

COUNCIL PROCEEDINGS
Regular Meeting
July 25, 2016

CALL TO ORDER: By Mayor Lewis on Monday, July 25, 2016, at 7:00 p.m.

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

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

APPROVAL OF MINUTES FOR REGULAR MEETING OF JULY 11, 2016: Councilmember Ridge moved, supported by Russo to approve the regular meeting minutes of July 11, 2016, as presented. Carried. 7 Yes. 0 No.

APPROVAL OF MINUTES OF SPECIAL MEETING OF JULY 18, 2016: Mayor Pro-Tem Sanders moved, supported by Johnston to approve the special meeting minutes of July 18, 2016 as presented. Carried. 7 Yes. 0 No.

ABSENT: None.

PUBLIC HEARINGS: None.

PUBLIC COMMENT: Joe Pray, 316 W. Seminary, reported on the Airport Advisory Board and the happenings at the airport. He encouraged approval of 108 & 110 E. Lawrence Ave. pocket park

project. He commented on the great things that are happening with Charlotte Rising and encouraged council to get involved.

Ann Garvey, 4724 Packard Hwy., thanked council members for their service. She stated she is concerned with questions being asked and then answered by staff and then no other discussion on the reason for the way members are voting.

APPROVAL OF AGENDA: Councilmember Ridge moved, supported by Mitchell to approve the agenda as presented. Carried. 7 Yes. 0 No.

SPECIAL PRESENTATIONS:

CHARLOTTE BUSINESS CLIMATE AND THE ROLE OF CITY COUNCIL – DON SOVEY:

Don Sovey gave a presentation on Charlotte Business Climate and the Role of City Council. He spoke of the exciting times for Charlotte due to the turnover in business properties and the investments being made. He spoke of the high quality of budgeting and accounting being practiced by the City of Charlotte. He stated that training is essential in the role of City Council members and feels that it is very important. He spoke of the council's role as it is referenced in the Handbook for Municipal Officials. He stated his concern with comments previously made regarding human resource issues and that this role is clearly outside the role of a highly functioning legislative body. He stated that they are the key to the future of greater Charlotte. He stated that his message would be that Council as a body will be more effective if they stick with their stated role.

STAFF PRESENTATION REGARDING STREET IMPROVEMENTS PLAN:

City Manager Guetschow explained that there are two key issues to consider. Staff would like to know if the order of the projects in the plan is acceptable. Also if council would like to use the O-I Funds as an inter-local fund for streets.

Councilmember Johnston stated he has concerns on using the O-I monies in that it may not get paid back.

City Manager Guetschow also stated that it may be a possibility to take a loan for the LDFA and then pay the money back with interest.

Councilmember Bahmer stated that it is worth looking into using the O-I monies for streets and he would be more comfortable with that than bonding. He stated that this would be a good use for this money. Councilmember Russo stated that he does not want to use the O-I Funds.

Councilmember Russo stated that he does not want to use the O-I Funds. He stated that he would rather look at a loan from the LDFA.

Councilmember Ridge stated that she feels that using the O-I monies as a loan within the city makes a lot of sense. She feels it would be better than paying a bond payment. She is comfortable with the priority of streets as determined by the City Manager and DPW Director.

Mayor Lewis stated that people have asked what is going on with the O-I money. He feels that this would be a way to borrow without interest by using these funds.

Discussion was held on the proposed street projects and the order in which they would be constructed.

Mayor Lewis stated that the proposed plan is as follows:

Lincoln – Lawrence to Seminary – 2017

100 block East Lovett – 2018

W. Lovett – Cochran to Sheldon – 2019

State Street – 2021

Harris St. – Cochran to Sheldon – 2022

STAFF PRESENTATION REGARDING SALE OF 128 S. BOSTWICK:

City Manager Guetschow explained that the Congregational Church is interested in buying this property for \$25,000.00.

Discussion was held on whether council was interested in pursuing this offer to have a deed prepared for this purpose.

It was the consensus of council to pursue the sale of 128 S. Bostwick as presented.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2016-88 AUTHORIZING ACTIONS REGARDING THE PURCHASE OF 108 & 110 E. LAWRENCE AVE.:

WHEREAS, a purchase agreement has been signed between the owner of real estate at 108 and 110 E. Lawrence Avenue through which the property would be sold for \$35,000; and

WHEREAS, the purchase agreement contains a provision through which it can be assigned to another party; and

WHEREAS, donations and pledges equal to the \$35,000 purchase price for the property have been received; and

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WHEREAS, the property at 108 and 110 E. Lawrence Avenue is in a blighted condition and the City Council acknowledges that demolition of the building and construction of a pocket park to serve as a gateway to the public parking lot located in the same block constitute a public purpose;

THEREFORE, BE IT RESOLVED that the City Council hereby authorizes, subject to confirmation by the City Manager that donations to the City equal to the \$35,000 purchase price are available, the acceptance of the assignment of the aforementioned purchase agreement and also authorizes the Mayor and Clerk to execute such documents on behalf of the City, subject to review by the City Attorney, as are required to purchase the property located at 108 and 110 E. Lawrence Avenue.

Discussion was held on what would need to be done if this was not used as a pocket park.

Mayor Pro-Tem Sanders moved, supported by Ridge to approve Resolution No. 2016-88 authorizing actions regarding the purchase of 108 & 110 E. Lawrence Ave. as presented. Carried. 6 Yes. (Sanders, Johnston, Mitchell, Ridge, Russo) 1 No. (Bahmer)

B. CONSIDER APPROVAL OF RESOLUTION NO. 2016-87 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 22, 2016 payroll totaled \$154,963.60; and **WHEREAS**, the June 2016 Bank of America credit card charges totaled \$6,684.59; and

WHEREAS, the July 25, 2016 claims total \$146,760.53; **THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for July 25, 2016 in the amount of \$308,408.72.

City Manager Guetschow stated that due to an error on the Vision Service Plan it will be voided and reissued for a lesser amount. This will change the claims total amount to \$146,193.61 and the total claims and accounts total to \$307,841.80.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE: Councilmember Ridge moved, supported by Sanders to approve Resolution 2016-87 for expenditures of the City for July 25, 2016 as amended. Carried. 7 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES

A. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-80 FOR COUNCIL POLICY NO. 2016-02 REGARDING CITIZEN COMMENTS:

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 Johnston to approve the second reading and adoption of Resolution No. 2016-80 for Council Policy No. 2016-02 re Citizen Complaints as presented. Carried. 7 Yes. 0 No.

B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-81 FOR COUNCIL POLICY NO. 2016-03 ORDINANCE ADOPTION::

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.

Mayor Pro-Tem Sanders moved, supported by Bahmer to approve the second reading and adoption of Resolution No. 2016-81 for Council Policy No. 2016-03 re Ordinance Adoption as presented. Carried. 7 Yes. 0 No.

C. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-82 FOR COUNCIL POLICY NO. 2016-04 REGARDING ORDER OF BUSINESS:

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 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 second reading and adoption of Resolution No. 2016-82 for Council Policy No. 2016-04 re Order of Business as presented. Carried. 7 Yes. 0 No.

D. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-83 FOR COUNCIL POLICY NO. 2016-05 RESOLUTIONS:

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;

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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 second reading and adoption of Resolution No. 2016-83 for Council Policy No. 2016-05 regarding Order of Business as presented. Carried. 7 Yes. 0 No.

E. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-84 AUTHORIZING CHANGE TO CONTRACT WITH MOORE & BRUGGINK, INC.

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 Mitchell to approve the second reading and adoption of Resolution No. 2016-84 authorizing change to contract with Moore & Bruggink, Inc. as presented. Carried. 7 Yes. 0 No.

F. CONSIDER SECOND READING AND ADOPTION 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.

Mayor Pro-Tem Sanders moved, supported by Bahmer to approve the second reading and adoption of Resolution No. 2016-85 authorizing agreement with Andy Bayes and Real Estate Warehouse regarding listing of City property as presented. Carried. 7 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES – None.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: None.

CITY MANAGER REPORT: City Manager Guetschow reported that he has learned of the possible expansion of a local manufacturer. He stated that after meeting with the head of Project Rising Tide, there may be availability of possible funding for investments in the community.

COUNCILMEMBER COMMITTEE REPORTS:

- Councilmember Ridge reported that the Recreation Co-Op is still working on the five year plan, tennis courts and softball field. They will be working on the road at the Industrial Park soon.
- Councilmember Bahmer reported that he attended the County Board of Commissioners meeting and it was very educational.

PUBLIC COMMENT: Ed Foster, 316 Beech, complimented council on the resurfacing of Beech Street. He stated that he encourages the City to provide the funds for training and feels it is very important.

Bruce Hart, 213 N. Cochran, stated that he supports education. He encouraged council to follow the chain of command and feels that there are great people in management.

MAYOR AND COUNCIL COMMENTS:

- Councilmember Bahmer stated that claims and accounts are required to be approved by City Council and he feels that it

is appropriate to ask questions. He stated that he has spoke with legislative bodies that approve terminations and that it seems reasonable to sign off. He stated that the training budget was at the same amount as last year and not reduced. He stated that he believes dissent is good.

- Councilmember Russo supported Councilmember Bahmer’s comments. He stated that most of the training is during the day and therefore hard to attend. He stated that the Eaton County Humane Society is having a golf outing on August 20th and encouraged everyone’s support.
- Mayor Pro-Tem Sanders thanked everyone for attending and stated that it is good to hear from the community.
- Mayor Lewis stated that he is excited that everyone is coming together and working together on the Charlotte Rising projects. He thanked everyone who attended the Camp Frances fundraiser. He stated that himself, City Manager Guetschow, Jason Vanderstelt and Julie Kimmer were celebrity waiters. He announced that City Manager Guetschow was the winner of the celebrity waiters and received an award. The theme for Camp Frances is 16 in 16. They plan to raise \$16,000 in 2016. He stated that the Rising Tide committee will be in town for meetings this week and encouraged everyone to attend.

Councilmember Johnston moved, second by Ridge to adjourn at 8:56 p.m. Carried. 7 Yes. 0 No

Mayor Tim Lewis

Ginger Terpstra, City Clerk, CMMC