

**COUNCIL PROCEEDINGS**

**Regular Meeting**

**March 27, 2017**

**CALL TO ORDER:** By Mayor Lewis on Monday, March 27, 2017, at 7:00 p.m.

**PRESENT:** Council members Bahmer, Ridge, Johnston, Sanders, Mitchell, Russo, 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 REGULAR SESSION MEETING OF MARCH 13, 2017:** Council member Ridge moved, supported by Johnston to approve the regular session meeting minutes of March 13, 2017 as presented. Carried. 7 Yes. 0 No.

**ABSENT:** None.

**PUBLIC HEARINGS:** None.

**PUBLIC COMMENT:** Larry Grudt, representing the Lansing Arts Council, spoke about the importance of Art in communities. He talked about the “Keys in the City” statewide initiative to put pianos in cities. He stated that the goal is to bring the importance of art in communities to the forefront.

**APPROVAL OF AGENDA:** Mayor Pro-Tem Sanders moved, supported by Johnston to approve the agenda as presented. Carried. 7 Yes. 0 No.

**SPECIAL PRESENTATIONS:**

**SUPERINTENDENT MARK ROSEKRANS REGARDING DISTRICTS USE OF ITS SHARE OF OWENS-BROCKWAY SETTLEMENT MONIES:**

Superintendent Rosekrans addressed the council and presented an outline of how the school district dispersed the \$1,323,470 that was received from the Owens Brockway settlement. A portion (\$833,786) was spent on facility and program enhancements across the district. A sum of \$489,684 was transferred directly to debt funds.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF PROCLAMATION NO. 2017-01 ARBOR DAY:**

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, trees wherever they are planted, are a source of joy and spiritual renewal; and

**WHEREAS**, the City of Charlotte has been recognized as a Tree City USA by the National Arbor Foundation and desires to continue its tree planting practices, by planting a tree at the Armory Building; and

**NOW THEREFORE**, the City Council of the City of Charlotte, Michigan does hereby proclaim Friday, April 28<sup>th</sup> as ARBOR DAY in the City of Charlotte and urges all citizens to celebrate Arbor Day; and

**FURTHER**, the City Council of the City of Charlotte, Michigan urges all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Mayor Pro-Tem Sanders moved, supported by Ridge to approve Proclamation No. 2017-01 Arbor Day as presented. Carried. 7 Yes. 0 No.

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2017-34 SETTING PUBLIC HEARINGS ON CDBG APPLICATIONS:**

**RESOLUTION NO. 2017-34**

**A RESOLUTION TO SET PUBLIC HEARINGS FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS FOR THE BEACH MARKET**

**AND THE 401 NORTH COCHRAN PROJECTS**

**WHEREAS**, the City administrative staff is preparing applications to be submitted for funding for the Beach Market and the 401 North Cochran projects under the Community Development Block Grant (CDBG) program administered by the Michigan Economic Development Corporation; and

**WHEREAS**, federal regulations require the holding of a public hearing to afford members of the public an opportunity to offer comments on a proposed CDBG application;

**THEREFORE, BE IT RESOLVED** that public hearings will be held on the Community Development Block Grant application for the Beach Market project and for the 401 North Cochran Project at 7:00 p.m. on Monday, April 10, 2017; and

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to publish the required notices of public hearings in the County Journal.

**Council member Ridge moved, supported by Russo to approve Resolution No. 2017-34 setting public hearings on CDBG Applications as presented. Carried. 7 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2017-30 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:**

**RESOLUTION NO. 2017-30**

**A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY FOR MARCH 27, 2017**

**WHEREAS**, Section 7.7 (B) of the City Charter requires Council approval for the expenditure of city funds; and

**WHEREAS**, the March 17, 2017 payroll totaled \$139,032.43; and

**WHEREAS**, the February 2017 Bank of America credit card charges totaled \$7,954.86; and

**WHEREAS**, the March 27, 2017 claims total \$176,969.69;

**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for March 27, 2017 in the amount of \$323,956.98.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:**

**Mayor Pro-Tem Sanders moved, supported by Johnston to approve Resolution 2017-30 for expenditures of the City for March 27, 2017, as presented. Carried. 7 Yes. 0 No.**

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**

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**A. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-20 TO APPROVE VALVE REPLACEMENTS AT LANSING LIFT STATION:**

**RESOLUTION NO. 2017-20**

**A RESOLUTION TO AUTHORIZE THE REPLACEMENT OF VALVES AT THE LANSING ROAD LIFT STATION**

**WHEREAS**, the two check valves and two plug valves at the Lansing Lift Station are essential to the proper operation of the lift station; and

**WHEREAS**, the check valves and plug valves at the Lansing Lift Station have been in disrepair. The proper operation of the plug valves is necessary for conducting maintenance activities at the station. Properly operating check valves are critical to the operation of the station due to the fact that it discharges into a force main; and

**WHEREAS**, sealed bids were received for the replacement of the two check valves and two plug valves that ranged from \$21,500.00 to \$27,200.00; and

**WHEREAS**, the lowest responsible bidder was Franklin Holwerda, Inc. of Wyoming, MI in the amount of \$21,500.00; and

**WHEREAS**, the FY 16-17 Budget included \$20,000.00 for the replacement of the valves.

**THEREFORE, BE IT RESOLVED** That the City Council approve the replacement of the two check valves and two plug valves by Franklin Holwerda, Inc. and it be paid for from the Water and Sewer Fund as budgeted.

Councilmember Johnston moved, supported by Mitchell to approve the second reading and adoption of Resolution No. 2017-20 to approve valve replacements at Lansing Lift Station as presented. Carried. 7 Yes. 0 No.

**B. CONSIDER SECOND READING AND ADOPTION OF**

**RESOLUTION NO. 2017-21 TO APPROVE REPAIR OF SURFACE WASH PUMP:**

**RESOLUTION NO. 2017-21**

**A RESOLUTION TO AUTHORIZE THE REPAIR OF SURFACE WASH PUMP**

**WHEREAS**, the surface wash pump is a vital part of the tertiary treatment process that helps the City meet its discharge permit limits by washing particulates off the top of the media in the tertiary filters during the backwash; and

**WHEREAS**, the pump is a single pump that does not have a backup. It was originally installed in 1978 has been leaking and has reduced efficiency due to mechanical wear; and

**WHEREAS**, sealed bids were received for the replacement of the existing pump that ranged from \$18,000.00 to \$23,275.00; and

**WHEREAS**, the lowest responsible bidder was T.H. Eifert of Lansing, MI in the amount of \$18,000.00; and

**WHEREAS**, the FY 16-17 Budget included \$35,000.00 for this pump.

**THEREFORE, BE IT RESOLVED** That the City Council approve the repair of the surface wash pump by T. H. Eifert and it be paid for from the Water and Sewer Fund as budgeted.

**Mayor Pro-Tem Sanders moved, supported by Russo to approve the second reading and adoption of Resolution No. 2017-21 to approve repair of surface wash pump as presented. Carried. 7 Yes. 0 No.**

**C. CONSIDER APPROVAL OF THE SECOND READING AND ADOPTION OF ORDINANCE 2017-22 TO APPROVE REPLACEMENT SLIDE GATES:**

**RESOLUTION NO. 2017-22**

**A RESOLUTION TO AUTHORIZE THE REPLACEMENT OF SLIDE GATES IN THE SPLITTER BOXES AT THE WASTEWATER TREATMENT PLANT**

**WHEREAS**, the slide gates in the primary and secondary splitter boxes allow the staff to divert the flow of wastewater to the appropriate clarifier to maximize treatment; and

**WHEREAS**, the slide gates have been in disrepair for several years and the staff is forced to use a labor intensive process utilizing plastic bags in order create tight seals and prohibit flow from passing by the gates during the installation and extraction of the gates; and

**WHEREAS**, sealed bids were received for the replacement of the slide gates that ranged from \$37, 000.00 to \$42,500.00; and

**WHEREAS**, the lowest responsible bidder was Franklin Holwerda, Inc. of Wyoming, MI in the amount of \$37,000.00; and

**WHEREAS**, the FY 16-17 Budget included \$30,000.00 for the replacement of the splitter box slide gates.

**THEREFORE, BE IT RESOLVED** That the City Council approve the replacement of the splitter box slide gates by Franklin Holwerda, Inc. and it be paid for from the Water and Sewer Fund as budgeted.

Council member Ridge moved, supported by Mitchell to approve the second reading and adoption of Resolution No. 2017-22 to approve replacement slide gates as presented. Carried. 7 Yes. 0 No.

**D. CONSIDER APPROVAL OF THE SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-23 TO APPROVE CONTRACT WITH CONSUMERS ENERGY COMPANY FOR LIGHTING ON NORTHWAY DRIVE :**

**RESOLUTION NO. 2017-23**

**A RESOLUTION TO APPROVE A CONTRACT WITH CONSUMERS ENERGY COMPANY FOR LIGHTING ON NORTHWAY DRIVE**

**WHEREAS**, the Heights End Plat at the end of Northway Drive was approved in 2002; and

**WHEREAS**, the developer installed the electrical infrastructure for street lighting, but the City never contracted with Consumers Energy to have the poles installed; and

**WHEREAS**, the residents have been asking for the project to be completed; and

**WHEREAS**, Consumers Energy has determined the cost for installation of two street lights and abandonment of two plastic markers will cost \$3,334.00.

**THEREFORE, BE IT RESOLVED** that it is hereby deemed advisable to enter into a contract with Consumers Energy Company of Jackson, Michigan, for furnishing lighting service within the City of Charlotte for a period of 5 years and thereafter from year to year, in accordance with the terms of the contract heretofore submitted to and considered by this council; and

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk be authorized and directed to execute such contract on the behalf of the City.

Councilmember Ridge moved, supported by Russo to approve the second reading of Resolution No. 2017-23 to approve contract with Consumers Energy Company for lighting on Northway Drive as presented. Carried. 7 Yes. 0 No.

**E. CONSIDER APPROVAL OF SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-24 FOR PURCHASE OF ROAD SALT:**

**RESOLUTION NO. 2017-24**

**A RESOLUTION TO AUTHORIZE PARTICIPATION IN A CONTRACT WITH STATE OF MICHIGAN FOR ROAD SALT PURCHASE**

**WHEREAS**, the City participates in a cooperative purchasing contract with the State to secure lower road salt prices; and  
**WHEREAS**, this contract guarantees certain amounts of salt are available to the municipalities at fixed prices; and  
**WHEREAS**, the determination has been made by DPW staff for salt needs in the upcoming fiscal year; and  
**WHEREAS**, Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases over the amount of \$5,000 if the purchase is made through another governmental agency.  
**THEREFORE, BE IT RESOLVED** That the City participate in the statewide cooperative purchasing agreement with the State of Michigan to provide road salt and that the mayor or clerk be directed to sign said contract on behalf of the City.

**Council member Johnston moved, supported by Mitchell to approve the second reading and adoption of Resolution No. 2017-24 for purchase of road salt as presented. Carried. 7 Yes. 0 No.**

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER APPROVAL FIRST READING OF RESOLUTION NO. 2017-27 ESTABLISHING A STREET IMPROVEMENT PROGRAM:**

Discussion was held among council members regarding all three versions of resolutions to establish a street improvement program.

**Council member Bahmer moved, supported by Mitchell to approve Resolution No. 2017-27 v.3. Denied. 2 Yes (Bahmer, Mitchell) 5 No. (Ridge, Russo, Sanders, Johnston, Lewis)**

**Councilmember Johnston moved to approve V. 6 as presented. No support. Motions Dies.**

**RESOLUTION NO. 2017-27 V.6**

**A RESOLUTION TO APPROVE A PROGRAM OF STREET IMPROVEMENT PROJECTS IN THE CITY OF CHARLOTTE FOR 2017 THROUGH 2022**

**WHEREAS**, Council has received a schedule of proposed street reconstruction and rehabilitation projects for the 2017 through 2022 construction seasons which formed the basis for the document entitled "Major Street Cash Flow v. 6"; and  
**WHEREAS**, Council has approved Resolution 2017-15 authorizing staff to proceed with plans for the reconstruction in 2017 of E. Lovett Street from Cochran Avenue to Washington Street; and  
**WHEREAS**, the schedule of projects in Major Street Cash Flow v. 6 provides for reconstruction of the following streets during the associated construction seasons:  
Lincoln Street from Lawrence Avenue to Seminary Street...2018  
State Street from Seminary Street to Shepherd Street...2018  
West Lovett Street from Cochran Avenue to Sheldon Street...2019  
West Harris Street from Cochran Avenue to Sheldon Street...2021  
East Harris Street from Cochran Avenue to Lansing Road...2022  
; and  
**WHEREAS**, City staff has proposed the following rehabilitation projects for 2017:  
East McClure Street from Cochran Avenue to Washington Street  
South Sheldon Street from Lawrence Avenue to Seminary Street  
Independence Boulevard from Beech Street to Courthouse Drive  
; and

**WHEREAS**, additional rehabilitation projects will be proposed for subsequent years passed on an annual survey of street conditions;  
**THEREFORE, BE IT RESOLVED** that the City Council does hereby approve the proposed program of street reconstruction and rehabilitation projects and authorizes staff to commence actions necessary to undertaking said projects and to pursue the development of a ballot proposal request voter approval for the issuance of \$2 million in unlimited tax general obligation bonds to be used for the Lincoln-State street reconstruction project in 2018.

**Council member Ridge moved, supported by Sanders to approve the first reading of Resolution No. 2017-27 v.6 establishing a street improvement program as presented above. Carried. 5 Yes. ( Ridge, Sanders, Johnston, Mitchell, Lewis) 2 No. (Russo, Bahmer)**

**B. CONSIDER APPROVAL OF FIRST READING OF RESOLUTION NO. 2017-31 TO AUTHORIZE PURCHASE OF THREE RADAR SPEED DETECTION UNITS :**

**RESOLUTION NO. 2017-31**

**A RESOLUTION TO AUTHORIZE A CONTRACT WITH STALKER RADAR APPLIED CONCEPTS, INC FOR PURCHASE OF THREE IN CAR RADAR SPEED DETECTION UNITS**

**WHEREAS**, this purchase was identified last year for replacement of dated single antenna K Band radars purchased in 2004.

**WHEREAS**, the current duty radars are experiencing wear and age issues that require repair, and do not have the capability of upgrade to the more reliable dual antenna Ka Band, with moving and stationary modes and opposite direction capability,

**WHEREAS**, three bids were solicited, with each being listed as accepted State Contract bids,

**WHEREAS**, Kustom Radar State Contract bid for three (3) units at \$5529.00, Decatur Radar State Contract bid for three (3) units at \$5400.00 and Stalker Radar State Contract bid for three (3) units at \$5457.00 with negotiated extra year warranty on each unit (3yr instead of 2yr) at no extra cost ( a \$175 dollar value per unit) and free shipping.

**WHEREAS**, the Stalker Radar dual antenna Ka Band has been in use with the Eaton County Sheriff's Office for over a year now, with no maintenance issues as installed in like vehicles and like usage, and meets the current needs of the Charlotte Police Department and its compliance with radar use in State Law and gives consistent equipment used for purposes of Court hearings,

**WHEREAS**, for the FY16-17, this purchase was originally budgeted in Capital Outlay for this equipment at \$7,000 for 4 units. We will now save \$1543.00 this year over the original estimated expenditure,

**THEREFORE LET IT BE RESOLVED** that the City enter into a contract and purchase agreement with Stalker Radar Applied Concepts, Inc, to provide the above mentioned radar units as quoted with extended warranty and shipping at no cost at the State contract Bid of \$5457.00.

**Mayor Pro-Tem Sanders moved, supported by Johnston to approve the first reading of Resolution No. 2017-31 to authorize purchase of three radar speed detection units as presented. Carried. 7 Yes. 0 No.**

**C. CONSIDER APPROVAL OF THE FIRST READING OF RESOLUTION NO. 2017-32 TO AUTHORIZE AGREEMENT FOR I.T. SERVICES BETWEEN OAKLAND COUNTY AND THE CITY OF CHARLOTTE:**

**RESOLUTION NO. 2017-32**  
**A RESOLUTION TO APPROVE AN AGREEMENT FOR I.T.**  
**SERVICES BETWEEN OAKLAND COUNTY AND THE CITY OF**  
**CHARLOTTE**

**WHEREAS**, Pursuant to Public Act 280, P.A. of 1995 (MCL §129.221-129.224), the City Council has the authority to authorize acceptance of payments by financial transaction devices (e.g. credit cards, debit cards); and

**WHEREAS**, the City Council has determined that the acceptance of payments by financial transaction device would be a convenience for the residents of Charlotte; and

**WHEREAS**, the Finance Department has researched various third party credit card vendors; and

**WHEREAS**, Oakland County's G2G Cloud Solution was developed to improve government services by sharing technology with other government agencies, thereby reducing the cost of government; and

**WHEREAS**, the Finance Department has determined that contracting with Oakland County for I.T. Services for credit card processing is the most efficient and cost effective means for the city to accept credit cards,

**THEREFORE, BE IT RESOLVED** that the City Council authorizes the Finance Director to enter into an agreement with Oakland County to provide third party credit card verification and payment processing services.

Council member Ridge moved, supported by Sanders to approve the first reading of Resolution No. 2017-32 to authorize agreement for I.T. services between Oakland County and the City of Charlotte as presented. Carried. 7 Yes. 0 No.

**D. CONSIDER APPROVAL OF THE FIRST READING OF**

**RESOLUTION NO. 2017-33 TO AUTHORIZE**  
**CONSTRUCTION OF AN ADDITION TO KARDELL HALL**  
**ON FAIRGROUND PROPERTY:**

**RESOLUTION NO. 2017-33**  
**A RESOLUTION TO AUTHORIZE THE CONSTRUCTION OF AN**  
**ADDITION TO KARDELL HALL ON THE FAIRGROUND**  
**PROPERTY**

**WHEREAS**, the City is the owner of a parcel of property commonly known as the Eaton County Fairground, which property is leased by the City to the Eaton County 4-H Agricultural Society; and

**WHEREAS**, the aforementioned lease contains the following language: "Prior written approval of the Landlord is required before the Tenant may erect new buildings, fixtures, and structures on the property"; and

**WHEREAS**, the Agricultural Society wishes to construct a 16-foot by 50-foot addition and a new entrance structure to the west side of the Fairground building known as Kardell Hall so as to provide better storage for tables and chairs and the like; and

**WHEREAS**, the City finds that the construction of the addition will have no adverse impact on Kardell Hall or the Fairground and will not negatively affect the City's interest in the property;

**THEREFORE, BE IT RESOLVED** that the City Council does hereby authorize the construction of the addition and entrance structure herein described.

Council member Johnston moved, supported by Ridge to approve the first reading of Resolution No. 2017-33 to authorize construction of an addition to Kardell Hall on fairground property as presented. Carried. 7 Yes. 0 No.

**COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT:** None.

**CITY MANAGER REPORT:** City Manager Guetschow reported that he will be presenting the proposed budget at the next council meeting on April 10<sup>th</sup>. He would like council to think about a schedule for meetings in relation to the budget and let the mayor know when they desire to meet on this subject. He announced that the railroad crossing on W. Lawrence will be closed later in the week for a few days due to some emergency repair on the railroad tracks.

**COUNCILMEMBER COMMITTEE REPORTS:**

- Council member Ridge stated that the Charlotte Area Recreation Co-op has accepted the bid for the softball fields and will be starting construction soon.

**PUBLIC COMMENT:** None.

**MAYOR AND COUNCIL COMMENTS**

- Council member Johnston stated that he is relieved that they will be moving forward on a plan for road repair.
- Council member Ridge stated that they will be hiring a Main Street Manager to be on board toward the middle of June. They have started the hiring process.
- Mayor Pro-Tem Sanders thanked Superintendent Rosekrans for his presentation on the schools use of the Owens Brockway funds.
- Mayor Lewis thanked everyone for attending. He announced that he will be giving a State of the City address next Tuesday at Rotary. He stated that the Main Street meetings last week were very inspirational. He encouraged council to let him know their desires for the frequency of budget meetings so that he can determine a schedule that works for everyone.

**Council member Bahmer moved, supported by Russo to adjourn the meeting at 8:12 p.m. Carried. 7 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC