

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**May 28, 2019**

**CALL TO ORDER:** By Mayor Lewis on Monday, May 28, 2019 at 7:00 p.m.

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

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

**APPROVAL OF MINUTES FOR REGULAR MEETING OF May 13, 2019:** Council member Ridge moved, supported by Mitchell to approve the regular meeting minutes of May 13, 2019 as presented. Carried. 5 Yes. 0 No. 2 Absent. (Baker, Christian)

**APPROVAL OF MINUTES FOR SPECIAL MEETING OF May 20, 2019:** Council member Ridge moved, supported by Russo to approve the regular meeting minutes of May 20, 2019 as presented. Carried. 5 Yes. 0 No. 2 Absent. (Baker, Christian)

**ABSENT:** Baker, Christian.

Council member Russo moved, supported by Dyer to excuse Council member Christian and Mayor Pro-Tem Baker due to illness. Carried. 5 Yes. 0 No.

**PUBLIC HEARINGS:**

**PUBLIC HEARING: FY 19/20 BUDGET:**

**Opened: 7:04 P.M.**

**Owen Whitkopf**, 308 Plymouth Dr., stated that he had been a victim of a B & E in the past and he understands the financial situation that the City is in. He feels that the law enforcement is cut every time there is a budget problem. He stated that he is a strong supporter of law

enforcement. Violent crimes are on the rise and there are a lot of crimes to oversee. He does not want to see officers cut in the budget.

**Don Sovey**, 106 Kensington Ct., his comments on the budget were that he feels succession planning is critical. He is concerned about the reduction of a school officer or time spent in the schools. He feels that this officer can prevent critical situations in the schools. He would like to see more public information. He understands the very slim administrative staff. He knows that roads will always be on the burner.

**Public Hearing closed: 7:09 P.M.**

**PUBLIC HEARING 2019 HAZARD AND NUISANCES:**

**Public Hearing Opened: 7:09 P.M.**

**Julie Kimmer**, 201 W. Seminary, asked if this is when she would speak about the noise ordinance.

**Public Hearing Closed: 7:10 P.M.**

**PUBLIC COMMENTS:**

**Julie Kimmer**, 201 W. Seminary, spoke about having exceptions granted to the noise ordinance for events at Courthouse Square Association, musical concerts, marching band, football games, parades, etc. She is asking for a waiver to allow sound activities for these types of events.

**Ben Phlegar**, 425 Horatio, stated that he is the varsity announcer for the football games and hopes that there would be an exception for that as well.

**APPROVAL OF AGENDA:** Council member Ridge moved, supported by Russo to approve the agenda as presented. Carried. 5 Yes. 0 No.

**SPECIAL PRESENTATIONS RE:COUNTY TREASURER BOB ROBINSON—TREASURER'S OFFICE UPDATE:**

**Bob Robinson, Eaton County Treasurer**, gave an overview of the March Annual Report from the Treasurer's office. He stated there has been a reduction in the total number of foreclosures. They have reduced borrowing by a million dollars per year and hopes at some point to become self sustained. He talked about the PACE program which works with business owners to have energy efficient upgrades through a 20 year special assessment.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2019-56 HAZARD AND NUISANCES TO SET ROLL:**

**EXPEDITED**

**RESOLUTION NO. 2019-56**

**HAZARDS AND NUISANCES SPECIAL ASSESMENT**

**WHEREAS**, the City Council held a public hearing on Tuesday, May 28, 2019, after due and legal notice, and reviewed the special assessment roll prepared by the Assessor of all lots and parcels of land within the City upon which hazards and nuisances were found to have existed and for which the City incurred costs associated with the altering, repairing, tearing down, abating or removing the hazards and nuisances including the following property addresses:

414 Warren	310 W. First
622 W. Lawrence	339 N. Bostwick
626 W. Lawrence	108 Munson
305 W. Harris	424 W. Henry
818 S. Clinton	808 S. Clinton
318 N. Cochran	421 Court St.
609 S. Cochran	739 Walnut
715 N. Cochran	

**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 derived by the parcel of land assessed.

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

1. Said special assessment roll as prepared by the City Assessor is hereby confirmed and shall be known as Special Assessment Roll No. 2019-01.
2. Said special assessment roll shall be added to the Summer 2019 property tax bill.

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.

**Council member Ridge moved, supported by Russo to approve Resolution No. 2019-56 Hazard and Nuisances Special Assessment as presented. Carried. 5 Yes. 0 No.**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2019-58 STATEMENT OF DOING BUSINESS WITH THE CITY OF CHARLOTTE 2019:**

**RESOLUTION NO. 2019-58**

**STATEMENT OF DOING BUSINESS WITH CITY OF CHARLOTTE 2019**

**ERWHEREAS**, Pursuant to the provisions of Section 15.4 of the City Charter the undersigned, doing business in the City of Charlotte, hereby states that he/she intends to have business dealings with the City of the type that is on a continuing basis, involving more than one or a sequence of transactions. Such dealings will be as listed or similar transactions.

**Council member Ridge moved, supported by Mitchell to approve Resolution No. 2019-58 to approve Statement of Doing Buisness with City of Charlotte-Adam Smith Mechanic. Carried. 5 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2019-57 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:**

**RESOLUTION NO. 2019 -57**

**A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY**

**FOR MAY 28, 2019**

**WHEREAS**, Section 7.7 (B) of the City Charter requires Council approval for the expenditure of city funds; and  
**WHEREAS**, the May 24, 2019 payroll totaled \$148,650.63;  
**WHEREAS**, the May 28, 2019 claims total \$220,157.73;  
**WHEREAS**, the May 13, 2019 insurance claims total \$260.12; May 20, 2019 insurance claims total \$1,611.98; and  
**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for May 28, 2019 in the amount of \$ 370,420.34.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Council member Ridge moved, supported by Dyer to approve Resolution 2019-57 regarding payment of claims & accounts as presented. Carried. 5 Yes. 0 No.

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2019-53 TO AUTHORIZE THE REMOVAL OF TWO UNDERGROUND STORAGE TANKS:**

**RESOLUTION NO. 2019-53**

**A RESOLUTION TO AUTHORIZE THE REMOVAL OF TWO UNDERGROUND STORAGE TANKS**

**WHEREAS**, the diesel fuel generators at the Wastewater Plant and the Tirrell Lift Station have been replaced with natural gas generators; and  
**WHEREAS**, the underground storage tanks are no longer needed; and  
**WHEREAS**, removal of those tanks will eliminate costs from the insurance company, required annual tightness testing, and the Michigan Department of Environment, Great Lakes, & Energy (DEGLE) annual fees; and

**WHEREAS**, the above mentioned fees total approximately \$5,600.00 per year; and

**WHEREAS**, sealed unit price bids were received for the project ranged from \$10,975.00 to \$18,000.00; and

**WHEREAS**, additional fees will be assessed if contaminated soils are encountered; and

**WHEREAS**, the lowest responsible bidder was Job Site Services, Inc. of Bay City, MI for the total amount of \$10,975.00.

**THEREFORE, BE IT RESOLVED** that the City Council enter into a contract with Job Site Services, Inc. to provide the above mentioned services and that the Mayor or Clerk be directed to sign said contract on behalf of the City.

**Council member Dyer moved, supported by Ridge to approve Resolution No. 2019-53 to authorize the removal of two underground storage tanks as presented. Carried. 5 Yes. 0 No.**  
**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER FIRST READING OF ORDINANCE NO. 2019-04 URINATING IN PUBLIC AND SET PUBLIC HEARING FOR JUNE 10, 2019:**

**ORDINANCE NO. 2019-04**

AN ORDINANCE TO AMEND ARTICLE V, OFFENSES AGAINST PUBLIC PEACE, OF CHAPTER 34 - OFFENSES - BY ADDING SECTION 34-197, URINATING OR DEFECATING IN PUBLIC.

THE CITY OF CHARLOTTE ORDAINS:

Section 34-197 shall be added to Article V, Chapter 34, as follows:

**§34-197: URINATING IN PUBLIC.** No person shall urinate or defecate on any street, sidewalk, alley, park, parkway, parking lot or structure, public carrier or upon any public building or place of public assemblage or upon any other public or private property of another open to public view, or upon any private property of another without the consent of the owner except where a sanitary facility is provided and used.

This ordinance shall become effective 20 days after adoption and that the above ordinance be passed to a second reading.

**Council member Dyer moved, supported by Ridge to approve first reading Ordinance No. 2019-04 Urinating in Public. Carried. 5 Yes. 0 No.**

**B. CONSIDER FIRST READING OF RESOLUTION NO. 2019-59 SUPPORTING SAFE ROUTES TO SCHOOL GRANT APPLICATION:**

**RESOLUTION NO. 2019 –59  
RESOLUTION SUPPORTING A SAFE ROUTES TO  
SCHOOL GRANT APPLICATION**

**WHEREAS**, the Safe Routes to School program is a federally funded program administered in Michigan by the Michigan Department of Transportation (MDOT); and  
**WHEREAS**, the City of Charlotte, in partnership with Charlotte Public Schools, Hayes Green Beach Hospital, CanDo!, Barry Eaton Health Department and the Eaton County Road Commission, is applying for funds through MDOT from the Safe Routes to School program to construct certain infrastructure projects throughout the City, including sidewalks, crosswalks, and signage to enable and encourage children to safely walk and bike to school; 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.  
**NOW, THEREFORE, BE IT RESOLVED**, that the City has authorized Amy Gilson, DPW Director and Act 51 Street Administrator, to act as agent on behalf of the City to request Safe Routes to School funding, to act as the applicant’s agent during the project development, and to sign a project agreement upon receipt of a funding award; and  
**BE IT FURTHER RESOLVED THAT**, the City attests to the existence of, and commits to, the funds necessary to carry out the project, including engineering design and

construction, permit fees, administration costs, and cost overruns; and

**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 Safe Routes to School funding.

**Council member Ridge moved, supported by Dyer to approve first reading Resolution No. 2019-59 supporting a safe route to school grant application as presented. Carried. 5 Yes. 0 No.**

**C. CONSIDER FIRST READING OF RESOLUTION NO. 2019-61 NOISE REGULATION:**

**RESOLUTION NO. 2019 –61  
A RESOLUTION AUTHORIZING CITY STAFF TO WORK  
WITH THE CITY  
ATTORNEY TO PREPARE AND PROPOSE AN UPDATE TO  
SECTION 52-27 OF THE CHARLOTTE CITY CODE**

**WHEREAS**, the City of Charlotte wishes to accommodate the installation of certain amplified public address systems that would be used for organized, public purposes such as ambient music and public announcements; and  
**WHEREAS**, these systems are currently prohibited by Section 52-72 of the Charlotte City Code; and  
**WHEREAS**, the City of Charlotte also wishes to ensure that this section of the Charlotte City Code will not unnecessarily constrain other public events and festivities if strictly enforced.  
**THEREFORE, BE IT RESOLVED** that the City of Charlotte City Council hereby authorizes City staff to work with the City Attorney to prepare and propose an update to Section 52-72 of the Charlotte City Code intended to alleviate these issues

**Council member Russo moved, supported by Dyer to approve first reading Resolution No. 2019-61 authorizing city staff to work with the city attorney to prepare and propose an update to Section**

52-27 of the Charlotte City Code as presented. Carried. 5 Yes. 0 No.

**D. CONSIDER FIRST READING OF RESOLUTION NO. 2019-60 TO APPROVE THE BUDEGET FOR THE FISCAL YEAR THAT BEGINS JULY 1, 2019 TO SET RATES OF TAXATION AND TO AUTHORIZE OTHER RELATED ACTIONS:**

**RESOLUTION NO. 2019-60**

**A RESOLUTION TO APPROVE THE BUDGET FOR THE FISCAL YEAR THAT BEGINS JULY 1, 2019, TO SET RATES OF TAXATION AND TO AUTHORIZE OTHER RELATED ACTIONS.**

**WHEREAS**, in accordance with the provisions of the City Charter, the City Manager submitted to Council a proposed budget for the fiscal year commencing July 1, 2019 and ending June 30, 2020; and

**WHEREAS**, Council members have reviewed the proposed budget and the Council has availed itself of opportunities to be informed about its contents, to discuss the spending plan for the City, to debate its implications and to offer amendments to the budget; and

**WHEREAS**, in accordance with legal requirements and after proper notice, a hearing was held on the proposed budget;

**NOW, THEREFORE, BE IT RESOLVED** that the estimated revenues for the fiscal year are hereby accepted by the City Council as follows:

101	General Fund		\$6,027,661
	Taxes	3,545,761	
	Licenses & Permits	41,970	
	Intergovernmental	1,011,900	
	Charges for Services	377,250	

	Fines & Forfeitures	20,500	
	Investment Income	30,000	
	Other Revenue	211,000	
	Interfund Transfers	414,280	
	Loan Proceeds	375,000	
202	Major Street Fund		1,062,500
203	Local Street Fund		382,300
230	Police Drug Enforcement Fund		50
240	Police Training Fund		11,500
243	Brownfield Redevelopment Fund		8,000
260	DDA Fund		47,035
261	LDFFA Fund		14,850
270	Industrial Park Fund		9,800
280	Airport Fund		577,400
290	Federal & State Grants Fund		237,000
330	2008 Facility Building & Site Fund		205,000
500	Recycling Fund		67,520
500	Water and Sewer Fund		4,022,700
	Water Revenue	1,645,200	
	Sewer Revenue	2,310,000	
	Other Revenue	67,500	
601	Motor Vehicle Pool Fund		516,200
666	Information Technology Pool Fund		284,700

**AND BE IT FURTHER RESOLVED**, that expenditures for the fiscal year are hereby authorized for the various funds in the following amounts:

101	General Fund		\$6,257,363
	General Government	\$1,262,830	
	Public Safety	3,322,248	
	Public Works	1,068,115	
	Community & Economic Dev.	212,640	
	Parks & Recreation	322,530	
	Operating Transfers	69,000	
202	Major Street Fund		910,030
203	Local Street Fund		481,665
230	Police Drug Enforcement Fund		2,000
240	Police Training Fund		11,700
243	Brownfield Redevelopment Fund		0
260	DDA Fund		38,380
261	LDFA Fund		506,350
270	Industrial Park Fund		34,050
280	Airport Fund		576,130
290	Federal & State Grants Fund		236,000
330	2008 Facility Building & Site Fund		200,000
500	Recycling Fund		68,280
500	Water and Sewer Fund		4,968,350
601	Motor Vehicle Pool Fund		372,240

666	Information Technology Pool Fund		279,700
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**AND BE IT FURTHER RESOLVED**, that 14.2913 mills be levied on the taxable valuation as equalized for general operating requirements of the City;

**AND BE IT FURTHER RESOLVED**, that .175 mills be levied on the taxable valuation as equalized for yard waste collection;

**AND BE IT FURTHER RESOLVED**, that .9400 mills be levied on the taxable valuation as equalized to cover the November 2018 and May 2019 principal and interest payments of the General Obligation Unlimited Tax Refunding Bonds, Series 2017, which refunded the 2008 Building Facility & Site bonds approved by the electorate on November 6, 2007;

**AND BE IT FURTHER RESOLVED**, that 1.9879 mills be levied on the taxable valuation as equalized for parcels within the Downtown Development Authority (DDA) district, which taxes will be revenues of the DDA fund;

**AND BE IT FURTHER RESOLVED**, that all taxes and special assessments levied on the City tax roll shall be assessed a 1% property tax administration fee;

**AND BE IT FURTHER RESOLVED**, that the City Manager is hereby authorized to grant wage increases for non-union employees within authorized budget allowances;

**AND BE IT FURTHER RESOLVED**, that within the General Fund, \$200,000 is reserved and assigned for retiree health insurance and \$105,000 is reserved and non-spendable as prepaids and inventory;

**AND BE IT FURTHER RESOLVED**, that the City Manager is hereby authorized to make budgetary transfers within a fund or between funding centers within a fund, if such exist, and that all other transfers be approved only by further action of the Council pursuant to the provisions of the Michigan Uniform Budgeting and Accounting Act.

Council member Ridge asked for clarification on how many positions were proposed to be cut in the police department. She stated that she is not in favor of any cuts to the police force. She feels that overtime would go up significantly in that department if that were the case. Council member Ridge questioned what the part time clerk was for in the clerk's office. She asked about Fire Department code enforcement position and how it would be filled.

Council members Russo & Mitchell concurred with not reducing the police force.

Discussion was held regarding the pension funding for new hires and the retiree health care. Discussion was also held on the improvements to Dean Park.

Council member Russo asked about the proposed special assessment programs, recycling fund and water and sewer generators for the lift stations. The possibility of keeping police vehicles longer was also questioned.

Council member Dyer asked about the propane program for fuel for the police cars and how that was working.

**Council member Ridge moved, supported by Dyer to amend the budget resolution to not reduce the police force. Carried. 5 Yes. 0 No.**

**Council member Ridge moved, supported by Mitchell to approve first reading Resolution No. 2019-60 to approve the budget for the fiscal year that begins July 1, 2019, to set rates of taxation and to authorize other related actions as amended. Carried. 5 Yes. 0 No.**

#### **COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT:** City Attorney report included in packet.

**CITY MANAGER REPORT:** City Manager Guetschow reported that he will keep council informed of ongoing discussions regarding

OPEB liabilities and health insurance options. He reported that the Lovett Street project is moving along on schedule despite the rain. He reported that the Financial statements were included in this packet and that we are now one month away from fiscal year end.

#### **COUNCILMEMBER COMMITTEE REPORTS:**

- Council member Ridge reported that the next Planning Commission meeting will be held June 4<sup>th</sup> at 7 P.M. The Recreation Co-op met on May 20<sup>th</sup> and approved two grants. One was for the Dinosaur project at Dean Park and the other for weight equipment for the Charlotte Public Schools. The next grant cycle will be in the fall.

**PUBLIC COMMENT: None.**

#### **MAYOR AND COUNCIL COMMENTS:**

- Council member Russo no comment.
- Council member Mitchell no comment.
- Council member Dyer no comment.
- Council member Ridge thanked everyone for coming to support. She thanked Julie Kimmer for all of her remarkable work. She stated that she does a great job and follows thru with everything. She thanked Amy Gilson for all the help she has provided to the Recreation Co-op with the softball field. She thanked Gregg for his work on putting together the budget.
- Mayor Lewis thanked everyone for coming out along with the Police, Fire Departments and the American Legion for a great Memorial Day Parade. He stated that second graders from both Washington and Parkview Schools will be attending City Hall, Police and Fire Departments and the post office and library to learn about their government offices.

**Council member Ridge moved, seconded by Mitchell to adjourn at 8:32 P.M. Carried. 5 Yes. 0 No.**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC