

COUNCIL PROCEEDINGS
Regular Meeting
October 24, 2016

CALL TO ORDER: By Mayor Lewis on Monday, October 24, 2016, at 7:05 p.m.

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

The invocation was offered by City Manager Guetschow, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR REGULAR MEETING OF OCTOBER 10, 2016: Mayor Pro-Tem Sanders moved, supported by Johnston to approve the regular meeting minutes of October 10, 2016 as presented. Carried. 5 Yes. 0 No. 2 Absent. (Bahmer, Mitchell)

ABSENT: Councilmember Bahmer and Mitchell.

Councilmember Johnston moved, supported by Russo to excuse Councilmembers Bahmer and Mitchell. Carried. 5 Yes. 0 No.

PUBLIC HEARINGS: None.

PUBLIC COMMENT: Shirlee Bobryk, Delta Township resident, announced her candidacy for District Court Judge.

APPROVAL OF AGENDA: Councilmember Ridge moved, supported by Russo to approve the agenda with the addition of Daniel Christian to Resolution No. 2016-124 Mayoral

Appointments and to exclude item 13b, Resolution No. 2016-127 from the agenda. Carried. 5 Yes. 0 No.

SPECIAL PRESENTATIONS: None.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2016-124 MAYORAL APPOINTMENT:

WHEREAS, a need for an appointment exists on the Park Advisory Board and the Charlotte Recreation Co-Op Board; and
WHEREAS, they are both new appointments; and
WHEREAS, Mayor Lewis is recommending the following individual to fill these vacancies:

Name	Board	Term Ending
Abygail Maldonado	Park Advisory Board	May 30, 2017
Daniel Christian	Charlotte Recreation CoOp	November 13, 2018

THEREFORE, BE IT RESOLVED that the appointments listed above shall be and the same are hereby approved.

Mayor Pro-Tem Sanders moved, supported by Johnston to approve Resolution No. 2016-124 Mayoral appointment as presented. Carried. 5 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2016-125 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 October 14, 2016 payroll totaled \$156,968.94; and

WHEREAS, the September 2016 Bank of America credit card charges totaled \$5,190.86; and

WHEREAS, the October 24, 2016 claims total \$445,965.21;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for October 24, 2016 in the amount of \$608,125.01.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL

VOTE: Councilmember Russo moved, supported by Johnston to approve Resolution 2016-125 for expenditures of the City for October 24, 2016 as presented. Carried. 5 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-118 FOR SALE OF ORWALK BALER:

WHEREAS, the City is the designated financial agent for the Charlotte Area Recycling Authority (CARA); and

WHEREAS, CARA no longer has use for the smaller baler and would like to sell it; and

WHEREAS, the CARA Board has authorized the sale of its smaller Orwalk baler through the online auction used by the Public Works Department for disposition of equipment; and

WHEREAS, the proceeds from the sale would be returned to the CARA fund; and

WHEREAS, a minimum bid will be set at the approximate scrap price for the metal.

THEREFORE, BE IT RESOLVED That the City Council authorizes the sale of the Orwalk baler through govbids.com in accordance with City Ordinance 2-185.

Councilmember Ridge moved, supported by Johnston to approve the second reading and adoption of Resolution 2016-118 for sale of Orwalk Baler as presented. Carried. 5 Yes. 0 No.

B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-119 FOR SALE OF AUGER MONSTER PART:

WHEREAS, the City removed the Auger Monster from the Tirrell Lift Station in 2015 and replaced it with a flex rake; and

WHEREAS, the screw from the Auger Monster has been laying behind the building since its decommissioning; and

WHEREAS, being a proprietary piece of equipment, the number of facilities that would have a use for it is limited; and

WHEREAS, the Utility Division would like to sell the screw through an online auction used by the Public Works Department for disposition of equipment; and

WHEREAS, a minimum bid will be set at the approximate scrap price for the metal.

THEREFORE, BE IT RESOLVED That the City Council authorizes the sale of the Auger Monster screw through govbids.com in accordance with City Ordinance 2-185.

Mayor Pro-Tem Sanders moved, supported by Russo to approve the second reading and adoption of Resolution 2016-119 for sale of Auger Monster part as presented. Carried. 5 Yes. 0 No.

C. CONSIDER APPROVAL OF SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-120 FOR APPROVAL OF CONSTRUCTION ENGINEERING FOR MOORE & BRUGGINK FOR THE GRIT PROJECT:

WHEREAS, the City Council approved the construction of the grit project at their meeting on June 27, 2016; and
WHEREAS, the contractor has since ordered the equipment and expects to start work at the end of October; and
WHEREAS, Moore & Bruggink, Inc. had prepared the design and construction documents for the project and is therefore the most qualified to provide construction engineering services for the project; and
WHEREAS, Moore & Bruggink, Inc. has submitted a proposal for the construction engineering for an amount not to exceed \$56,425.00, and
WHEREAS, funding for the professional services related to grit equipment replacement is in the current year's budget.
THEREFORE, BE IT RESOLVED That the City Council enter into a contract with Moore & Bruggink, Inc. to provide the above mentioned services and that the mayor or clerk be directed to sign said contract on behalf of the City.

Councilmember Ridge moved, supported by Russo to approve the second reading and adoption of Resolution 2016-120 for approval of construction engineering for Moore & Bruggink for the grit project as presented. Carried. 5 Yes. 0 No.

D. CONSIDER APPROVAL OF SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-121 FOR APPROVAL TO PURCHASE A SKID STEER AND ATTACHMENTS:

WHEREAS, the City's FY 17/18 budget has appropriated \$60,000 for the purchase of a skid steer, \$7,000 for the skid steer hydraulic hammer, \$4,500 for the skid steer gutter broom, and \$4,200 for the skid steer angle broom; and
WHEREAS, the Public Works staff identified comparable models from five major manufacturers instead of writing a neutral specification that would require more work on the part of staff and the vendors; and
WHEREAS, the staff has been researching and demoing the skid steer models that were identified as comparable; and
WHEREAS, the machines were evaluated on the power, visibility, ease of maintenance, availability of parts, comfort, controls, and other various features; and
WHEREAS, quotes were received for the top three contenders after the evaluations: Bobcat \$37,439.00, Wacker \$49,950.00 and New Holland \$37,000.00; and
WHEREAS, the DPW garage staff is requesting the purchase of one new Bobcat S650 T4 at a cost of \$37,439.00; and
WHEREAS, quotes were also received for the hydraulic hammer, gutter broom, and angle broom attachments from the top three contenders; and
WHEREAS, the Bobcat attachments were the lowest cost in each instance; and
WHEREAS, the DPW garage staff is requesting the purchase of one new hydraulic breaker at a cost of \$5,871.00, one new gutter broom at a cost of \$4,097.00, and one new angle broom at a cost of \$3,647.00; and
WHEREAS, Section 2-178 of the City Ordinances allows for the waiver of sealed bids.
THEREFORE, BE IT RESOLVED that the City Council authorizes the purchase of the Bobcat S650 T4, the hydraulic breaker, the gutter broom, and the angle sweeper from

Bobcat of Lansing in amount of \$ 51,054.00 and agrees to waive the sealed bid process.

Mayor Pro-Tem Sanders moved, supported by Ridge to approve the second reading and adoption of Resolution 2016-121 for approval to purchase a skid steer and attachments as presented. Carried. 5 Yes. 0 No.

E. CONSIDER APPROVAL OF SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-122 FOR REPAIR OF TRICKLING FILTER PUMP #3:

WHEREAS, Trickling Filter Pump #3 has been shutting down due to high temperatures; and
WHEREAS, pump #3 is the last of the three original trickling filter pumps; and
WHEREAS, the pump was sent to Kennedy Industries for evaluation as they are the manufacturer's representative in the State of Michigan for Flyght pumps; and
WHEREAS, the pump was disassembled to determine the needed repairs; and
WHEREAS, the estimate to fix the pump is \$4,687.00 plus an estimated \$1,000.00 to reinstall the pump; and
WHEREAS, the estimated cost of a new pump is approximately \$25,000.00; and
WHEREAS, we feel that this rebuilt pump will continue to serve us well until we can budget money for its replacement.
THEREFORE, BE IT RESOLVED That the City Council approve the rebuilding of the Trickling Filter Pump #3 by Kennedy Industries and it be paid for from the Water and Sewer Fund.

Councilmember Johnston moved, supported by Russo to approve the second reading and adoption of Resolution 2016-122

for repair of trickling filter pump #3 as presented. Carried. 5 Yes. 0 No.

F. CONSIDER APPROVAL OF SECOND READING AND ADOPTION OF RESOLUTION NO. 2016-123 GRANTING A SIDE YARD SETBACK VARIANCE FOR PROPERTY LOCATED AT 912 WARREN AVE.:

WHEREAS, Charles McDermott is the owner of property located at 912 Warren Avenue described as Lot 6, Block 4, Widdicombe Addition, City of Charlotte, which parcel measures 52 feet in width by 132 feet in length; and
WHEREAS, this parcel is located on a corner lot requiring a 25-foot setback on the side of the property abutting Monroe Street; and
WHEREAS, Mr. McDermott wishes to construct a garage on the property measuring 24 feet in width by 32 feet in length, which garage would encroach into the required 25-foot side yard setback by several feet but would not increase the degree of nonconformity created by the location of the house which already encroaches into the required 25-foot side yard setback; and
WHEREAS, Section 82-453 (G) of the Code of Ordinances provides as follows:
"In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this chapter, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this chapter. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area

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or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance to yard requirements may be obtained through the Board of Appeals.”

; and

WHEREAS, a garage is an accessory building customarily found in single-family residential districts; and

WHEREAS, an application for a variance from the side yard setback requirement has been submitted by Mr. McDermott, the required notice has been published in the County Journal and delivered to surrounding property owners in accordance with the provisions of the zoning ordinance and a public hearing has been held affording an opportunity for interested parties to voice the opinions regarding the matter;

THEREFORE, BE IT RESOLVED that the City Council, acting as Zoning Board of Appeals pursuant to Section 82-56 of the Code of Ordinances, does hereby find that due to the exceptional narrowness of the lot described above, the strict application of the regulations contained in the zoning ordinance would result in an undue hardship and that the relief requested may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance; and

BE IT FUTURE RESOLVED that the side yard variance requested is hereby approved.

Councilmember Russo moved, supported by Sanders to approve the second reading and adoption of Resolution 2016-123 to grant a side yard setback variance for the property located at 912 Warren Ave. as presented. Carried. 5 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL OF FIRST READING 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 Sanders to approve the first reading of Resolution 2016-126 to purchase gator snow plow as presented. Carried. 5 Yes. 0 No.

B. CONSIDER APPROVAL OF FIRST READING 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 Ridge moved, supported by Johnston to approve the first reading of Resolution 2016-128 to authorize purchase of Auma Actuator as presented. Carried. 5 Yes. 0 No.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: None.

CITY MANAGER REPORT: City Manager Guetschow stated the parking lot #4 was finished on Thursday except for some banner poles. Charlotte Rising initiative has selected two firms for technical assistance. They will be providing design assistance for South Cochran through downtown as an effort to address issues associated with truck traffic.

COUNCILMEMBER COMMITTEE REPORTS:

- Councilmember Ridge reported that there was two Recreation Co-op meetings last week. One was to discuss the five year Master Plan which they will be presenting in

November to Carmel and Eaton Townships and the City of Charlotte. The softball field project has went out for bids and they will be opened on November 9th at 2:30 P.M.

PUBLIC COMMENT: **Ben Phlegar**, 425 Horatio, reminded everyone to get out and exercise their right to vote on November 8th. He reminded voters to contact the clerk's office to receive an absentee ballot if they were not able to get to the polls on election day.

MAYOR AND COUNCIL COMMENTS

- Councilmember Johnston wished everyone a happy and safe Halloween. He reminded everyone to get out and vote.
- Councilmember Ridge stated that she was glad to see so many out tonight for the trick or treating and Halloween parade. She invited everyone to come over to help paint the building across the street.
- Mayor Lewis stated that the Lion's Club 75th Anniversary Celebration will be held Saturday, November 5, 2016 from 2-5 PM at the Eaton County Museum at Courthouse Square. He stated that the Open House at Camp Frances went well and invited anyone to come out and see the improvements that they have made there. He read a thank you note from Governor Snyder from his visit to Charlotte regarding the Rising Tide Project. He invited everyone to join him in Painting the Piece across the street that started at 7:30 P.M.

Mayor Pro Tem Sanders moved, second by Johnston to adjourn at 7:35 p.m. Carried. 5 Yes. 0 No

Mayor Tim Lewis

Ginger Terpstra, City Clerk, CMMC