

COUNCIL PROCEEDINGS
Regular Meeting
March 11, 2019

CALL TO ORDER: By Mayor Lewis on Tuesday, March 11, 2019 at 7:00 p.m.

PRESENT: Councilmembers Dyer, Mitchell, Russo, Ridge, Mayor Pro-Tem Baker, Mayor Lewis, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Randy Royston, New Hope Community Church followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR REGULAR MEETING OF FEBRUARY 25, 2019: Mayor Pro-Tem Baker moved, supported by Ridge to approve the regular meeting minutes of February 25, 2019 as presented. Carried. 6 Yes. 0 No. 1 Absent. Christian.

ABSENT: Council member Christian.

Council member Russo moved, supported by Baker to excuse Council member Christian as he was attending another meeting. Carried. 6 Yes. 0 No.

PUBLIC HEARINGS: None.

PUBLIC COMMENTS: **Don Sovey**, 106 Kensington Ct., stated his concern with the council not moving forward on the proposed ordinance in regards to marihuana establishments within the City.

Don Sovey read a letter written by **Gene Conley**, 104 Kensington Ct., who strongly opposes marihuana shops and is concerned about it tarnishing the image of Charlotte.

Gina Anderson, 7212 Onieda Rd. Charlotte, stated her concern with a wrecker bill that her and her husband received from Davis Auto Mart after an accident on February 8th.

APPROVAL OF AGENDA: Council member Ridge moved, supported by Mitchell to approve the agenda with the addition of Item 10b. Dairy Queen issue and Item 10c. Railroad Crossing Maintenance at the request of Council member Russo. Carried. 6 Yes. 0 No.

SPECIAL PRESENTATIONS:

AUDIT PRESENTATION FY 17/18 – PLANTE MORAN

William Brickey and Marie Stiegel with Plante Moran presented the FY 17-18 Audit review. They reported that no significant issues were found with the audit. Graphs were provided to the council showing year end June 30, 2018 General Fund Revenues and Expenditures.

DAIRY QUEEN ISSUE:

Council member Russo asked what the status of the Dairy Queen speaker was. Council discussion recalled that with the attorney's

opinion it was decided that it would not be in the City’s best interest to appeal the decision by Judge Cunningham.

RAILROAD CROSSING MAINTENANCE:

Council member Russo asked that a review be conducted of the major railroad crossings in town after the winter season to seek repair on the ones that are in need.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2019-28 MAYORAL APPOINTMENT.:

RESOLUTION NO. 2019-28

A RESOLUTION TO APPROVE MAYORAL APPOINTMENT

WHEREAS , a need for a Council appointment to the Park Advisory Board exists; and

WHEREAS, Mayor Lewis is recommending the following individual to be appointed to this board:

Name	Board	Term Ending
Nate Lovaas	Park Advisory Board	5/30/2022

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

Mayor Pro-Tem Baker moved, supported by Dyer to approve Resolution No. 2019-28 Mayoral appointment as presented. Carried. 6 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2019-29 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:

RESOLUTION NO. 2019-29

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY FOR MARCH 11, 2019

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

WHEREAS, the March 1, 2019 payroll totaled \$157,458.24;

WHEREAS, the March 11, 2019 claims total \$159,477.98;

WHEREAS, the February 25, 2019 insurance claims total \$1,961.16 and March 4, 2019 insurance claims total \$4,049.65

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for March 11, 2019 in the amount of \$322,947.03

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE: Council member Ridge moved, supported by Mitchell to approve Resolution 2019-29 regarding payment of claims & accounts as presented. Carried. 6 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL OF RESOLUTION NO. 2019-23 TO APPROVE CHANGE ORDER #1 FOR ROWE PSC PARKING LOT #1 DESIGN:

RESOLUTION NO. 2019-23

A RESOLUTION TO APPROVE CHANGE ORDER #1 FOR ROWE PSC FOR THE PARKING LOT #1 PROJECT

WHEREAS, the Parking Lot #1 Project engineering contract was awarded to Rowe PSC by City Council on July 9, 2018 in the amount of \$23,000.00; and

WHEREAS, it has been determined since award of the project that it is necessary to replace the sanitary sewer that runs underneath the storm sewer at the east end of the parking lot; and

WHEREAS, additional work on the sanitary sewer will require preparation and execution of grading easements and additional costs must be incurred to complete the above mentioned work; and

WHEREAS, Rowe PSC has proposed a cost of \$7,000.00 in design and construction engineering to complete the work necessary; and

WHEREAS, Rowe PSC's proposal does not include any extra time for field observation and will address that at the time of construction; and

WHEREAS, these additional costs will be paid for out of the Parking Lot Fund.

THEREFORE, BE IT RESOLVED that the City Council authorizes contract Change Order #1 in the amount of \$7,000.00 for Rowe PSC for additional work on sanitary sewer replacement and grading easements as part of the Parking Lot #1 Reconstruction Project.

Mayor Pro-Tem Baker moved, supported by Ridge to approve Resolution No. 2019-23 to approve change order #1 for Rowe PSC Parking Lot #1 Design as presented. Carried. 6 Yes. 0 No.

B. CONSIDER APPROVAL RESOLUTION NO. 2019-20 TO APPROVE SALE OF 220 W. SHAW STREET:

RESOLUTION NO. 2019-20

A RESOLUTION TO APPROVE THE SALE OF 220 WEST SHAW STREET

WHEREAS, the City is the owner of property located at 220 West Shaw Street more fully described as Lots 19 & 20 Except E 177 Feet, S.P. Jones' Addition City of Charlotte; and

WHEREAS, the City has now received an offer to purchase the property from Mr. Alan Durham, 3258 Carlisle Highway, Charlotte in the amount of \$14,000; and

WHEREAS, the property is not needed for corporate or public purposes and the public interest is best served by returning the lot to private ownership;

WHEREAS, the City Attorney has prepared a warranty deed for the sale of the above described property in the amount of \$14,000;

NOW, THEREFORE, BE IT RESOLVED that Council does hereby approve the sale of the property located at 220 West Shaw Street to Mr. Alan Durham for \$14,000 and authorizes the Mayor and Clerk to execute the deed and any other documents required to complete the sale of the property.

Council member Ridge moved, supported by Dyer to approve Resolution No. 2019-20 to approve sale of 220 W. Shaw Street as presented. Carried. 6 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. CONSIDER FIRST READING RESOLUTION NO. 2019-30 TO AUTHORIZE ROAD SALT PURCHASE :

RESOLUTION NO. 2019-30

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.

Mayor Pro-Tem Baker moved, supported by Russo to approve first reading Resolution No. 2019-30 to authorize road salt purchase as presented. Carried. 6 Yes. 0 No.

B. CONSIDER FIRST READING RESOLUTION NO. 2019-31 TO AUTHORIZE CONTRACT WITH FISHBECK, THOMPSON, CARR & HUBER FOR

SURVEYING SERVICES WWTP ASSET MANAGEMENT REPORT:

RESOLUTION NO. 2019-31

A RESOLUTION TO AUTHORIZE A CONTRACT WITH FISHBECK, THOMPSON, CARR & HUBER FOR SURVEYING SERVICES RELATED TO WASTEWATER SYSTEM ASSET MANAGEMENT PROGRAM

WHEREAS, the Michigan Department of Environmental Quality (MDEQ) requires permit holders to prepare an Asset Management Plan (AMP) for the wastewater system to receive their new permit; and
WHEREAS, Fishbeck, Thompson, Carr & Huber (FTCH) is currently working on certain aspects of the AMP including the Geographic Information System (GIS) map; and
WHEREAS, FTCH has submitted a proposal to locate all of the sanitary manholes using Global Positioning System (GPS) technology to accurately show them in the GIS map for a fee not to exceed \$20,000.00, and
WHEREAS, funding for the professional services related to the AMP are in the FY 18-19 Budget and will be charged to the Water and Sewer Fund.
THEREFORE, BE IT RESOLVED that the City Council enter into a contract with FTCH to provide the above mentioned services and that the Mayor or Clerk be directed to sign said contract on behalf of the City pending the attorney's review of the contract.

Discussion was held regarding whether or not staff could perform this work at a lower cost to the city.

City Manager Guetschow explained that there is a high level of detail involved in this work as well as the time that it would take to complete. The City does not have the staff to perform this and would have to hire another individual to perform these kinds of tasks.

Council member Ridge moved, supported by Dyer to approve first reading Resolution No. 2019-31 to authorize contract with Fishbeck, Thomson, Carr & Huber for surveying services WWTP Asset Management report as presented. Carried. 6 Yes. 0 No.

C. CONSIDER FIRST READING OF RESOLUTION NO. 2019-32 REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR RECONSTRUCTION OF W. HARRIS ST. FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM:

RESOLUTION NO. 2019-32

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR RECONSTRUCTION OF WEST HARRIS STREET FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM

WHEREAS, the City of Charlotte is applying for \$175,000 in funding through Michigan Department of Transportation

(MDOT) Transportation Economic Development Fund (TEDF) Category B Program to reconstruct West Harris Street from Cochran Avenue to North Sheldon Street in 2019; and

WHEREAS, MDOT requires a formal commitment from the public Agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

THEREFORE, BE IT RESOLVED THAT, the City has authorized Amy Gilson, Director of Public Works, to act as agent on behalf of the City to request TEDF Category B Program funding, to act as the applicant’s agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$175,000 toward the construction costs of the project, and all costs for design, permit fees, administration costs, water and sanitary sewer replacement and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with TEDF Category B Program funding.

Discussion was held on how this program works and the reasons that these projects were picked as a candidate for the project.

Council member Ridge moved, supported by Russo to approve first reading Resolution No. 2019-32 request for funding, designate an agent, attest to the existence of funds and commit to

implementing a maintenance program for reconstruction of W. Harris St. funded by the Transportation Economic Development Fund Category B Program as presented. Carried. 6 Yes. 0 No.

D. CONSIDER FIRST READING OF RESOLUTION NO. 2019-33 REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR RECONSTRUCTION OF INDEPENDENCE BLVD. FUNDED BY THE TRANSPORTATION ECONOMIC
RESOLUTION NO. 2019-33

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR RECONSTRUCTION OF INDEPENDENCE BOULEVARD FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM

WHEREAS, the City of Charlotte is applying for \$215,000 in funding through Michigan Department of Transportation (MDOT) Transportation Economic Development Fund (TEDF) Category B Program to reconstruct Independence Boulevard from Beech Street to Courthouse Drive in 2020; and

WHEREAS, MDOT requires a formal commitment from the public Agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

THEREFORE, BE IT RESOLVED THAT, the City has authorized Amy Gilson, Director of Public Works, to act as agent on

behalf of the City to request TEDF Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$215,000 toward the construction costs of the project, and all costs for design, permit fees, administration costs, sidewalk and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with TEDF Category B Program funding.

Mayor Pro-Tem Baker moved, supported by Ridge to approve first reading Resolution No. 2019-33 request for funding, designate an agent, attest to the existence of funds and commit to implementing a maintenance program for reconstruction of Independence Blvd. funded by the Transportation Economic Development Fund Category B Program as presented. Carried. 6 Yes. 0 No

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: No Report.

CITY MANAGER REPORT: City Manager Guetschow reported that the claims and accounts are now being processed through the accounts payable BS&A software program. He also reported that general ledger, cash receipting and utility billing have been converted

over the past two weeks. The new format for the water and sewer bills were sent with this months billing. More information is available on the bills including past usage which should be helpful to customers.

COUNCILMEMBER COMMITTEE REPORTS:

- Council member Ridge reported that Planning Commission met on March 5th and approved two temporary use permits for fireworks sales at Meijer and Walmart. They also approved a site plan change for Taco Bell.

PUBLIC COMMENT: Gina Anderson, 7212 Onieda Rd. Charlotte, stated once again her concern with Davis Auto Mart.

MAYOR AND COUNCIL COMMENTS:

- Council member Russo no comment.
- Council member Ridge stated that regarding the Strategic Plan there will be a facilitator recommendation at the next meeting. They are working on the 5 Year Park Plan and she thanked Amy Gilson for her work on that. The Recreation Co-op meeting will be held on Thursday at 5:30 p.m., Carmel Township. The Charlotte Cheer Team finished 4th in the state. They broke every school record and came in first place for academics with average GPA of 3.709 and 9 students had 3.8 or higher GPA.
- Council member Dyer is looking forward to the MML conference next week. He will be meeting with the Windsor Township supervisor regarding medical marihuana soon.
- Council member Mitchell no comment.
- Mayor Pro-Tem Baker no comment.

- Mayor Lewis congratulated the Cheer Team. He stated that he had a couple of the girls talk on “Tim Talks” and they were wonderful kids. He asked that council decide when they would like the Marihuana issue to be addressed as he does not want to leave it hanging out there for any extended period of time. He is concerned about not taking action. Council member Dyer stated that he had one person confirmed for the March 25th meeting to present and was checking with another one. He was planning to have the presentation and possible first reading at that meeting.

Council member Ridge moved, seconded by Baler to adjourn at 8:26 p.m. Carried. 6 Yes. 0 No.

Mayor Tim Lewis

Ginger Terpstra, City Clerk, CMMC