

COUNCIL PROCEEDINGS
Regular Meeting
Monday, January 9, 2012

CALL TO ORDER: By Mayor Smith on Monday, January 9, 2012, at 7:00 p.m.

PRESENT: Councilmembers Conway, Dyer, Sanders, Weissenborn, Mayor Pro-Tem Baker, Mayor Smith, City Attorney Hitch, City Manager Guetschow and City Clerk King

ABSENT: Councilmember Kruger

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

APPROVAL OF MINUTES FOR THE REGULAR MEETING OF DECEMBER 22nd:

Motion by Mayor Pro Tem Baker, second by Sanders to approve the minutes of the regular meeting of December 22, 2011, as presented. Carried. 6 Yeas. 0 Nays.

EXCUSE ABSENT MEMBERS: Motion by Councilmember Dyer, second by Sanders to excuse Councilmember Kruger from the January 9, 2012 City Council Meeting. Carried. 6 Yeas. 0 Nays.

PUBLIC COMMENT/PRESENTATIONS: None

CHARLOTTE HIGH SCHOOL LIAISON:

Shelby Lamb announced the following upcoming events:

- Harvard Model Congress students leave January 12th for San Francisco
- Hat Day is Friday, January 13th; all proceeds will go toward supporting the Cystic Fibrosis Foundation and upcoming CF Walk in May.
- There will be a band concert on January 26th.
- Student Council is beginning to plan for the June 2012 Relay for Life.

APPROVAL OF AGENDA: Motion by Councilmember Sanders, second by Conway to approve the agenda, as presented. Carried. 6 Yeas. 0 Nays.

APPROVAL OF CONSENT AGENDA:

A. Approve First Reading of Rezoning request for 228 State Street and set Public Hearing for February 7, 2012 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 I-1 (Industrial) to RM-1 (Multi-Family Residential)

228 State 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 **February 7, 2012 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 I-1 Industrial to RM-1 Multi-Family Residential 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 7th day of February 2012 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.

- B. Approve the Police Chief's request to purchase one Dodge Charger police vehicle in the amount of \$22,598, from the State of Michigan competitive bid contract in lieu of the City of Charlotte bid process.
- C. Approve the DPW Director recommendation to reject all bids for the Waukesha Gas Engine
- D. Approve Budget Adjustment #1
- E. Approve Claims and Accounts - \$233,787.69

Motion by Councilmember Conway, second by Dyer to approve the consent agenda as presented. Carried. 6 Yeas. 0 Nays.

ITEMS OF BUSINESS:

A. Discussion regarding the 2012/2013 Fiscal Year Budget

The City Manager indicated that pursuant to his request the Budget process has been accelerated somewhat this year for a number of reasons including the possibility of putting a millage request on the May ballot. A draft of the budget has been presented to Council for General Fund, Major and Local Streets. The good news is that as presented, the budget would require only a

\$37,000 draw on the Fund Balance. The bad news is there are no funds budgeted for Capital Improvements in Major and Local Streets. This puts us far below the City Manager's goal of \$500,000 annually for funding of street improvements. This budget anticipates that the street project planned for 2012 will be funded mostly through the Federal government with matching funds from the City, which we have in reserve and it is possible that next years project will be funded the same way, however, after that, we will have no money for large scale street repairs.

The budget includes further reducing the Police Department staff through attrition. The impact of the ability to maintain the school liaison officer is unknown. It also includes moving the salary of the Community Development Director to 100% from General Fund. Until this year, his salary has been paid through funds reserved from the sale of land in Combs Industrial Park. That fund has been used up.

This draft budget is evidence that we have the operating side of the budget under control, although there are still some things that the City Manager is attempting to do through Collective Bargaining Agreement negotiations which will begin shortly. No action is required by Council at this meeting. At the next meeting, after Council

has had an opportunity to review the draft budget presented, the budget will be an item for discussion.

B. Consider extending the employment agreement between the City of Charlotte and Gregg Guetschow until February 1, 2014

Mayor Smith explained that he requested this item be on the agenda. The City Manager's contract expires in just a couple of weeks and the Mayor believes that he should not be left without a contract. This is not intended to take the place of the evaluation process which will be done in the near future. The City Manager acknowledged that even if this is approved now, it can be amended later.

Motion by Councilmember Conway, second by Baker to authorize and direct the City Attorney to draft language to extend the terms of the City Managers employment agreement with the City of Charlotte until February 1, 2014. Carried. 6 Yeas. 0 Nays.

C. Consider the City Attorney's request to meet in closed session at the conclusion of regular business pursuant to MCL 15.268(e) for the purpose of discussing pending litigation.

Motion by Councilmember Sanders, second by Baker to approve the City Attorney's request to

meet in closed session at the conclusion of regular business pursuant to MCL 15.268(e) for the purpose of discussing pending litigation. Carried. 6 Yeas. 0 Nays.

COMMUNICATIONS AND COUNCILMEMBER COMMITTEE REPORTS:

- The City Attorney reviewed his written report.
- The City Manager reviewed his written report.
- Councilmember Weissenborn announced the Recreation Cooperative will meet on January 12th at Eaton Township Hall.

PUBLIC COMMENT: None

MAYOR AND COUNCIL COMMENTS:

Mayor Smith attended the Annual Fire Department dinner. He was surprised by the number of runs our department responds to in a year, and appreciates the employees and volunteers who serve.

Motion by Councilmember Sanders, second by Conway to recess to closed session for the purpose of discussing pending litigation, pursuant to MCL 15.268(e) at 7:37 p.m. Carried. 6 Yeas. 0 Nays.

Motion by Councilmember Conway, second by Sanders to reconvene into open session at 7:58 p.m. Carried. 6 Yeas. 0 Nays.

Motion by Councilmember Sanders, second by Conway to accept the jury judgment and authorize the City to pay additional costs as determined by the court, pursuant to the Uniform Condemnation Procedures Act, as it relates to Crittenden v City of Charlotte. Carried. 6 Yeas. 0 Nays.

Motion by Mayor Pro Tem Baker, second by Dyer to approve the minutes of the closed session held on November 14, 2011, as presented. Carried. 6 Yeas. 0 Nays.

The City Attorney supplemented his written report by giving a brief update on the Owens Brockway litigation. He has contacted an expert to do an inspection of the building and he is scheduling depositions. Discovery is expected to take place toward the end of February. The City Attorney and City Manager are considering and drafting a settlement offer.

There being no further business, the meeting was adjourned at 8:05 p.m.

Deleski R. Smith, Mayor

Michelle M. King, City Clerk