

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**May 9, 2016**

**CALL TO ORDER:** By Mayor Lewis on Monday, May 9, 2016 at 7:00 p.m.

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

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

**APPROVAL OF MINUTES FOR REGULAR MEETING OF APRIL 25, 2016:** Councilmember Ridge moved, supported by Johnston to approve the regular meeting minutes of April 25, 2016 as presented. Carried. 7 Yes. 0 No.

**ABSENT:** None.

**PUBLIC HEARINGS:** None.

**PUBLIC COMMENT:** Andy Shaver, Real Life Church, invited councilmembers to the dedication of their new building at 1848 S. Cochran Avenue on June 12, 2016.

**CHARLOTTE HIGH SCHOOL LIAISON:** Madelynn Hull was not present.

**APPROVAL OF AGENDA:** Mayor Pro-Tem Sanders moved, supported by Russo to approve the agenda with the amendment to Item 13(a) to read from “R-2 to B-3”. Carried. 7 Yes. 0 No.

**SPECIAL PRESENTATIONS:**  
**Budget Discussion FY 2016/2017:**

Mayor Lewis stated that the next special meeting will be held on Monday, May 16, 2016 to review the utility rates.

Councilmember Bahmer is interested in looking at the salary adjustments, rates in the Motor Vehicle Pool Fund, purchases slated for the Motor Vehicle Fund and looking at non-essential expenditures.

Councilmember Mitchell questioned if there was any more information on the funding reimbursement for the voting machine purchases.

Mayor Lewis reminded everyone that the road budget will be discussed in July.

Councilmember Bahmer also asked if Councilmember Mitchell had any information on the status of the CARA budget.

City Manager Guetschow explained that the formal budget document will be presented at the May 23, 2016 meeting. Any amendments can be made to have the final budget presented in June.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER RESOLUTION NO. 2016-49 HAZARD & NUISANCES AND SET PUBLIC HEARING FOR MAY 23, 2016:**

**WHEREAS**, pursuant to the provisions of § 2.1 (B)(1) of the City of Charlotte Charter, the Assessor has made the attached special assessment roll of all lots and parcels of land within the City upon which hazards and nuisances were found to have existed and for which the City incurred costs associated

the altering, repairing, tearing down, abating or removing the hazards and nuisances; and

**WHEREAS**, pursuant to the provisions of §54-8 the Code of Ordinances of the City of Charlotte, the 2016 Hazards and Nuisances Special Assessment Roll has been filed with the City Clerk and is hereby presented to the Charlotte City Council for review.

**THEREFORE, BE IT RESOLVED THAT**

1. The 2016 Hazards and Nuisances Special Assessment Roll shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council shall meet at the Charlotte City Hall Council Chambers on **Monday, May 23, 2016** at 7:00 p.m. for the purpose of hearing all persons to be affected by the proposed special assessment.
3. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The County Journal, the official newspaper of the City of Charlotte, not less than ten (10) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF SPECIAL ASSESSMENT HEARING  
CITY OF CHARLOTTE, MICHIGAN**

**TO THE OWNERS OF THE FOLLOWING  
DESCRIBED PROPERTY:**

421 Court	649 Pleasant
120 E First	442 Prairie
504 E Henry	810 S Clinton
416 Maynard	1018 S Cochran
235 N Bostwick	506 S Cochran
N Washington	411 S Sheldon
509 Opal	111 VanLieu
618 Pearl	321 W Lawrence
706 W Shepherd	824 W Shepherd

TAKE NOTICE that the City Council intends to special assess all lots and parcels of land within the City upon which hazards and nuisances were found to have existed and for which the City incurred costs associated the altering, repairing, tearing down, abating or removing the hazards and nuisances.

TAKE FURTHER NOTICE that the City Council has caused a Special Assessment Roll to be filed with the City Clerk and made available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Charlotte City Hall Council Chambers, Charlotte, Michigan at 7:00 p.m. on Monday, May 23, 2016 for the purpose of hearing any person to be affected by the proposed special assessment.

**Councilmember Ridge moved, supported by Johnston to approve Resolution No. 2016-49 as presented. Carried. 7 Yes. 0 No.**

**B. CONSIDER RESOLUTION NO. 2016-50  
DEVELOPMENT & REIMBURSEMENT  
AGREEMENT WITH SPARTAN MOTORS:**

**WHEREAS**, the City of Charlotte desires to provide a development incentive to Spartan Motors in the form of a Brownfield Plan that includes the reimbursement of Tax Increment Revenue; and

**WHEREAS**, Spartan Motors has agreed to redevelop a former industrial site in the City of Charlotte in return for this incentive; and

**WHEREAS**, the State of Michigan requires these terms to be agreed to by both parties in the form of a contract;

**THEREFORE, BE IT RESOLVED** the City Council of the City of Charlotte hereby approves, and authorizes execution of, a Development and Reimbursement Agreement between Spartan Motors and the City of Charlotte.

**Councilmember Ridge moved, supported by Mitchell to approve Resolution No. 2016-50 subject to additional review of any changes at the Special Meeting to be held on May 16, 2016. Carried. 7 Yes. 0 No.**

**C. CONSIDER RESOLUTION NO. 2016-51 TO ADOPT  
COUNCIL POLICY NO. 2016-01 FOR KEEPING  
CHICKENS ON RESIDENTIAL LOTS:**

**WHEREAS**, on May 29, 2012, the City Council adopted Ordinance No. 2012-02 which permitted the keeping of chickens on residential lots under certain conditions; and

**WHEREAS**, on June 11, 2012, Council Policy 2012-02 was promulgated pursuant to said ordinance for the purpose of implementing certain provisions of the ordinance; and

**WHEREAS**, on April 25, 2016, the City Council adopted Ordinance No. 2016-04 which modifies various provisions of Ordinance No. 2012-02 necessitating the promulgation of a new Council policy to replace Council Policy 2012-02 ;

**THEREFORE, BE IT RESOLVED** that Council Policy 2016-01 Regarding the Keeping of Chickens on Residential Lots shall be and the same is hereby approved.

Council Policy No. 2016-01 was presented as follows:

**COUNCIL POLICY NO. 2016-01**

**1. PURPOSE**

The purpose of this policy is to implement provisions of Ordinance No. 2012-02, adopted on May 29, 2012, as amended by Ordinance No. 2016-04, adopted on April 25, 2016, which regulates the keeping of chickens on residential lots.

**2. AUTHORITY**

This policy is adopted pursuant to Section 10-4(D)(10) of the Code of Ordinances.

**3. APPLICATION DOCUMENTS**

**3.1** The City Clerk shall make available in his/her office and on the City's website an application form that shall contain the following:

**3.1.1** Spaces to enter the name(s) of the applicant(s), the address where chickens are to be kept, the applicant(s) telephone number, and the signature of the property owner.

**3.1.2** Space to enter the dimensions in feet of the applicant's property.

**3.1.3** Spaces to enter the name(s) and addresses of abutting property owners.

**3.1.4** A space to enter the date on which the completed application was received in the City Clerk's office

**3.1.5** A list of key provisions of Ordinance No. 2016-04.

**3.1.6** A description of the application procedure.

**3.1.7** A space for remarks from the zoning administrator.

**3.1.8** A space for the City Clerk or his/her designee to sign indicating that the application has been approved.

#### **4. APPLICATION PROCEDURE**

An individual who wishes to keep chickens on his/her property shall utilize the following procedure:

Step 1. He/she shall obtain the application form and enter in the appropriate places his/her name and address and the dimensions of his/her property.

Step 2. He/she shall deliver said form and a sketch of the applicant's property prepared in accordance with paragraph 6 of this policy to the City Manager's Office or Community Development Office for review in accordance with paragraph 7 of this policy.

Step 3. He/she shall deliver the completed forms and sketch, in person, through the City's drop box or via the U. S. Postal Service, to the City Clerk's office along with a check in the amount of the application fee as provided in paragraph 5 of this policy.

#### **5. APPLICATION FEE**

A fee of \$50.00 shall be paid by the applicant upon the submission of the initial application for keeping chickens on his/her property. No fee will be charged for the renewal of a permit by the same applicant on the same property if the renewal application is submitted prior to the date that the original permit or its renewal expires.

#### **6. REQUIREMENTS FOR THE SKETCH OF THE PROPERTY**

The sketch that the applicant is required to submit shall contain the following information, displayed on the in such a way as to accurately represent the proposed location of the structure(s) used to house chickens

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- The outline of the applicant's property;
- The location of the street(s) abutting the property
- The dimensions of the property in feet;
- The proposed location of the chicken coop/yard and the distance in feet from its location to all property lines.

#### **7. REVIEW BY CITY MANAGER OR COMMUNITY DEVELOPMENT DIRECTOR**

Upon receipt of an application form completed in accordance with paragraph 4, the city manager or community development director or their designees shall conduct a compliance review to determine whether the applicant's property and the proposed location of the chicken coop/yard comply with Ordinance No. 201-04, the zoning ordinance and other City ordinances. If the property and/or location are not in compliance, the reasons will be noted on the application form and it will be returned to the applicant.

#### **8. ACCEPTANCE BY CITY CLERK**

Upon receipt of an application approved by the city manager, community development director or their designees and associated documents, the City Clerk or his/her designee shall review the

application and consent form to determine if they are complete and comply with Ordinance No. 2016-04 and this policy. If they are not complete and in compliance, they will be returned to the applicant. If they are complete and in compliance, the date and time of their acceptance shall be noted on the application and initialed by the City Clerk or his/her designee. The date of acceptance shall be the effective date of the permit and the permit shall expire two years from the date of acceptance. This date and time shall be used in determining priority in issuance of permits. If a permit is available, a copy of the accepted application shall be returned to the applicant and shall constitute the permit. If no permits are available, the applicant's check will be returned but the application and associated documents will be kept on file in the City Clerk's office for a period of one year from the date of acceptance. If a permit becomes available, the applicant having priority will be notified and given ten (10) days within which to submit the required application fee to secure the permit.

#### **9. RENEWAL APPLICATION PROCESS**

The permit may be renewed by the applicant by following the procedure described in paragraph 4 of this policy except that no additional fee shall be required. Renewal applications will not be accepted more than forty-five (45) days before the expiration of any currently valid permit nor after the expiration of the permit.

#### **10. ADDITIONAL INFORMATION REQUIRED OF PERMIT HOLDERS**

Any applicant to whom a permit has been issued shall notify the City Clerk if the applicant moves from the address shown on the address. Any applicant to whom a permit has been issued shall notify the City Clerk if he/she discontinues keeping chickens on his/her property.

#### **11. POLICY SUPERSEDED.**

This policy supersedes Council Policy 2012-02.

#### **12. EFFECTIVE DATE; VALIDITY OF PERMITS**

This policy shall be effective upon its approval by the City Council or the effective date of Ordinance No. 2016-04, whichever is later. This policy shall cease to be effective if the ordinance "sunset." If the ordinance sunsets, permits issued pursuant to it shall be valid until their expiration date but no permits will be renewed.

**Mayor Pro-Tem Sanders moved, supported by Mitchell to approve Resolution No. 2016-51 to adopt Council Policy No. 2016-01 for keeping Chickens on residential lots as presented. Carried. 7 Yes. 0 No.**

#### **D. CONSIDER APPROVAL OF RESOLUTION NO. 2016-48 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:**

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

**WHEREAS**, the April 29, 2016 payroll totaled \$139,109.00; and

**WHEREAS**, the May 9, 2016 claims total \$180,096.38;

**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for May 9, 2016 in the amount of \$319,205.80.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Councilmember Ridge moved, supported by Mitchell to approve Resolution 2016-48 for expenditures of the City for May 9, 2016 as presented. Carried. 7 Yes. 0 No.

#### **ACTION ITEMS- RESOLUTIONS AND ORDINANCES**

#### **A. CONSIDER SECOND READING AND ADOPTION OF REZONE REQUEST 681 LANSING ST. FROM R-2 SINGLE FAMILY RESIDENTIAL TO B-3 GENERAL BUSINESS:**

THE CITY OF CHARLOTTE ORDAINS:

Section 1. The Zoning District Map of the City of Charlotte, being part of Chapter 82 - Zoning, of the Code of the City of Charlotte, is hereby amended as follows:

That property described as:

YET TO BE DESCRIBED PENDING SURVEY

is hereby rezoned from R-2 Single Family Residential to B-3 General Business District.

Section 2. That the City Clerk is hereby directed to make the necessary corrections evidencing this zoning change.

Section 3. The attached map evidencing this change shall be marked and designated as Ordinance No\_ and the City Clerk shall enter on the zoning map this ordinance number and the date of the adoption thereof and shall maintain a file containing a copy of this ordinance and a map thereto attached.

Section 4. This ordinance shall become effective upon the date of its publication.

Representatives from Speedway were present and presented the plan for the new Speedway station to councilmembers.

**Councilmember Bahmer moved, supported by Russo to approve the second reading and adoption of rezone request 681 Lansing Street from R-2 Single Family Residential to B-3 General Business as presented. Carried. 7 Yes. 0 No.**

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES**

**A. CONSIDER FIRST OF RESOLUTION NO. 2016-52 STAIRWELL REMODEL PROJECT CITY HALL BUILDING:**

Resolution No. 2016-52 was introduced as follows:

**WHEREAS**, The Charlotte City Hall Building was built in 1975 and the stairwells are in need of repair from leaks, damaged drywall and wallpaper and;

**WHEREAS**, The City budgeted a total of \$8,000.00 for the repair and remodel of one stairwell in the 2015/2016 fiscal year, and;

**WHEREAS**, The City has budgeted a proposed total of \$8,000.00 for the repair and remodel of the second stairwell in the 2016/2017 fiscal year, and;

**WHEREAS**, The amount budgeted is an estimated amount for the cost of the project and;

**WHEREAS**, The City bid out the project to have one stairwell completed by the end of the 2015/2016 Fiscal Year, June 30, 2016 and the other stairwell to be completed by August 31, 2016, within the 2016/2017 Fiscal Year, in order to have the total remodel completed simultaneously, and;

**WHEREAS**, there was only one bid received from Berkompas Home Improvement Solutions, LLC, 2206 E. Kinsel Hwy, Charlotte, MI in the total amount of \$16,800.00;

**THEREFORE BE IT RESOLVED** that the City of Charlotte City Council hereby authorize the low bid of Berkompas Home Improvement Solutions, LLC, be awarded the North & South stairwell project for the City Hall Building in the amount of \$16,800, and;

**THEREFORE BE IT FURTHER RESOLVED** that the South Stairwell part of the remodel be subject to the approval of the FY 2016/2017 Budget.

**Mayor Pro-Tem Sanders moved, supported by Ridge to approve the first reading of Resolution No. 2016-52 Stairwell Remodel Project City Hall Building as presented. Carried. 7 Yes. 0 No.**

**B. CONSIDER FIRST OF RESOLUTION NO. 2016-53  
PUBLIC ART FOR COMMUNITIES GRANT  
AGREEMENT:**

Resolution No. 2016-53 was introduced as follows:

**WHEREAS**, the City of Charlotte applied for, and received, a Public Art for Communities 2016 grant award; and  
**WHEREAS**, successful completion of the grant project requires a formal agreement between the Lansing Economic Area Partnership (LEAP) and the City of Charlotte; and  
**WHEREAS**, this agreement details the roles and responsibilities of the grantmaker (LEAP) and the recipient (City of Charlotte);  
**THEREFORE, BE IT RESOLVED** the representatives of the City of Charlotte be authorized to execute the Public Art for Communities 2016 Grant Program agreement.

Discussion was held regarding terms of the grant agreement.

**Councilmember Ridge moved, supported by Sanders to approve the first reading of Resolution No. 2016-53 Public Art for Communities Grant Agreement as presented. Carried. 6 Yes. (Russo, Sanders, Johnston, Mitchell, Ridge, Lewis) 1 No. (Bahmer)**

**C. CONSIDER FIRST OF RESOLUTION NO. 2016-54  
CELEBRATE CHARLOTTE FESTIVAL:**

Resolution No. 2016-54 was introduced as follows:

**WHEREAS**, the Celebrate Charlotte Festival 2016 is a community-based, organized event that is to be held June 15 to 19, 2016; and,

**WHEREAS**, the Celebrate Charlotte Festival Committee is responsible for organizing these events that contribute to community-wide fellowship, benevolence, and welfare; and  
**WHEREAS**, the Committee in conjunction with City Administration, have planned events that require the use and closure of certain public facilities, streets and right of ways; and

**WHEREAS**, the Committee has requested that the Charlotte City Council approve the following requests and conditions, including assistance with street closures:

1. Closure of South Cochran Avenue in the 100 and 200 blocks, and East & West Lovett Streets in the 100 blocks to through traffic from 4 p.m. to 8:30 p.m. on Thursday, June 16, 2016 for Touch-A-Truck.
2. Closure of South Cochran Avenue in the 100, 200 and 300 blocks, and East & West Lovett Streets in the 100 blocks to through traffic from 5 p.m. to 10 p.m. on Friday, June 17, 2016 for the Celebrate Charlotte Cruise-In.
3. Temporary closures of portions of Vanlieu Street, Seminary Street, Lincoln Street, Shepherd Street, Cochran Avenue, Lovett Street, Bostwick Street, Pearl Street, and Lawrence Avenue for the United Way's Color's United 5K running event.
4. Authorization for the use of Fitch H. Beach Municipal Airport for the annual Father's Day Fly-In and Pancake Breakfast at the airport the morning of June 19.
5. Authorization for the use of Lincoln Park for the annual Skate & BMX event from 2 p.m. to 6 p.m. on Saturday, June 18.
6. Authorization for the closure of a portion of City Parking Lot #1, adjacent to Beach Market, on the evenings of Friday, June 17 and Saturday, June 18 in

conjunction with an entertainment and refreshment event at Beach Market.

7. Authorization for the city to supply whatever closing signs and barricades it has available for the street closures. Other signs will be the responsibility of the event committee.
8. Authorization for the city Department of Public Works to place the required barricades as needed and designated by the Charlotte Police Department.
9. Authorization for the Charlotte Police Department to provide assistance for traffic diversion as necessary for the above-mentioned events.

**WHEREAS**, the City Council of the City of Charlotte determines these temporary street closings and other conditions are in the best interests of the community.

**NOW, THEREFORE, BE IT RESOLVED**, that these street closures at the specified times be granted and carried out in accordance with those permissions issued by the Michigan Department of Transportation; and,

**BE IT ALSO RESOLVED**, that the city Department of Public Works and Charlotte Police Department provide the authorized assistance as outlined above.

**Councilmember Bahmer moved, supported by Russo to approve the first reading of Resolution No. 2016-54 Celebrate Charlotte Festival as presented. Carried. 7 Yes. 0 No.**

#### **COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT: None.**

**CITY MANAGER REPORT:** City Manager Guetschow reported that the process has begun for selecting a realtor to assist in the City listing and selling two residential parcels and one commercial parcel.

A tentative agreement to sell a small parcel of city property to an adjacent property owner is being prepared by the City attorney.

He stated that he and Community Development Director Myrkle attended the MEDC training session for the Redevelopment Ready Communities program.

Attorney Hitch will revisit the 2003 opinion regarding the City becoming a member of the Chamber of Commerce.

#### **COUNCILMEMBER COMMITTEE REPORTS:**

- Councilmember Bahmer reported on the Planning Commission meeting of May 3, 2016. There was three separate actions that all involved the Speedway Gas Station rebuild on Lansing Street. They were all approved. They also introduced and had a discussion on allowing food trucks to Charlotte. There will be more discussion on this topic before a decision is made.
- Councilmember Ridge reported that the Recreation Co-op that they are working on the five year Master Plan and will be presenting it to City Council in the near future. The next meeting is scheduled for May 12, 2016.

**PUBLIC COMMENT: None.**

#### **MAYOR AND COUNCIL COMMENTS:**

- Councilmember Ridge thanked everyone for coming. She stated that the Charlotte Rising Tide is making progress. She encouraged everyone to attend the Celebrate Charlotte Festival June 15-19, 2016.
- Councilmember Russo stated that the Chicken Ordinance was brought up over three meetings before passing. He would like to bring this up to the issue and concern that was raised at the last meeting.



- Mayor Lewis reminded everyone that the FY 2016/2017 Budget is on the City's website and available for viewing. He encouraged people to call either him or any of the councilmembers with their concerns. He reminded residents or business owners with concerns regarding the food truck issue to attend future Planning Commission and City Council meetings.

**Councilmember Johnston moved, second by Mitchell to adjourn at 7:59 p.m. Carried. 7 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC