resolution naming Community Development Director Bryan Myrkle as the City’s authorized agent to sign and file Release of Lien for liens placed on properties through the City’s housing improvement programs

WHEREAS, the City of Charlotte is and has been a grantee for several housing improvement programs originating with the Michigan State Housing Development Authority; and

WHEREAS, these include both Rental Rehabilitation and Targeted Homeowner Rehabilitation programs; and

WHEREAS, local recipients of these funds must agree to, and abide by, restrictive covenants and other conditions for a period of time after projects are completed; and

WHEREAS, these covenants and conditions are monitored and enforced by the City of Charlotte or its agents during the required compliance period; and

WHEREAS, the placement of liens against these properties as a method of ensuring compliance is required for participation in these programs; and

WHEREAS, it is necessary for there to be a reasonably quick and expedient method for releasing these liens once the period of compliance has ended; and

WHEREAS, the City of Charlotte Community Development Director is the person responsible for oversight of these programs within the city, and has the information necessary to determine whether programmatic compliance has been established and maintained for these projects.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlotte Community Development Director is hereby authorized to execute the necessary releases of liens documentation for properties that have been included in these housing programs and have successfully complied with the programmatic requirements.

FURTHERMORE, BE IT RESOLVED that the City of Charlotte Community Development Director is also authorized to file these documents with the appropriate governmental agencies upon their execution.

- F. Approve recommendation by Community Development Director Bryan Myrkle to replace the cameras in Council Chambers at a cost of \$2,326.14
- G. Claims and Accounts – \$574,693.23

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

ITEMS OF BUSINESS:

A. Consider Policy Statement: Traffic Calming, Trails, and Transportation

Mayor Pro Tem Baker, DPW Director Schoonover and City Manager Guetschow met last week to discuss the Policy Statement on Traffic Calming, Trails and Transportation. Mayor Pro Tem Baker believes the City has come a long way toward being a “Complete Streets” city. Areas of continued improvement include adding sidewalks on at least one side of the street in neighborhoods where there are not yet sidewalks, marking bicycle lanes, a walking trail connecting Meijer’s to “this side of town” and other communities. This policy calls for Charlotte to continue doing what we are doing to improve non-motorized transportation. Councilmember Weissenborn requested criteria be included in the policy which would seek with opinion of the residents in the neighborhood prior to adding sidewalks in an effort to be sensitive to landscaping and other neighborhood considerations.

B. Update Policy Discussion Calendar

City Manager Guetschow reminded Council that next months Policy Discussion is on Housing and Neighborhood Quality. Beyond that, there are no planned topics. If no other topics are suggested, Council will begin revisiting the Policy Statements already constructed.

C. Consider Rescinding Development Agreement with Elm Investments, LLC

City Manager Guetschow explained that in 2003, Elm Investments, LLC purchased property located on the south side of Lawrence Avenue at the west city limits. The City entered into a development agreement with Elm Investments, LLC rezoning the property to allow for mixed use. The property was later foreclosed upon and Elm Investments, LLC is no longer the owner. The property has an interested buyer, and when doing the title work, the development agreement was found. The title

company believes it could be an impediment to a clear title, therefore, the realtor has requested the city rescind the development agreement which would clear the title.

Motion by Councilmember Kruger, second by Baker to rescind the development agreement between the City of Charlotte and Elm Investments, LLC dated February 28, 2003 and the first amendment to development agreement between the City of Charlotte and Elm Investments, LLC dated March 16, 2005 and authorize the City Manager and City Attorney to prepare and file the necessary documentation to record the rescinding action with Eaton County. Carried. 7 Yeas. 0 Nays.

COMMUNICATIONS AND COUNCILMEMBER COMMITTEE REPORTS:

The City Manager reviewed his written report, which included information on the Headlee Override ballot issue. This information will be posted on the City’s website in the near future and may be used as educational material for Councilmembers to refer to when asked about the millage request. Some discussion was held regarding making the Council Packet available to the public at the same time as it is available to Council.

Councilmember Cuttle briefly attended the Recreation Cooperative Meeting held on September 8th at the Eaton Township Hall. Two local soccer organizations were in attendance seeking collaboration opportunities.

Councilmember Kruger attended the Frontier Days Committee Meeting and has agreed to begin attending them and act as Council’s unofficial representative to that committee, if Council does not object.

Councilmember Weissenborn also attended the Recreation Cooperative meeting. The Cooperative is entertaining proposals to

develop additional locations for recreational facilities and they will be looking for opportunities to highlight the accomplishments of the Cooperative which, to date, have been impressive.

PUBLIC COMMENT: None

MAYOR AND COUNCIL COMMENTS:

Councilmembers congratulated Officer Poshedly on his retirement and thanked him for his service to the community. They also thanked the Class of 1961 for its sincere presentation of gratitude to the community.

Mayor Pro Tem Baker thanked the Mayor for the opportunity to welcome the 119th National Guards back from active duty.

Councilmember Cuttle announced the Ford Drive for School Events Fundraiser on September 17th at Charlotte High School from 9:00 a.m. until 4:00 p.m. Ford will make a donation for every car test driven that day and the driver can decide which school program they want the money to go to.

Mayor Smith recognized the efforts the Frontier Days Committee. He also announced that the 119th Artillery Infantry Division presented the City with a flag and plaque thanking the community for its support while they were away; there were no casualties from the 119th.

There being no further business, the meeting was adjourned at 7:46 p.m.

Deleski R. Smith, Mayor

Michelle M. King, City Clerk