

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**November 14, 2016**

**CALL TO ORDER:** By Mayor Lewis on Monday, November 14, 2016, at 7:00 p.m.

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

The invocation was offered by Pastor Randy Royston, followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES FOR REGULAR MEETING OF OCTOBER 24, 2016:** Councilmember Ridge moved, supported by Russo to approve the regular meeting minutes of October 24, 2016 as presented. Carried. 6 Yes. 0 No. 1 Absent. (Sanders)

**ABSENT:** Mayor Pro-Tem Sanders.

Councilmember Russo moved, supported by Johnston to excuse Mayor Pro-Tem Sanders. Carried. 6 Yes. 0 No.

**PUBLIC HEARINGS:**

**A. PUBLIC HEARING RESOLUTION NO. 2016-134 FOR SPECIAL ASSESSMENT ROLL 2016-02 DDA SIDEWALK SNOW REMOVAL – RESOLUTION NO. 4:**

**WHEREAS**, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter

described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

**NOW, THEREFORE BE IT RESOLVED THAT:**

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The City Council shall meet in Council Chambers at the Charlotte City Hall, 111 E. Lawrence Avenue, Charlotte, Michigan at 7:00 p.m., on November 14, 2016 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Council is directed to publish the notice of said hearings once in the County Journal, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by records in the City Assessor's office as shown on the general tax rolls of the city, at least ten (10) 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 HEARING TO REVIEW  
SPECIAL ASSESSMENT ROLL  
CITY OF CHARLOTTE, MICHIGAN**  
TO THE OWNERS OF THE FOLLOWING DESCRIBED  
PROPERTY:

(NAME OF STREET)

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

**DOWNTOWN SIDEWALK SNOW REMOVAL**

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk Prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessment may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet in Council Chambers at the Charlotte City Hall, 111 E. Lawrence Avenue, Charlotte, Michigan at 7:00 p.m., on November 14, 2016 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

**Public Hearing opened: 7:03 P.M.**

**John Hall**, 127 S. Cochran, downtown business owner, stated that he appreciates the City getting such a good deal on pricing for the clearing of sidewalks as it is a great deal for the business owners.

**Public Hearing closed: 7:05 P.M.**

**PUBLIC COMMENT: Amanda Lipsey**, 327 Prairie, Director of Charlotte Chamber of Commerce, stated that she is real excited for the Charlotte community. She encouraged council to support the efforts of Charlotte Rising and the Michigan Main Street program.

**Byron Coy**, 538 Prairie, stated he is concerned with speeding on S. Sheldon between Seminary and Shepherd Streets.

**Dena Cook**, stated she wants a medical marijuana dispensary.

**Matt Rush**, Hayes Green Beach Hospital, spoke in support of funding for Charlotte Rising.

**Justin Brummette**, 340 High, spoke in support of funding Charlotte Rising. He would like the Department of Public Works to look into a fee, to charge small businesses like his, for getting rid of yard waste.

**Tyler Pray**, 318 S. Sheldon, spoke in support of funding Charlotte Rising.

**John Hall**, 127 S. Cochran, spoke in support of funding Charlotte Rising.

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

**SPECIAL PRESENTATIONS:**

**A. PLANTE & MORAN PRESENTATION OF FY 2015/2016 AUDIT:**

William Brickey and Marie Stiegel, with Plante & Moran, presented an overview of the FY 2015/2016 Audit. They stated that the City received an unmodified opinion “clean” option rating which is very good. All departments came in under budget, 5% overall.

**B. PRESENTATION BY CHARLOTTE RISING:**

Joe E. Pray, 316 W. Seminary, President of Charlotte Rising, gave a presentation on what Charlotte Rising is doing and their plans for the future. He stated their goals are to make downtown look good. There are many people in the community that will be working toward this goal.

Dillon Rush, 1565 Brookfield, has been an intern for the Michigan Main Street program. He explained the four point approach for the Michigan Main Street program and how it would be implemented. He explained that we need to get to the next level.

Bryan Myrkle, Community Development Director, explained the condition of the current Downtown Development Authority. He stated the schools and hospital are on board with helping to make Charlotte Rising succeed.

Councilmember Bahmer asked what the worst case scenario would be, what will become of the DDA and what it will do to the Community Development Director’s responsibilities to downtown

and would it free up the Development Director’s time to focus on the industrial park?

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2016-129 FOR RESOLUTION NO. 5 TO SET ROLL FOR DDA SIDEWALK SNOW REMOVAL SPECIAL ASSESSMENT ROLL 2016-02:**

**WHEREAS**, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district’s share of the following described public improvement:

**DOWNTOWN SIDEWALK SNOW REMOVAL**

And

**WHEREAS**, after hearing all persons interested therein and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with benefits to be derived by the parcel of land assessed.

**NOW, THEREFORE BE IT RESOLVED THAT:**

5. Said special assessment roll as prepared by the City Assessor in the amount of \$43,200.00, or \$10,800.00 each year for a period of four years is hereby confirmed and shall be known as Special Assessment Roll No. 2016-02.
6. Said special assessment roll shall be divided into four (4) equal annual installments, the first of which shall be due and payable on January 1, 2017, and the subsequent installments shall be due on October 1, 2017 and

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October 1 of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1 of those years.

7. The installments of the special assessment rolls shall bear interest at the rate of 0% per annum.
8. If any installment shall remain unpaid after December 1 of the year in which it is due and payable, said installment shall be considered as delinquent and the same penalties shall be collected on such unpaid installments as are provided in the Charter to be collected on delinquent general city taxes.

Said Special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown there as directed by the City Council.

Councilmember Bahmer stated that he is opposed to having the property owners pay for sidewalk snow removal.

**Councilmember Ridge moved, supported by Johnston to approve Resolution No. 2016-129 for Resolution No. 5 to set roll for DDA Sidewalk Snow Removal Special Assessment Roll 2016-02 as presented. Carried. 5 Yes. (Mitchell, Johnston, Ridge, Russo, Lewis) 1 No. (Bahmer)**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2016-130 FOR FIREWOOD BIDS:**

**WHEREAS**, the City removes trees throughout the year from the City right-of-ways; and

**WHEREAS**, it was previously determined that the wood had some value and should be sold by sealed bids annually; and

**WHEREAS**, an advertisement was placed in the local paper and sent to previous bidders for the twelve stacks of wood; and

**WHEREAS**, four bids were submitted for different combinations of the twelve stacks of wood totaling \$296.00.

**THEREFORE, BE IT RESOLVED** That the City sell wood stacks #2-4, 6-7, and 9-12 to Tim Briggs for the highest bid prices totaling \$65.00; wood stack #1 be sold for the highest bid price of \$50.00 to Tom Archer; wood stack #5 be sold to John Tobia for the highest bid price of \$121.00; and wood stack #8 be sold to Blake VanDorpe for the highest bid price of \$60.00.

**Councilmember Russo moved, supported by Mitchell to approve Resolution No. 2016-130 for Firewood Bids as presented. Carried. 6 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2016-131 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 November 10, 2016 payroll totaled \$150,275.22; and

**WHEREAS**, the November 14, 2016 claims total \$199,426.85;

**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for November 14, 2016 in the amount of \$349,702.07.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Councilmember Ridge moved, supported by Russo to

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approve Resolution 2016-131 for expenditures of the City for November 14, 2016 as presented. Carried. 6 Yes. 0 No.

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-126 TO PURCHASE GATOR SNOW PLOW:**

**WHEREAS**, the City of Charlotte approved and acquired a John Deere Gator for grass & brush fires in the 2015/2016 budget year.

**WHEREAS**, the Fire Department budgeted \$5,000.00 for the purchase of a snow plow package in the 2016/2017 budget year to be used on the John Deere Gator in an effort to clear snow on the grounds of the West Side Fire Station.

**WHEREAS**, the Fire Department took quotes from three authorized John Deere equipment dealers.

**WHEREAS**, the lowest quote received in compliance with our specifications was from D&G Equipment of Charlotte Mi. for the amount of \$3,350.00

**THEREFORE, BE IT RESOLVED** that the City Council authorizes the purchase of the snow plow package from D&G Equipment of Charlotte for the amount of \$3,350.00

**Councilmember Ridge moved, supported by Russo to approve the second reading and adoption of Resolution 2016-126 to purchase gator snow plow as presented. Carried. 6 Yes. 0 No.**

**B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-128 TO AUTHORIZE PURCHASE OF AUMA ACTUATOR:**

**WHEREAS**, the Wastewater Treatment Plant has six tertiary filters that each have an effluent valve as part of their operation; and

**WHEREAS**, this is the fourth of the original effluent valve actuators that has failed; and

**WHEREAS**, the other actuators have been replaced with Auma electric actuators and staff wishes to use the same brand for efficiency; and

**WHEREAS**, the only Michigan supplier of Auma actuators is JGM Valve who has quoted the cost of a new actuator at \$2,939.00; and

**WHEREAS**, Section 5.2 of the Purchasing Policy requires council approval for purchases over the amount of \$2,500.00 if it is a sole source item.

**THEREFORE, BE IT RESOLVED** That the City Council waive the bidding requirement and approve the purchase of the Auma valve actuator from JGM Valve.

**Councilmember Russo moved, supported by Johnston to approve the second reading and adoption of Resolution 2016-128 to authorize purchase of Auma Actuator as presented. Carried. 6 Yes. 0 No.**

**C. CONSIDER APPROVAL OF SECOND READING OF ORDINANCE TO REZONE 436 N. SHELDON ST. FROM I-2 GENERAL INDUSTRIAL TO R-1 SINGLE FAMILY RESIDENTIAL:**

AN ORDINANCE TO AMEND CHAPTER 82 - ZONING, BY AMENDING THE ZONING MAP TO CHANGE A CERTAIN DESCRIBED PARCEL FROM - 436 N. SHELDON TO I-2 (GENERAL INDUSTRIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL).

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: Lots 15 & 16 Lying W of G.T.W.R.R. McClures Addition. City of Charlotte.

is hereby rezoned from I-2 General Industrial to R-1 Single Family.

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. 2016-09 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.

**Councilmember Bahmer moved, supported by Mitchell to approve the second reading and adoption of Ordinance to Rezone 436 N. Sheldon St. from I-2 General Industrial to R-1 Single family residential as presented. Carried. 6 Yes. 0 No.**

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER APPROVAL OF FIRST READING OF RESOLUTION NO. 2016-132 FOR FUNDING MICHIGAN MAIN STREET PROGRAM #CHARLOTTE RISING:**

**WHEREAS**, the City of Charlotte was chosen as one of Michigan Governor Rick Snyder’s ten Project Rising Tide communities in 2015; and

**WHEREAS**, Project Rising Tide determined that a primary focus of Charlotte’s economic development activities should be the redevelopment of Downtown Charlotte; and

**WHEREAS**, the mechanism identified by Project Rising Tide to aid and assist with this redevelopment is the Michigan Main Street Program; and

**WHEREAS**, the local Project Rising Tide leadership team has formed a new non-profit organization named #CharlotteRising aimed at furthering the community’s participation in Michigan Main Street at the ‘Selected Level;’ and

**WHEREAS**, participation at the ‘Selected Level’ requires a five-year commitment to fully funding a range of Main Street activities that include:

- Employing a full-time Main Street manager who coordinates and facilitates the work of the program
- Establishing and maintaining an active board of directors and team of volunteers
- Participation in all trainings and services provided by Michigan Main Street
- Committing to the pursuit of downtown redevelopment using the established Main Street 4-Point Approach

;and

**WHEREAS**, the City of Charlotte Downtown Development Authority has voted its unanimous support for this effort; and

**WHEREAS**, the City of Charlotte desires to join with numerous other community institutions, organizations and businesses who have committed to funding and partnering with #CharlotteRisng.

**NOW, THEREFORE BE IT RESOLVED THAT** the City of Charlotte City Council hereby states its commitment to enter into a contract for services with #CharlotteRising for economic and community development services in the amount of \$25,000 per year for the next five years; and

**BE IT FURTHER RESOLVED THAT** this \$25,000 be made available to #CharlotteRisng only in the event that it is successful in its application to the Michigan Main Street 'Selected Level; and

**BE IT FURTHER RESOLVED THAT** these funds be duly allocated as part of the city's annual budgeting process, beginning with the 2017-18 Fiscal Year

Councilmember Bahmer stated that he has some slight concerns but doesn't think that it is a terrible idea.

Councilmember Ridge commented that the presentation was very good. She stated that everyone is on board and excited about this.

Mayor Lewis stated that he feels this is a grand opportunity with tremendous energy and the council can contribute and be a part of the team.

**Councilmember Ridge moved, supported by Mitchell to approve the first reading of Resolution 2016-132 for funding Michigan Main Street Program #Charlotte Rising as presented. Carried. 6 Yes. 0 No.**

**B. CONSIDER APPROVAL OF FIRST READING OF RESOLUTION NO. 2016-133 TO APPROVE LICENSE AGREEMENT FOR PUBLIC ART PROJECT:**

**WHEREAS**, the City of Charlotte has been awarded a grant from the Lansing Economic Area Partnership for the commission of a public art installation, specifically a sculpture; and

**WHEREAS**, the City of Charlotte desires to locate this sculpture on the northeast corner of 202 S. Cochran Avenue, commonly referred to as the Peters Circle Building; and

**WHEREAS**, the owners of this property have agreed to the installation of this sculpture; and

**WHEREAS**, the City of Charlotte City Attorney has prepared a license agreement detailing the rights and responsibilities of the City and Property Owner.

**NOW, THEREFORE BE IT RESOLVED THAT**, the City of Charlotte City Council hereby approves the public art installation license agreement between the City of Charlotte and Bauer Meschke Properties, LLC.

**Councilmember Johnston moved, supported by Ridge to approve the first reading of Resolution 2016-133 to approve license agreement for Public Art Project as presented. Carried. 5 Yes. (Ridge, Russo, Mitchell, Johnston, Lewis) 1 No. (Bahmer)**

**COMMUNICATIONS AND COMMITTEE REPORTS**  
**CITY ATTORNEY REPORT:** None.

**CITY MANAGER REPORT:** City Manager Guetschow stated that the closing has taken place for 128 S. Bostwick on the sale to the Congregational Church. He commended City Clerk Terpstra, other city staff members and departments, along with all of the election workers on conducting a very smooth presidential election.

### **COUNCILMEMBER COMMITTEE REPORTS:**

- Councilmember Bahmer reported that at the Planning Commission on November 1<sup>st</sup> there were two items on the agenda. One being the rezoning of 436 N. Sheldon from I-1 to R-1 which was passed to City Council with the recommendation for approval. The other item was a site plan for Alro Steel at 1298 Lipsey Drive for a 39,000 square foot expansion. He stated that he had been in contact with Byron Coy on Sheldon Street regarding the speeding issue. He also stated that he would be meeting with someone on marijuana statues in the next week.

**PUBLIC COMMENT:** Joe E. Pray, 316 W. Seminary, thanked council for their support of Charlotte Rising.

Justin Brummette, 340 High, thanked council for approving the Charlotte Rising Funding.

### **MAYOR AND COUNCIL COMMENTS**

- Councilmember Johnston thanked everyone who is involved in Rising Tide. He stated that he is very excited about the future.
- Councilmember Russo reminded everyone that it is not what you are saying but how you say it.
- Councilmember Ridge thanked Finance Director Mossner and staff for the audit. She thanked City Clerk Terpstra for a successful election. She stated that Charlotte Rising has reached hundreds of people in the community. She stated that we are fortunate to have Dillon Rush working on our behalf for this project. She thanked council for their support and looks forward to doing great things.

- Councilmember Mitchell stated that this is the time for many opportunities. He commended the people involved for the time they are putting in. He thanked City Clerk Terpstra for the work on the election.
- Councilmember Bahmer thanked everyone for coming out. He wished everyone a Happy Thanksgiving and a safe and successful opening day of deer season.
- Mayor Lewis stated that he attended a meeting for homeless Veteran's program at Peckham. He has asked that they come in the near future to talk with council. He thanked Finance Director Mossner and City Manager Guetschow on a successful audit. He announced that Jeanette Sommer has resigned after many years as a chairman from the DDA Board and thanked her for her service. He commended City Clerk Terpstra for the extra work put in to making the election run smoothly.

**Councilmember Ridge moved, second by Johnston to adjourn at 9:03 p.m. Carried. 6 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC