

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**September 26, 2016**

**CALL TO ORDER:** By Mayor Lewis on Monday, September 26, 2016, at 7:00 p.m.

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

The invocation was offered by Dan Longden, Director of Youth & Family First Lutheran Church, followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES FOR REGULAR MEETING OF SEPTEMBER 12, 2016:** Mayor Pro-Tem Sanders moved, supported by Mitchell to approve the regular meeting minutes of August 22, 2016 as presented. Carried. 6 Yes. 0 No. 1 Absent (Russo)

**ABSENT:** Councilmember Russo.

**Councilmember Johnston moved, supported by Mitchell to excuse Councilmember Russo. Carried. 6 Yes. 0 No.**

**PUBLIC HEARINGS:** None.

**PUBLIC COMMENT:** None.

**APPROVAL OF AGENDA:** Councilmember Ridge moved, supported by Sanders to approve the agenda as presented. Carried. 6 Yes. 0 No.

**SPECIAL PRESENTATIONS:**

**A. STAFF PRESENTATION REGARDING NEW MEDICAL MARIJUANA STATUTES:**

City Manager Guetschow explained the three bills that were passed by Governor Snyder last week. The bills are Public Act 281 (HB 4209, Public Act 282 (HB 4827) and Public Act 283 (HB 4210). Public Act 281 provides a role for local government regulation.

Discussion was held on whether council wishes to pursue writing an ordinance that pertains to this act.

It was the consensus of the council to not pursue an ordinance to allow for these types of business at this time.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2016-109 TO AUTHORIZE VOTE FOR MML DIRECTORS:**

**WHEREAS**, there are two Director positions open with three year terms beginning January 1, 2017 for the Michigan Municipal Liability and Property Pool; and

**WHEREAS**, Penny Hill, incumbent, Assistant City Manager, Traverse City and Jean Stegeman, Incumbent, Mayor, City of Menominee are seeking re-election; and

**THEREFORE, BE IT RESOLVED** that the City Clerk be authorized, by action of this governing body, to cast and mail a vote for the above persons to serve as Director of the Michigan Municipal League Liability & Property Pool.

**Councilmember Ridge moved, supported by Sanders to approve Resolution No. 2016-109 to authorize vote for MML Directors as presented. Carried. 6 Yes. 0 No.**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2016-110 TO AUTHORIZE REPAIR OF PUMP FOR LANSING LIFT STATION:**

**WHEREAS**, the Lansing Lift Station is the second largest sewage pump station in the City; and  
**WHEREAS**, the pump was initially installed approximately eight years ago; and  
**WHEREAS**, there are two pumps in the lift station with one backup pump; and  
**WHEREAS**, the pump was removed due to a seal failure and taken to Edwards Industrial Sales for evaluation and a cost estimate to fix; and  
**WHEREAS**, once disassembled, Edwards estimated the cost to fix the pump is \$6,335.00; and  
**WHEREAS**, the only Michigan supplier of Homa pumps has quoted the cost of a new pump at \$18,800.00; and  
**WHEREAS**, we feel that this pump will continue to serve us well if it is rebuilt.  
**THEREFORE, BE IT RESOLVED** That the City Council approve the rebuilding of the Lansing Lift Station pump by Edwards Industrial Sales, Inc. and it be paid for from the Water and Sewer Fund reserves.

**Mayor Pro-Tem Sanders moved, supported by Ridge to approve Resolution No. 2016-110 to authorize repair of pump for Lansing Lift Station as presented. Carried. 6 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2016-111 TO AUTHORIZE REPAIR OF VACALL STREET SWEEPER:**

**WHEREAS**, the Vacall machine was purchased in 2007 and is an important multi-use piece of equipment for the Department of Public Works; and  
**WHEREAS**, problems began to occur with the rear vacuum unit in August; and  
**WHEREAS**, the mechanic consulted with four repair firms to receive preliminary evaluations and quotes without disassembling the machine as it was still needed; and  
**WHEREAS**, it was determined that Bucks All Repair Service & Sales LLC was the most qualified, knowledgeable, and economical facility to service the vehicle and a service appointment was booked for after Frontier Days; and  
**WHEREAS**, the machine had a complete failure while hydroexcavating on the Clinton Street watermain break over Labor Day weekend; and  
**WHEREAS**, once disassembled, Bucks determined that the parts needed to fix the machine cost \$6,668.75 alone and the estimated the cost to fix the machine is \$7,613.75; and  
**WHEREAS**, the machine will be needed quickly as leaves will be falling soon.  
**THEREFORE, BE IT RESOLVED** That the City Council approve the repair of the Vacall by Bucks All Repair Service & Sales LLC and it be paid for from the Motor Vehicle Pool Fund reserves.

**Councilmember Ridge moved, supported by Johnston to approve Resolution No. 2016-111 to authorize repair of Vacall Street Sweeper as presented. Carried. 6 Yes. 0 No.**

**D. CONSIDER APPROVAL OF RESOLUTION NO. 2016-112 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 September 16, 2016 payroll totaled \$163,165.99; and  
**WHEREAS**, the August 2016 Bank of America credit card charges totaled \$7,130.84; and  
**WHEREAS**, the September 26, 2016 claims total \$124,102.76;  
**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for September 26, 2016 in the amount of \$294,399.59.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Councilmember Ridge moved, supported by Johnston to approve Resolution 2016-112 for expenditures of the City for September 26, 2016 as presented. Carried. 6 Yes. 0 No.

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-103 TO AUTHORIZE CHANGE ORDERS FOR L & T PAINTING FOR THE NORTH WATER TOWER:**

**WHEREAS**, the North Water Tower Painting Project contract was awarded to L&T Painting by City Council on June 27, 2016 in the amount of \$103,200.00; and  
**WHEREAS**, the inspection detailing the needs of this project was completed in 2013; and  
**WHEREAS**, upon entering the tower, the contractor determined that further damage had been done to the interior ladder due to

ice movement and it needed to be replaced at a cost of \$1,600 if it was done while the welder was on site; and

**WHEREAS**, upon sandblasting and inspecting the interior of the tank, the contractor discovered a hole that needed to be patched prior to painting at a cost of \$1,000; and

**WHEREAS**, the changes were discussed by the City Manager and Public Works Director and deemed necessary and critical to the project timeline and were approved; and

**WHEREAS**, L&T Painting has completed the Change Order work described.

**THEREFORE, BE IT RESOLVED** that the City authorize contract Change Order #1 and Change Order #2 for L&T Painting for the additional services provided at a total cost of \$2,600.

Mayor Pro-Tem Sanders moved, supported by Mitchell to approve the second reading and adoption of Resolution 2016-103 to authorize change orders for L & T Painting for the North Water Tower as presented. Carried. 6 Yes. 0 No.

**B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-104 TO AUTHORIZE CHANGE ORDER #1 AND PAYMENT FOR MICHIGAN PAVEMENT AND MATERIALS – 2016 PAVING:**

**WHEREAS**, the 2016 Paving Project contract was awarded to Michigan Paving and Materials by City Council on March 14, 2016 in the amount of \$407,899.55; and

**WHEREAS**, the contract is a unit price contract whereby the City is charged by actual quantities of items constructed; and

**WHEREAS**, a contract addition in the amount of \$786.08 was authorized to add striping which was originally intended to be done as part of a contract with the Eaton County Road

City Council Minutes 9-26-2016

Commission but was not possible due to the M-50 construction; and

**WHEREAS**, the total cost of the 2016 Paving Project was \$326,325.62; and

**WHEREAS**, the \$786.08 for the striping is included in the balancing Change Order #1 for a total credit of \$81,573.93 on the project; and

**WHEREAS**, progress payments to date for the 2016 Paving Project totaling \$319,039.54 have been approved by the City Council.

**THEREFORE, BE IT RESOLVED** that the City Council authorizes contract Change Order #1 in the amount of - \$81,573.93 and the Final Payment to Michigan Paving and Materials in the amount of \$7,286.08.

**Councilmember Johnston moved, supported by Bahmer to approve the second reading and adoption of Resolution 2016-104 to authorize change order #1 and payment for Michigan Pavement and Materials – 2016 Paving as presented. Carried. 6 Yes. 0 No.**

**C. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-105 TO AUTHORIZE REJECTION OF WINDOW REPLACEMENT BIDS FOR CITY HALL:**

**WHEREAS**, City staff solicited bids for the replacement of windows on the second floor of City Hall; and

**WHEREAS**, the following bids were received in response to the advertisement for bids:

- Battle Creek Glass Works, Inc. .... \$34,852.00
  - Lansing Glass Company .....\$38,540.00
- ; and

**WHEREAS**, the amount of the bids exceeds the \$19,540 budgeted for this project; and

**WHEREAS**, City staff has determined that the most sensible course of action is to reject the bids and rebid the project at a later date;

**THEREFORE, BE IT RESOLVED** that the City Council does hereby authorize rejecting all bids received for the City Hall window replacement project.

**Councilmember Bahmer moved, supported by Johnston to approve the second reading and adoption of Resolution 2016-105 to authorize rejection of window replacement bids for City Hall as presented. Carried. 6 Yes. 0 No.**

**D. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-108 REGARDING SETTLEMENT AGREEMENT WITH IN MOLD SOLUTIONS, LLC AND FIFTH THIRD BANK:**

**BE IT RESOLVED** that the Settlement Agreement between the City and In Mold Solutions, LLC and Fifth Third Bank drafted by City Attorney Thomas Hitch for the purpose of resolving a suit in Eaton County Circuit Court, Case No. 16-266-CH, is hereby approved and City Manager Gregg Guetschow is hereby authorized to execute said agreement on behalf of the City.

**Councilmember Ridge moved, supported by Sanders to approve the second reading and adoption of Resolution 2016-108 regarding settlement agreement with In Mold Solutions LLC and Fifth Third Bank as presented. Carried. 6 Yes. 0 No.**

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER FIRST READING OF RESOLUTION NO. 2016-113 FOR CONSIDERATION OF AUDIO EQUIPMENT PURCHASE AND INSTALLATION:**

**WHEREAS**, the City of Charlotte desires the capability to broadcast and record certain public meetings with full video and audio; and

**WHEREAS**, certain components of the audio-visual system are aging or no longer functioning; and

**WHEREAS**, the City of Charlotte has received a proposal from Moss to replace these components;

**THEREFORE, BE IT RESOLVED** that the purchase and installation of the equipment as proposed is hereby authorized by the Charlotte City Council.

**Mayor Pro-Tem Sanders moved, supported by Ridge to approve the first reading of Resolution 2016-113 for consideration of Audio Equipment purchase and installation as presented. Carried. 6 Yes. 0 No.**

**COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT:** None.

**CITY MANAGER REPORT:** City Manager Guetschow stated that the parking lot project is going well. Community Development Director Myrkle and himself met with MDOT Aero officials for the annual airport program meeting. He reported that the realtor for O-I has indicated that the sale should be closing within two weeks. He reported that we have received notification that Eaton Township has given notice that they intend to withdraw from the CARA agreement. He spoke of the meeting on October 4, 2016 from 5:30 p.m. to 8:30

p.m. at Maple Brook Golf Club for a presentation by Peter Kageyama, internationally acclaimed author, and invited everyone to come.

**COUNCILMEMBER COMMITTEE REPORTS:**

- Councilmember Ridge reported that there will be a Master Plan meeting on October 11, 2016. There will be a regular Recreation Co-op meeting on October 13, 2016 at Carmel Township Hall.

**PUBLIC COMMENT:** **Ben Phlegar**, 425 Horatio, reminded voters that the last day to register for the November election will be October 11<sup>th</sup>. He encouraged voters to get out and vote and make their voice heard.

**MAYOR AND COUNCIL COMMENTS:**

- Mayor Pro-Tem Sanders thanked everyone for coming out. He reminded everyone that the Department of Public Works will be flushing the mains starting tonight.
- Councilmember Johnston thanked everyone for coming.
- Councilmember Ridge thanked everyone for their comments and for coming to the meeting. She invited everyone to attend the presentation by Peter Kageyama on October 4<sup>th</sup> at 5:30 p.m.
- Mayor Lewis invited everyone to attend the Special Meeting next Monday, October 3, 2016 at 7:00 P.M. All city boards will be invited to hear Peter Kageyama to talk about making the community better and stronger.

**Councilmember Johnston moved, second by Ridge to adjourn at 8:20 p.m. Carried. 6 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC