

COUNCIL PROCEEDINGS
Regular Meeting
February 22, 2016

CALL TO ORDER: By Mayor Pro-Tem Sanders on Monday, February 22, 2016 at 7:00 p.m.

PRESENT: Councilmembers Bahmer, Johnston, Mitchell, Ridge, Russo, Mayor Pro-Tem Sanders, City Clerk Terpstra, City Manager Guetschow and City Attorney Hitch.

The invocation was offered by Pastor Andy Shaver, Real Life Church, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR REGULAR MEETING OF FEBRUARY 8, 2016: Councilmember Johnston moved, supported by Ridge to approve the regular meeting minutes of February 8, 2016 with the correction on page 11, Item A in the motion to read “Mayor Pro-Tem Sanders moved (instead of Bahmer). Carried. 6 Yes. 0 No. Absent. (Lewis)

APPROVAL OF MINUTES FOR SPECIAL MEETING OF FEBRUARY 15, 2016: Councilmember Ridge moved, supported by Mitchell to approve the special meeting minutes of February 15, 2016 as presented. Carried. 6 Yes. 0 No.

ABSENT: Mayor Lewis.

PUBLIC HEARINGS: None.

PUBLIC COMMENT: None.

CHARLOTTE HIGH SCHOOL LIAISON: Madelynn Hull was not present.

APPROVAL OF AGENDA: Councilmember Ridge moved, supported by Johnston to approve the agenda with the removal of Item 13(A) as Councilmember Ridge is unable to attend this conference. Carried. 6 Yes. 0 No. Absent. (Lewis)

SPECIAL PRESENTATIONS:

Presentation by Spartan Motors re: new development project
Pat Sall, representing Spartan Motors, gave an overview of the Spartan F Project. It will involve tearing down the old Carefree building and reconstructing a new building. It will be used to manufacture Class 6 & 7 trucks. They will be creating 55 plus new jobs. They plan to start production in the 1st quarter of 2017.

Casey Smith, SME, is assisting Spartan Motors with the Brownfield Development for the project. He gave council an overview on how the Brownfield Development would work for this project.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2016-29 MAYORAL APPOINTMENTS:

WHEREAS , a need for an appointment exists on the Airport Advisory Board, LDFA Board and Planning Commission; and

WHEREAS, Mayor Lewis is recommending the following individuals to fill these vacancies:

Name	Board	Term Ending
Richard Deer	Airport Advisory Board	April 1, 2019
Eileen Grant Ball	LDFA	March 15, 2019
Dr. Robert Leaser	Planning Commission	March 31, 2019

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THEREFORE, BE IT RESOLVED that the appointments listed above shall be and the same are hereby approved.

Councilmember Ridge moved, supported by Johnston to approve Resolution No. 2016-29 for Mayoral appointments as presented. Carried. 6 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2016-30 TO APPROVE PAYMENT OF CLAIMS AND ACCOUNTS:

WHEREAS, Section 7.7 (B) of the City Charter requires Council approval for the expenditure of city funds; and

WHEREAS, the February 19, 2016 payroll totaled \$133,244.10; and

WHEREAS, the February 22, 2016 Bank of America credit card charges totaled \$7,501.92; and

WHEREAS, the February 22, 2016 claims total \$98,786.68;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for February 22, 2016 in the amount of \$239,532.70.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:

Councilmember Ridge moved, supported by Russo to approve Resolution 2016-30 for expenditures of the City for February 22, 2016 as presented. Carried. 6 Yes. 0 No.

ACTION ITEMS- RESOLUTIONS AND ORDINANCES

B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-20 TO APPROVE CONTRACT AND SIGNATORIES FOR MDOT CONTRACT NO. 15-5598 FOR SHELDON STREET PROJECT:

WHEREAS, the Michigan Department of Transportation (MDOT) has presented their standard contract for the purpose of fixing the rights and obligations of the City and MDOT as it relates to the reconstruction of N. Sheldon Street from Lawrence Ave. to Foote St.; and

WHEREAS, the contract outlines the administrative duties of both parties; and

WHEREAS, the contract states that the grant shall be applied to the eligible items of the project cost up to the lesser of \$375,000 or an amount such that 81.85% of the eligible costs is not exceeded; and

WHEREAS, the City is responsible for payment of unfunded grant eligible activities as well as one hundred percent of non-participating items; and

WHEREAS, it is estimated by MDOT that the City will be responsible for approximately \$587,200 for their portion of the project.

THEREFORE, BE IT RESOLVED That the City enter into Contract No. 15-5598 with MDOT for the terms and conditions related to the reconstruction of N. Sheldon Street from Lawrence Ave. to Foote St. and that the Mayor or the City Clerk be directed to sign said contract on behalf of the City.

Councilmember Russo moved, supported by Bahmer to approve the second reading and adoption of Resolution No. 2016-20 to approve Contract and signatories for MDOT Contract No. 15-5598 for Sheldon Street Project as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

C. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-21 TO APPROVE MDOT CONTRACT NO. 2015-0296 AMENDMENT:

WHEREAS, the City of Charlotte desires a Change of Scope to the project outlined in MDOT Contract No. 2015-0296; and

WHEREAS, this change would facilitate an expansion of a runway rehabilitation project to include the adjacent parallel taxiway; and

WHEREAS, this Change in Scope is to the benefit of the City of Charlotte; and

WHEREAS, the total amended project cost remains within the original engineers project cost estimate.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby approves of this Amendment No. 1 to MDOT Contract No. 2015-0296 and authorizes its execution.

Councilmember Ridge moved, supported by Johnston to approve the second reading and adoption of Resolution No. 2016-21 to approve MDOT Contract No. 2016-0296 Amendment as presented. Carried. 6 Yes. 0 No. Absent (Lewis)

D. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-22 TO APPROVE SIGNATORIES FOR MDOT CONTRACT NO. 2015-0296:

WHEREAS, the City of Charlotte is entering into an agreement with the Michigan Department of Transportation that amends MDOT Contract No. 2015-0296; and

WHEREAS, the Michigan Department of Transportation requires specific authorization of signatories for each contract it enters with a local municipality.

THEREFORE, BE IT RESOLVED that City of Charlotte Mayor Tim Lewis and City of Charlotte Clerk Ginger Terpstra are hereby authorized by the City Council of the City of Charlotte to act as signatories for this agreement, MDOT Contract No. 2015-0296/A1.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby approves of this Amendment No. 1 to

MDOT Contract No. 2015-0296 and authorizes its execution.

Councilmember Ridge moved, supported by Mitchell to approve the second reading and adoption of Resolution No. 2016-22 to approve signatories for MDOT Contract No. 2015-0296 as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

E. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-23 TO APPROVE MDOT CONTRACT NO. 2016-0151 FOR HANGAR REIMBURSEMENT #2:

WHEREAS, the City of Charlotte desires to enter into an agreement with the Michigan Department of Transportation for reimbursement of previous expenditures; and

WHEREAS, this agreement is known as MDOT Contrat No. 2016-0151.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby approves MDOT Contract No. 2016-0151 and authorizes its execution.

Councilmember Bahmer moved, supported by Johnston to approve the second reading and adoption of Resolution No. 2016-23 to approve MDOT Contract No. 2016-0151 for Hangar Reimbursement #2 as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

F. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-24 TO APPROVE SIGNATORIES FOR MDOT CONTRACT NO. 2016-0151:

WHEREAS, the City of Charlotte is entering into an agreement with the Michigan Department of Transportation for reimbursement of previous expenditures; and

WHEREAS, this agreement is known as MDOT Contract No. 2016-0151;

THEREFORE, BE IT RESOLVED that City of Charlotte Mayor Tim Lewis and City of Charlotte Clerk Ginger Terpstra are hereby authorized by the City Council of the City of Charlotte to act as signatories for this agreement, MDOT Contract No. 2016-0151;

THEREFORE, BE IT RESOLVED that City of Charlotte City Council hereby approves MDOT Contract No. 2016-0151 and authorizes its execution.

Councilmember Ridge moved, supported by Mitchell to approve the second reading and adoption of Resolution No. 2016-24 to approve signatories for MDOT Contract No. 2016-0151 as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

INTRODUCTION OF RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF FIRST READING OF RESOLUTION NO. 2016-31 TO AUTHORIZE A CONTRACT WITH MICHIGAN PAVING & MATERIALS FOR THE 2016 PAVING PROJECT:

Resolution No. 2016-31 was introduced, reading as follows:

WHEREAS, the 2016 Paving Project was outlined in the 5 Year Road Plan approved by City Council in 2015; and

WHEREAS, sealed bids were received on Tuesday, February 16, 2016; and

WHEREAS, Michigan Paving & Materials submitted the lowest unit price bid in the amount of \$407,899.55 to complete the project per the specifications prepared by Rowe PSC; and

WHEREAS, Michigan Paving & Material has performed work satisfactorily for the City in the past.

THEREFORE, BE IT RESOLVED that the City enter into a contract with Michigan Paving & Materials to provide the paving services and that the mayor and clerk be directed to sign said contract on behalf of the City.

Councilmember Ridge moved, supported by Russo to approve the adoption of the first reading of Resolution No. 2016-31 to authorize a contract with Michigan Paving & Materials for the 2016 Paving Project as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

Councilmember Bahmer stated that going forward he would like to look at different streets.

B. CONSIDER APPROVAL OF FIRST READING OF ORDINANCE TO AMEND LANGUAGE FOR MX-1 MIXED USE ZONING AND SET PUBLIC HEARING FOR MARCH 1, 2016 BEFORE THE PLANNING COMMISSION AND TO SET A PUBLIC HEARING FOR MARCH 14, 2016 BEFORE CITY COUNCIL:

Ordinance to amend Language for MX-1 Mixed Use Zoning was introduced, reading as follows:

AN ORDINANCE TO AMEND CHAPTER 82 – ZONING, SECTION 513 – APPLICATION TO NON RESIDENTIAL DISTRICTS – OF THE CODE OF THE CITY OF CHARLOTTE, BY AMENDING THE APPLICABILITY TO INCLUDE MULTI FAMILY RESIDENTIAL DISTRICTS

THE CITY OF CHARLOTTE ORDAINS:

§ 513 – Application to Non Residential Districts – of Chapter 82 – Zoning – of the Code of the City of Charlotte is hereby amended to read as follows:

§82-513 APPLICATION TO RESIDENTIAL DISTRICTS.

The MX-1 Mixed Use Overlay District is a zoning classification which permits owners of property within any zone other than R-1 One Family Residential and R-2 One Family Residential zones to petition City Council to establish an overlay district, and the district use regulations as set forth herein, on their property. Upon the filing of such petition, the petition shall be treated as a request for a zoning change and shall proceed under the Zoning Code in the same manner as a zoning classification change.

This ordinance shall become effective 20 days after adoption and that the above ordinance be passed to a second reading.

Councilmember Ridge moved, supported by Bahmer to approve the adoption of the first reading of Ordinance to amend language for MX-1 Mixed Use Zoning and set public hearing for March 1, 2016 before the Planning Commission and to set a public hearing for March 14, 2016 before City Council as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

Councilmember Bahmer stated that this will give owners an extremely flexible tool and create greater opportunities for buyers.

Mayor Pro-Tem Sanders stated that this change will be a good idea for this parcel.

C. CONSIDER APPROVAL OF FIRST READING OF RESOLUTION NO. 2016-32 FOR ACT 381 BROWNFIELD PLAN ADOPTION FOR SPARTAN MOTORS AND SET PUBLIC HEARING FOR MARCH 8, 2016 BEFORE THE BROWNFIELD REDEVELOPMENT ADVISORY BOARD:

Resolution No. 2016-32 was introduced, reading as follows:

WHEREAS, The City of Charlotte City Council, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Finance Act, being Act 281 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has previously created and formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of the City of Charlotte (the “Authority”) and have designated that all related activities shall proceed through the BRA: and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approve by the City Council of the City of Charlotte, the Brownfield Plan (the “Plan”) attached hereto, to be carried out within the City of Charlotte, related to the development project on the industrial property located at 1023 Reynolds Road and 1014 Reynolds Road, (the “Site”), as more particularly described and shown in the attached Plan; and

WHEREAS, the City of Charlotte City Council has reviewed the Plan, and have been provided reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act; and

WHEREAS, the City of Charlotte Brownfield Redevelopment Authority has noticed and held a public hearing in accordance with Section 13(10,11,12 and 13) of the Act, and

WHEREAS, the City of Charlotte Brownfield Redevelopment Authority has approved a resolution supporting adoption of the Plan; and

WHEREAS, the City of Charlotte City Council has made the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;

3. The proposed method of financing the costs of the eligible activities, as described in the Plan, was feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposed of the Act; and

WHEREAS, as a result of its review of the Plan, the City of Charlotte City Council does hereby approve the Plan.

THEREFORE, BE IT RESOLVED THAT:

1. **Plan Approved.** Pursuant to the authority vested in the City of Charlotte City Council, by the Act, the Plan is hereby approved in the form attached to this Resolution.
2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. **Repeals.** All resolutions or parts of resolutions I conflict with any of the provisions of this Resolution are hereby repealed.

Councilmember Russo moved, supported by Bahmer to approve the adoption of the first reading of Resolution No. 2016-32 for Act 381 Brownfield Plan adoption for Spartan Motors and set public hearing for March 8, 2016 before the BRA Board as presented. Carried. 6 Yes. 0 No. Absent. (Lewis)

Councilmember Ridge stated that it is a great project for the city and she is happy that Spartan Motorrs is investing in our city.

Councilmember Bahmer stated that he is in favor of anything that will support business in this community.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: City Attorney Hitch was present and stated that he feels it is important to be at quarterly meetings in case the council has questions. He reported that he is working with In Mold Solutions and CNI on some delinquent taxes. He is also working on some delinquent leases at the airport with Bryan Myrkle. He is also looking into a junk ordinance issue in the Industrial Park.

CITY MANAGER REPORT: City Manager Guetschow reported that Camp Frances has a new website and the board is doing well to elevate the awareness. The board is continuing with fund raising and they are working on a public campaign.

The siren upgrade bids have been sent and are due back on March 9th.

He will be out of the office on vacation next week.

Everyone is invited to attend the CanDo Meeting on Wednesday, February 24th at 7:00 a.m. at the Library. The topic of discussion will be Crandall Lake.

COUNCILMEMBER COMMITTEE REPORTS:

- Councilmember Ridge reported that the Recreation Co-Op grant process is due on March 31st for recreational facilities. It will then be open again in August for applications. She expects to hear on the tennis court grant soon. The next Recreation Co-op meeting is scheduled for March 10th at 7:00 P.M.

PUBLIC COMMENT: **Ben Phlegar**, 425 Horatio, encouraged everyone to vote in the upcoming March 8th election for the renewal of the recreational millage for the schools. He mentioned the article about Charlotte that was in the USA Today last week. He stated there are great things happening in our City and schools and encouraged everyone to vote for the millage.

MAYOR AND COUNCIL COMMENTS:

- Councilmember Johnston thanked everyone for coming. He stated that he is excited for the Michigan Nordic Fire Festival.
- Councilmember Ridge stated that Rising Tide is forming a steering committee. The next meeting will be held on March 3 at 4:00 P.M. in the Council Chambers. The Camp Frances Board presented at Women Giving Together and they have a lot of great ideas. She encourages everyone to support them. Barbara Fulton is working on CanDO – 7 elements of the community. The Nordic Fire Festival this weekend has lots of events and everyone is encouraged to attend and support the community.
- Mayor Pro-Tem Sanders thanked everyone for coming and encouraged everyone to come to the Nordic Fire Festival.
- Councilmember Mitchell stated that we are supposed to receive snow on Thursday hopefully in time for the festival.

Councilmember Johnston moved, second by Ridge to adjourn at 7:45 p.m. Carried. 6 Yes. 0 No Absent. (Lewis)

Mayor Pro-Tem Corey Sanders

Ginger Terpstra, City Clerk