

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**July 11, 2016**

**CALL TO ORDER:** By Mayor Lewis on Monday, July 11, 2016, at 7:00 p.m.

**PRESENT:** Councilmembers Bahmer, Johnston, Russo, Ridge, Mayor Lewis, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Pastor Ricky Hull, Crossroads Church of the United Brethren in Christ followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES FOR REGULAR MEETING OF JUNE 27, 2016:** Councilmember Ridge moved, supported by Russo to approve the regular meeting minutes of June 27, 2016, as presented. Carried. 5 Yes. 0 No. 2 Absent (Mitchell, Sanders)

**ABSENT:** Councilmember Mitchell and Sanders.

**Councilmember Johnston moved, supported by Russo to excuse Councilmember Mitchell and Mayor Pro-Tem Sanders. Carried. 5 Yes. 0 No.**

**PUBLIC HEARINGS** – None.

**PUBLIC COMMENT:** Jason Vanderstelt, Dutch Brothers, 114 E. Lawrence Ave., reported on the great things that are happening in Charlotte with Charlotte Rising.

**John Hall**, 127 S. Cochran, owner of The Hall, announced that he has purchased the building at 127 S. Cochran for renting out for venues.

**Holly Toms**, representing Voiceless-Michigan explained what their organization does to help families with spaying and neutering their pets that can not afford to do so. They are asking for a Charitable Gaming License to hold a raffle to support these efforts.

**Zachary Story**, 105 ½ S. Cochran, announced his candidacy for Mayor.

**APPROVAL OF AGENDA:** Councilmember Russo moved, supported by Ridge to approve the agenda as presented. Carried. 5 Yes. 0 No.

**SPECIAL PRESENTATIONS:**

**DISCUSSION ON DEBT FINANCING FOR STREET RECONSTRUCTION:**

City Manager Guetschow stated that DPW Director Gilson has estimated the councils top three major reconstruction projects as costing \$3.6 million dollars. He stated that the increase in funds available from the state gas and weight tax allocations could be used to pay the cost of the bonded debt. He stated that council would need to identify street projects by the end of the summer in order to start working on engineering and design work.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2016-76 REGARDING CHARLOTTE EAGLES 3552 10<sup>TH</sup> ANNUAL NASCAR DERBY:**

**WHEREAS**, The Charlotte Eagles 3552 is currently planning their 10<sup>th</sup> annual NASCAR Derby, and;

**WHEREAS**, this event has become an increasingly large event with more sponsors and racers every year, and;

**WHEREAS**, they would like request that Church Street be closed for the weekend of July 23<sup>rd</sup> so that ramps may be set up in the street for the event, and;

**THEREFORE BE IT RESOLVED** that the City of Charlotte City Council hereby authorizes the closure of Church Street as requested for this event.

**Councilmember Russo moved, supported by Bahmer to approve Resolution No. 2016-76 as presented. Carried. 5 Yes. 0 No.**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2016-77 IN SUPPORT OF LAND ACQUISITION FOR CRANDELL LAKE PARK:**

**WHEREAS**, for several years Eaton County government has been involved in discussion and planning regarding the acquisition of property known as Crandell Lake for the purpose of developing new county park and recreation facilities; and

**WHEREAS**, an opportunity now exists for Eaton County to exercise its option to acquire this property, setting the stage for planning for improvement of the land to meet the needs of residents in Eaton County and the larger region; and

**WHEREAS**, the development of a park on land surrounding Crandell Lake would represent a major addition to open space and recreation opportunities in a county that is sorely lacking in surface water resources that can be used for boating, fishing, swimming and the public's enjoyment of nature; and

**WHEREAS**, the creation of this new park will be a significant enhancement to the quality of life for all residents of Eaton County and will add to the economic base of the area by creating an additional attraction for visitors to the area;

**WHEREAS**, Eaton County officials, through their careful deliberations regarding this opportunity, have demonstrated a thorough understanding of current needs of the area's residents and a vision for how best to address those needs and are to be applauded for their efforts to make sound policy regarding the use of County resources;

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Charlotte encourages the Eaton County Board of Commissioners to proceed with the purchase of the Crandell Lake property.

Councilmember Bahmer feels that this is outside the purview of the city council.

Councilmember Ridge and Mayor Lewis feel that this project will bring benefits to the city and support it.

**Councilmember Ridge moved, supported by Johnston to approve Resolution No. 2016-77 Support of land Acquisition for Crandell Lake Park. Carried. 4 Yes. (Johnston, Ridge, Lewis, Russo) 1 No. (Bahmer)**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2016-78 VOICELESS- MI CHARITABLE GAMING LICENSE:**

**WHEREAS**, at a Regular Council meeting of the City of Charlotte called to order by Mayor Lewis on July 11, 2016 at 7:00 P.M.; and

**WHEREAS**, the request from Voiceless-MI of Charlotte, Eaton County, MI is asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, and;

**THEREFORE, BE IT RESOLVED** that Voiceless- MI be considered for approval of obtaining a charitable gaming license to hold a raffle.

**Councilmember Russo moved, supported by Johnston to approve Resolution No. 2016-78 Charitable Gaming License for Voiceless-MI. Carried. 5 Yes. 0 No.**

**D. CONSIDER APPROVAL OF RESOLUTION NO. 2016-79 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 July 8, 2016 payroll totaled \$158,578.87; and

**WHEREAS**, the July 11, 2016 claims total \$216,379.65;

**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for July 11, 2016 in the amount of \$374,958.52.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Councilmember Ridge moved, supported by Russo to approve Resolution 2016-79 for expenditures of the City for July 11, 2016 as presented. Carried. 4 Yes. (Johnston, Ridge, Russo, Lewis) 1 No. (Bahmer)

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES**

**A. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 2016-06 PER RESOLUTION NO.**

**2016-86 FOR APPROVAL OF PLANNING COMMISSION RECOMMENDATION TO REZONE 815 W. SHEPHERD ST. FROM I-2 GENERAL INDUSTRIAL DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT:**

Ordinance 2016-06 as follows:

AN ORDINANCE TO AMEND CHAPTER 82 - ZONING, BY CONDITIONALLY AMENDING THE ZONING MAP TO CHANGE A CERTAIN DESCRIBED PARCEL FROM I-2 GENERAL INDUSTRIAL DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT.

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: 815 W. Shepherd Street, Charlotte, MI 48813

N 546 FT OF E 600 FT OF W 1/2 OF NW 1/4. SEC.24, T2N,R5W, CITY OF CHARLOTTE 01/13/11, D 11-08-10, R1-31-11. SPLIT ON 12/12/2011 FROM 200-024-100-012-00, 200-024-100-019-00

is hereby conditionally rezoned from I-2 General Industrial District to B-2 Community 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. 2016-06 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.

Resolution No. 2016-86 as follows:

**WHEREAS**, the City of Charlotte has received a request to conditionally rezone the property at 815 West Shepherd Street from I-2 General Industrial District to B-2 Community Business District; and

**WHEREAS**, representatives of the “Capital Area Partnership,” proposed purchasers of the property, have voluntarily offered several conditions of rezoning; and

**WHEREAS**, those conditions are that the use of the property would be limited to doctor’s offices, physical and occupational therapy, athletic training and practice, pharmacy, and day care; and

**WHEREAS**, the City of Charlotte City Council has approved the first reading of the proposed ordinance change, and the City of Charlotte Planning Commission has conducted the necessary public hearing; and

**WHEREAS**, the City of Charlotte Planning Commission has voted unanimously to recommend this conditional rezoning action to the City Council.

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Charlotte does hereby approve the conditional rezoning of 815 West Shepherd Street from I-2 General Industrial District to B-2 Community Business District; and

**FURTHERMORE, BE IT ALSO RESOLVED** that this conditional rezoning remain in effect as long as the stated conditions are adhered-to by the applicant and property owner.

**Councilmember Ridge moved, supported by Bahmer to approve second reading and adoption of Ordinance No. 2016-06 and Resolution No. 2016-86, to include in paragraph 3 the conditions stated in the letter from Capital Area Partnership, to rezone 815 W. Shepherd St. from I-2 General Industrial District to B-2 Community Business District as presented. 5 Yes. 0 No. 2 Absent (Mitchell, Sanders)**

**Paragraph 3 shall read:**

**WHEREAS, those conditions are that the use of the property would be limited to medical offices and all ancillary uses associated with but not limited to physical medicine, physical therapy, occupational therapy, pharmacy, clinic, urgent care, lab work, ultra sound; Day care operations and all ancillary uses associated with but not limited to commercial kitchen, playscapes, arts and crafts, music and educational tools; multiple athletic sport training and practice facilities and all associated uses with but not limited to football, basketball, lacrosse, soccer, baseball, softball, racket sports, kick boxing, weight training and speed performance; vocational education opportunities; various games and other media games; church activities and all ancillary uses associated with but not limited to**

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services, bible studies, weddings, receptions and other gatherings; and

## **INTRODUCTION OF RESOLUTIONS AND ORDINANCES**

### **A. CONSIDER FIRST READING OF RESOLUTION NO. 2016-80 FOR COUNCIL POLICY NO. 2016-02 REGARDING CITIZEN COMPLAINTS:**

Resolution No. 2016-80 was presented as follows:

**WHEREAS**, on September 28, 2015, the City Council approved Council Policy 2015-03 regarding citizen comments; and

**WHEREAS**, said policy is scheduled to sunset on September 28, 2016; and

**WHEREAS**, the City Council desires to make modifications to said policy and extend its sunset date;

**THEREFORE, BE IT RESOLVED** that Council Policy 2016-02 regarding citizen comments is hereby approved.

## **Council Policy No. 2016-02**

### **1. PURPOSE**

The purpose of this policy is to establish standards for citizens making comments to the City Council in a manner that enhances citizen involvement in the process of governance.

### **2. AUTHORITY**

This policy is adopted pursuant to the provisions of section 15.263(5) of Public Act 267 of 1976 as amended (Open Meetings Act) and section 4.7(I) of the City Charter.

### **3. BACKGROUND**

The right to address one's elected officials has been a fundamental characteristic of American democracy since the nation's founding. The opportunity for citizens to make comments at specific times has been a feature of City Council meetings for a long time. The wide availability of electronic communications has created additional opportunities for citizens to comment upon matters under consideration by the City Council. It is desirable to establish rules and procedures so that these comments can be made and received in a manner that permits Council to effectively and efficiently complete the public business.

### **4. CITIZEN COMMENTS AT COUNCIL MEETINGS**

Except as provided in section 4.3, citizens shall be permitted to make comments to the City Council only at such times as are provided for that purpose on the agenda and in accordance with the following rules:

- 4.1. Public Hearings. Each citizen who desires to speak during a public hearing shall be provided one opportunity of not more than five minutes duration. Comments made during a public hearing shall be relevant to the subject for which the public hearing is held.
- 4.2 Public Comments. Each citizen who desires to speak during the public comments portion of a meeting shall be afforded one opportunity during each such public comments portion of not more than five minutes duration. Comments made during public comments may be on any topic except for matters on which public hearings have been held during the same meeting.

- 4.3 Other Comments. The mayor or other presiding officer, in his or her sole discretion, shall have the authority to provide a citizen an opportunity to address City Council at times other than those provided in 4.1 and 4.2 for the purpose of providing information relevant to matters before the City Council. This opportunity for other comments shall not be used by the mayor or other presiding officer to circumvent the limitations on public comments provided in 4.1 and 4.2 above.
- 4.4 Decorum. Citizens who address the City Council shall do so from the podium or such other location as directed by the mayor or other presiding officer. Each citizen shall, at the beginning of his or her remarks, state his or her name and residence address. Comments shall be directed to the City Council. Comments shall be made using language free from vulgarity, hate speech or language that would constitute “fighting words.”
- 4.5 Preserving Order at Meetings. The mayor or other presiding officer shall have the right to declare out of order any citizen who fails to comply with these rules and shall offer the individual an opportunity to comply with these rules. If the citizen fails or refuses to do so, he or she will be requested to return to his or her seat and shall forfeit his or her opportunity to make citizen comments for the duration of the meeting.
- 4.6 Response to Comments. Members of Council, staff and the audience shall refrain from responding to comments other than at times set aside for their comments.

Questions raised by speakers during public hearings or public comments may be answered, as directed by the mayor or other presiding officer, but only at the conclusion of the public hearing or public comments.

## **5. WRITTEN COMMENTS TO THE CITY COUNCIL**

The City Manager shall formulate and implement procedures for the receipt of written comments from citizens in accordance with the following requirements:

- 5.1 Written communications, including emails and similar electronic communications, containing the citizen’s name and address that are addressed to the City Council and received prior to noon on the Friday before a City Council meeting shall be copied and included with other written materials distributed to the City Council and the public in the agenda packet for the City Council meeting.
- 5.2 Written comments, including emails and similar electronic communications, containing the citizen’s name and address that are addressed to the City Council or reference a matter on the Council’s agenda and received between noon on the Friday before a City Council meeting and 4:00 p.m. on the day of a City Council meeting shall be assembled into a digest in a form that generally conforms to the agenda for the meeting and distributed to Council members immediately prior to the meeting.

## **6. CITIZEN COMMENTS INFORMATION ON THE CITY’S WEBSITE**

The City Manager shall cause a page to be maintained on the City’s website that provides information to citizens about the opportunities, rules and procedures for making oral and written comments to the City Council.

**7. POLICY SUPERSEDED**

This policy supersedes Council Policy 2015-03

**8. EFFECTIVE DATE**

This policy shall become effective upon its approval by City Council.

**9. SUNSET DATE**

This policy shall sunset on September 30, 2020.

**Councilmember Bahmer moved, supported by Russo to approve the first reading of Resolution No. 2016-80 for Council Policy No. 2016-02 re Citizen Complaints as presented. Carried. 5 Yes. 0 No.**

**B. CONSIDER FIRST READING OF RESOLUTION NO. 2016-81 FOR COUNCIL POLICY NO. 2016-03 REGARDING ORDINANCE ADOPTION:**

Resolution No. 2016-81 was presented as follows:

**WHEREAS**, on September 28, 2015, the City Council approved Council Policy 2015-04 regarding procedure for considering and adopting ordinances; and

**WHEREAS**, said policy is scheduled to sunset on September 28, 2016; and

**WHEREAS**, the City Council desires to make modifications to said policy and extend its sunset date;

**THEREFORE, BE IT RESOLVED** that Council Policy 2016-03 regarding citizen comments is hereby approved.

**Council Policy No. 2016-03**

**1. PURPOSE**

The purpose of this policy is to set forth the procedure for the adoption of ordinances and shall be considered a part of the rules of the City Council.

**2. AUTHORITY**

This policy is adopted pursuant to section 5.5 of the Charter of the City of Charlotte.

**3. PROCEDURE**

**3.1 Introduction and First Reading**

**3.1.1** To be placed on the Council agenda, a proposed ordinance must have been prepared by the City Attorney or reviewed by the City Attorney and approved as to form. Ordinances offered for first reading shall be listed in the agenda under “Introduction of Ordinances and Resolutions” unless the ordinance is to be considered for emergency adoption in which case it shall be listed under “Fast Track Resolutions and Ordinances.”

**3.1.2** The Mayor, or the presiding officer in the absence of the Mayor, will announce the first reading of the proposed ordinance. It is not necessary to read the ordinance at length. He/she may call for a report from the appropriate staff member and then provide an opportunity for discussion by Council members.

**3.1.3** Motions regarding ordinances shall be made in accordance with Council’s rules of procedure. Except those instances in which an ordinance is declared to be an emergency ordinance, a motion to approve the first reading of an ordinance shall require a second reading of the ordinance at a subsequent Council meeting.

**3.1.4** In approving the first reading of an ordinance, Council shall set a date for a public hearing on the ordinance. If the ordinance amends the zoning ordinance or the zoning map, a date for a public hearing by the Planning Commission shall be included as a part of the motion approving the first reading. The motion to approve the first reading of an ordinance may waive the requirement for a public hearing only if approved by a vote of not less than five members of the Council.

**3.2 Public Hearing.** Public hearings shall be held in accordance with rules and procedures established by the City Council.

**3.3 Second Reading**

**3.3.1** Unless another date is established by the Council, the second reading of a proposed ordinance, other than an amendment to the zoning ordinance or zoning map, shall take place during the next regular Council meeting following the approval of the first reading. The second reading of an amendment to the zoning ordinance or zoning map shall take place during the next regular Council meeting following a

decision by the Planning Commission regarding its recommendation on the amendment. Ordinances offered for second reading shall be listed on the agenda under “Action Items—Resolutions and Ordinances.”

**3.3.2** The Mayor, or the presiding officer in the absence of the Mayor, will announce the second reading of the ordinance. It is not necessary to read the ordinance at length. He/she may call for a report from the appropriate staff member.

**3.3.3** Council may take action regarding the approval of the proposed ordinance, may postpone such action to a later date, may refer back to the Planning Commission a zoning ordinance amendment or zoning map amendment or may take no action. If Council votes to postpone action to a later date, it may also direct that a public hearing be held upon reconsideration of the ordinance.

**3.4 Subsequent Readings**

**3.4.1** If, as a consequence of action by the City Council, readings subsequent to the second reading are required prior to final action on a proposed ordinance, those procedures shall be the same as for the second reading.

**3.5 Publication Requirements**



**3.5.1** Unless additional notices are desired by the City Council, the City Clerk shall publish a notice of any public hearings set by the Council and a notice of the final adoption of the ordinance. Except as otherwise directed in the Charter, state statute or local ordinance, public hearing notices shall be published at least seven days before the date of the hearing. Pursuant to section 5.4 of the Charter and section 3(k) of the Home Rule City Act (P.A. 279 of 1909), notices of public hearings and final adoption of ordinances need not include a true copy of the ordinance but shall include a statement of purpose of the ordinance and the address where a true copy of the ordinance can be inspected.

#### **4. ORDINANCE FORMAT**

Ordinances shall be presented in a format approved by the City Attorney and shall contain the following elements in addition to the language of the ordinance itself:

**4.1 Preamble.** The preamble may be one or more sections and shall provide the following information as appropriate:

- Information about the circumstances giving rise to the ordinance; and
- Statement(s) about the purposes the ordinance is intended to serve.

**4.2 Outcomes.** When feasible, the ordinance shall contain statements providing information about the outcomes intended to be achieved through its implementation including objective measures for assessing its success.

**4.3 Sunset Date.** Unless another date is set or Council votes to waive the requirement for a sunset date, all ordinances except those amending the zoning map shall sunset four years after their adoption.

#### **5. POLICY SUPERSEDED**

This policy supersedes Council Policy 2015-04.

#### **6. EFFECTIVE DATE**

This policy shall be effective upon its approval by the City Council.

#### **7. SUNSET DATE**

This policy shall sunset on September 30, 2020.

**Councilmember Bahmer moved, supported by Ridge to approve the first reading of Resolution No. 2016-81 for Council Policy No. 2016-03 re Ordinance Adoption as presented. Carried. 5 Yes. 0 No.**

#### **C. CONSIDER FIRST READING OF RESOLUTION NO. 2016-82 FOR COUNCIL POLICY NO. 2016-04 REGARDING ORDER OF BUSINESS:**

Resolution No. 2016-82 was presented as follows:

**WHEREAS**, on September 28, 2015, the City Council approved Council Policy 2015-05 regarding order of business at Council meetings; and

**WHEREAS**, said policy is scheduled to sunset on September 28, 2016; and

**WHEREAS**, the City Council desires to make modifications to said policy and extend its sunset date;

**THEREFORE, BE IT RESOLVED** that Council Policy 2016-04 regarding order of business at Council meetings is hereby approved.

**Council Policy No. 2016-04**

**1. PURPOSE**

The purpose of this policy is to set forth the procedure for the adoption of ordinances and shall be considered a part of the rules of the City Council.

**2. AUTHORITY**

This policy is adopted pursuant to section 5.5 of the Charter of the City of Charlotte.

**3. PROCEDURE**

**3.6 Introduction and First Reading**

**3.6.1** To be placed on the Council agenda, a proposed ordinance must have been prepared by the City Attorney or reviewed by the City Attorney and approved as to form. Ordinances offered for first reading shall be listed in the agenda under “Introduction of Ordinances and Resolutions” unless the ordinance is to be considered for emergency adoption in which case it shall be listed under “Fast Track Resolutions and Ordinances.”

**3.6.2** The Mayor, or the presiding officer in the absence of the Mayor, will announce the first reading of the proposed ordinance. It is not necessary to read the ordinance at length. He/she may call for a report from the appropriate staff member and then provide an opportunity for discussion by Council members.

**3.6.3** Motions regarding ordinances shall be made in accordance with Council’s rules of procedure. Except those instances in which an ordinance is declared to be an emergency ordinance, a motion to approve the first reading of an ordinance shall require a second reading of the ordinance at a subsequent Council meeting.

**3.6.4** In approving the first reading of an ordinance, Council shall set a date for a public hearing on the ordinance. If the ordinance amends the zoning ordinance or the zoning map, a date for a public hearing by the Planning Commission shall be included as a part of the motion approving the first reading. The motion to approve the first reading of an ordinance may waive the requirement for a public hearing only if approved by a vote of not less than five members of the Council.

**3.7 Public Hearing.** Public hearings shall be held in accordance with rules and procedures established by the City Council.

**3.8 Second Reading**

**3.8.1** Unless another date is established by the Council, the second reading of a proposed ordinance, other than an amendment to the zoning ordinance or zoning map, shall take place during the next regular Council meeting following the approval of the first reading. The second reading of an amendment to the zoning ordinance or zoning map shall take place during the next regular Council meeting following a

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decision by the Planning Commission regarding its recommendation on the amendment. Ordinances offered for second reading shall be listed on the agenda under “Action Items—Resolutions and Ordinances.”

**3.8.2** The Mayor, or the presiding officer in the absence of the Mayor, will announce the second reading of the ordinance. It is not necessary to read the ordinance at length. He/she may call for a report from the appropriate staff member.

**3.8.3** Council may take action regarding the approval of the proposed ordinance, may postpone such action to a later date, may refer back to the Planning Commission a zoning ordinance amendment or zoning map amendment or may take no action. If Council votes to postpone action to a later date, it may also direct that a public hearing be held upon reconsideration of the ordinance.

### **3.9 Subsequent Readings**

**3.9.1** If, as a consequence of action by the City Council, readings subsequent to the second reading are required prior to final action on a proposed ordinance, those procedures shall be the same as for the second reading.

### **3.10 Publication Requirements**

**3.10.1** Unless additional notices are desired by the City Council, the City Clerk shall publish a notice of any public hearings set by the Council and a notice of the

final adoption of the ordinance. Except as otherwise directed in the Charter, state statute or local ordinance, public hearing notices shall be published at least seven days before the date of the hearing. Pursuant to section 5.4 of the Charter and section 3(k) of the Home Rule City Act (P.A. 279 of 1909), notices of public hearings and final adoption of ordinances need not include a true copy of the ordinance but shall include a statement of purpose of the ordinance and the address where a true copy of the ordinance can be inspected.

### **4. ORDINANCE FORMAT**

Ordinances shall be presented in a format approved by the City Attorney and shall contain the following elements in addition to the language of the ordinance itself:

**4.1 Preamble.** The preamble may be one or more sections and shall provide the following information as appropriate:

- Information about the circumstances giving rise to the ordinance; and
- Statement(s) about the purposes the ordinance is intended to serve.

**4.2 Outcomes.** When feasible, the ordinance shall contain statements providing information about the outcomes intended to be achieved through its implementation including objective measures for assessing its success.

**4.3 Sunset Date.** Unless another date is set or Council votes to waive the requirement for a sunset date, all ordinances

except those amending the zoning map shall sunset four years after their adoption.

**5. POLICY SUPERSEDED**

This policy supersedes Council Policy 2015-04.

**6. EFFECTIVE DATE**

This policy shall be effective upon its approval by the City Council.

**7. SUNSET DATE**

This policy shall sunset on September 30, 2020.

**Councilmember Ridge moved, supported by Bahmer to approve the first reading of Resolution No. 2016-82 for Council Policy No. 2016-04 re Order of Business and to change 3.1.1 Fast Track Resolutions and Ordinances to Expedited Resolutions and Ordinances. Carried. 5 Yes. 0 No.**

**D. CONSIDER FIRST READING OF RESOLUTION NO. 2016-83 FOR COUNCIL POLICY NO. 2016-05 REGARDING RESOLUTIONS:**

Resolution No. 2016-83 was presented as follows:

**WHEREAS**, on September 28, 2015, the City Council approved Council Policy 2015-06 regarding resolutions; and

**WHEREAS**, said policy is scheduled to sunset on September 28, 2016; and

**WHEREAS**, the City Council desires to make modifications to said policy and extend its sunset date;

**THEREFORE, BE IT RESOLVED** that Council Policy 2016-05 regarding resolutions is hereby approved.

**Council Policy No. 2016-05**

**1. PURPOSE**

The purpose of this policy is to describe the requirements for drafting resolutions.

**2. AUTHORITY**

This policy is adopted pursuant to Section 4.7(I) of the Charter of the City of Charlotte.

**3. BACKGROUND**

Robert’s Rules of Order states that “a main motion—particularly an original main motion—is frequently offered as a *resolution*, either because of its importance or because of its complexity.” The Charlotte City Council considers resolutions from time to time but the majority of its actions have historically taken the form of oral motions. These motions do not necessarily convey all the information that an observer of a meeting would need to understand the purpose the contemplated action is intended to serve. In an effort encourage greater citizen participation in the affairs of the city government, it was proposed that Council’s actions take the form of either resolutions or ordinances.

**4. FORMAT**

Resolutions shall be in writing, generally conform to the format described in Robert’s Rules of Order and contain the following elements:

**4.1 Preamble.** Resolutions for routine matters such as approval of claims or appointment of board and commission members require no preamble. Other resolutions shall include a preamble of one or more paragraphs that contain background information describing the reason the resolution is proposed.

**4.2 Resolving Clauses.** In addition to stating the specific action that Council is authorizing, one or more resolving clauses shall be used, when practical, to provide information about the outcomes intended to be achieved through its implementation including objective measures for assessing its success.

**5. NUMBERING**

Resolutions shall be numbered in the order in which they are introduced each year using the form YYYY:NN (2016-01, for example).

**6. POLICY SUPERSEDED**

This policy shall supersede Council Policy 2015-06.

**7. EFFECTIVE DATE**

This policy shall become effective upon its approval by the City Council.

**7. SUNSET DATE**

This policy shall sunset on September 30, 2020.

**Councilmember Bahmer moved, supported by Johnston to approve the first reading of Resolution No. 2016-82 for Council Policy No. 2016-04 regarding Order of Business as presented. Carried. 5 Yes. 0 No. 2 Absent (Mitchell, Sanders)**

**E. CONSIDER FIRST READING OF RESOLUTION NO. 2016-84 AUTHORIZING CHANGE TO CONTRACT WITH MOORE & BRUGGINK, INC.:**

Resolution No. 2016-84 was presented as follows:

**WHEREAS**, the City has entered into a contract with Moore & Bruggink, Inc. for engineering and design work related to the ferric chloride feed system at the waste water treatment plant; and

**WHEREAS**, City Council wishes to expand the scope of work under that contract to include additional work to consider alternatives including the redesign of the existing building and the use of alternative construction materials for a stand-alone building; and

**WHEREAS**, Moore & Bruggink has submitted a proposal for this additional work;

**THEREFORE, BE IT RESOLVED** that the City Council approves the additional scope of work as proposed by Moore & Bruggink and authorizes the work to be done at a cost not to exceed \$6900.

**Councilmember Ridge moved, supported by Bahmer to approve the first reading of Resolution No. 2016-84 authorizing change to contract with Moore & Bruggink, Inc. as presented. Carried. 5 Yes. 0 No.**

**F. CONSIDER FIRST READING OF RESOLUTION NO. 2016-85 AUTHORIZING AGREEMENT WITH ANDY BAYES AND REAL ESTATE WAREHOUSE REGARDING LISTING OF CITY PROPERTY:**

**WHEREAS**, the City is the owner of vacant parcels of residential land located at the corner of Van Lieu and Seminary Streets and at the corner of Sheldon and Shaw Streets that were acquired for the purpose of eliminating blight and stabilizing neighborhoods; and

**WHEREAS**, the City has no further need of these parcels and wishes to sell them so that they may be developed into residential properties; and

**WHEREAS**, the City has received a proposal from Andy Bayes and Real Estate Warehouse for listing the parcels for sale;

**THEREFORE, BE IT RESOLVED** that the City Council authorizes entering into a listing agreement with Andy Bayes and Real Estate Warehouse for a period of one year with a commission of 6% or \$1250, whichever is greater, for each parcel; and

**BE IT FURTHER RESOLVED** that offers for the purchase of these parcels are subject to approval by the City Council in accordance with the provisions of the City's Charter; and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to establish an initial listing price for each parcel consistent with the local real estate market for vacant land and to make such changes in the listing price as he deems prudent to attract offers for the purchase of the parcels consistent with the desire to return the parcels to the tax roll while recovering all or nearly all of the City's investment in the properties.

**Councilmember Ridge moved, supported by Johnston to approve the first reading of Resolution No. 2016-85 authorizing agreement with Andy Bayes and Real Estate Warehouse regarding listing of City property as presented. Carried. 5 Yes. 0 No.**

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

**CITY ATTORNEY REPORT:** None.

**CITY MANAGER REPORT:** City Manager Guetschow reported

that he has met with Eaton Township Supervisor Dave Roberts regarding concerns about the methodology for allocating the projected deficit expected to be incurred by the Recycling Center. There are plans to meet with representatives of the other units of government that comprise CARA.

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

- Councilmember Ridge reported that there will be an LDFA Meeting on Tuesday, July 12, 2016 at 6:00 P.M. There is also a Charlotte Recreation Co-op meeting on July 14, 2016 at 7:00 P.M. at Carmel Township.
- Councilmember Bahmer reported that the Planning Commission recommended approval of a rezone of 815 W. Shepherd from I-2 General Industrial District to B-2 Community Business District. The also passed a conditional rezone request for the same property. Food trucks were again discussed and will be addressed at the next meeting with a draft ordinance regarding such.

**PUBLIC COMMENT:** Ed Foster, 316 Beech St, commended councilmembers for passing the Charitable Gaming License Resolution for Voiceless-Michigan. He stated that they do a wonderful job for the surrounding communities.

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

- Councilmember Johnston thanked everyone for coming out to speak.
- Councilmember Russo commended Planning Commission for their work and discussion on food trucks.
- Councilmember Ridge stated that the Charlotte Rising work was wonderful. She encouraged everyone to attend the upcoming events. There is a meeting coming up on July 14

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and also a Main Street Training on July 21<sup>st</sup>. She encouraged anyone interested to contact her for details.

- Councilmember Bahmer thanked everyone for coming out tonight. He commended Councilmember Russo for taking the lead on the issue with the train tracks on N. Cochran and Councilmember Mitchell for the work on the Ferric Chloride project.
- Mayor Lewis stated that there will be a special meeting on Monday, July 18<sup>th</sup> regarding street projects. He stated that he attended the Charlotte Rising event last Saturday and was very excited to see all of the people that participated. He stated that the Board of Commissioners meet on July 20<sup>th</sup> and 7 PM and will be discussing the Crandell Lake project.

**Councilmember Ridge moved, second by Johnston to adjourn at 8:34 p.m. Carried. 5 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC