

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**May 11, 2020**

**CALL TO ORDER:** By Mayor Ridge on Monday, May 11, 2020 at 7:00 p.m. via conference call.

**PRESENT VIA TELECONFERENCE:** Councilmembers Dyer, Hoogstra, Weissenborn, Baker, Mayor Pro-Tem Armitage, Mayor Ridge, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by City Manager Guetschow.

**APPROVAL OF MINUTES FOR REGULAR MEETING OF APRIL 27, 2020:** Council member Baker moved, supported by Weissenborn to approve the regular meeting minutes of April 27, 2020 as presented. Carried. 6 Yes. 0 No. 1 Absent (McRae)

**APPROVAL OF MINUTES FOR VISION 2025 MEETING OF APRIL 30, 2020:** Council member Hoogstra moved, supported by Baker to approve the special session meeting minutes of April 30, 2020 as presented. Carried. 6 Yes. 0 No. 1 Absent (McRae)

**APPROVAL OF MINUTES FOR SPECIAL SESSION MAY 4, 2020:** Council member Weissenborn moved, supported by Hoogstra to approve the special session minutes of May 4, 2020 with the addition of adding that there were several other comments relating to not closing CARA that were submitted via

letters to the website and written communication. All letters were in support of keeping the recycling center open. Carried. 6 Yes. 0 No. 1 Absent. (McRae)

**ABSENT:** Council member McRae absent from the call at this time.

**PUBLIC HEARINGS:**

**PUBLIC HEARING – ORDINANCE NO. 2020-03 FOR SECTION 10-4 DOMESTIC ANIMALS AND FOWL:**

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

**Ben Phlegar**, 425 Horatio, stated that he was trying to be proactive and prevent the chicken ordinance since he would not want chickens next door to him and he does not agree with the ordinance.

**Public Hearing Closed: 7:11 P.M.**

**Council member McRae joined the call at 7:11 P.M.**

**PUBLIC HEARING FY 20/21 BUDGET:**

**Public Hearing Opened: 7:11 P.M.**

**Don Sovey**, 106 Kensington Ct., stated that this would be a difficult budget session. He urged council to consider the long-term impact of the budget while balancing it. He stated that this will be affecting the State as well and urged council to be cautious. He asked that they consider the Vision 2025 succession planning and look at a communications plan. He also encouraged them to look at property expectations. He stated that he appreciates their good work.

**Public Hearing Closed: 7:13 P.M.**

**PUBLIC COMMENTS:** None.

**APPROVAL OF REGULAR AGENDA AND UNANIMOUS CONSENT AGENDA:**

Mayor Ridge asked if there were any items that council would like added or removed from the printed agenda.

Council member Weissenborn asked that item 10a) Consider approval of Resolution No. 2020-64 to authorize Change Order #1 for Leavitt & Starck Excavating for Parking Lot #1 Reconstruction be removed for further discussion.

**Council member Baker moved, supported by Dyer to remove Item 10a -Resolution No. 2020-64 from the consent agenda for further discussion. Carried. 7 Yes. 0 No.**

**Mayor Pro-Tem Armitage moved, supported by Baker to approve the regular agenda and unanimous consent agenda by Roll Call Vote. Carried. 7 Yes. 0 No.**

**SPECIAL PRESENTATIONS – BUDGET DISCUSSIONS:**

City Manager Guetschow stated that Amy will give an overview of each topic and then council will be able to ask any questions that they have.

**STREETS:**

Director Gilson explained the difference between Major and Local streets. She stated that Independence Blvd. is being worked on

currently and E. Harris, Cochran to Lansing Rd. will be in next years budget. The city has a required match on the Harris Street project.

City Manager Guetschow stated that the mill and fill projects are typically done in the late summer, early fall. However, the challenge the City will be facing is how much money will be coming from the State. All of the maintenance expenses we incur and capital outlay come from the State. The City still has to plow streets, sweep streets and fill pot holes which all fall into the street projects category.

Council member McRae asked if Pearl Street was slated to be repaired.

Director Gilson stated that there are utilities that will need to be replaced on that street so it does not qualify for a mill and fill project.

Mayor Ridge asked the status of the sidewalk project with the school.

Director Gilson stated that a letter was just received from MDOT and they are now waiting on the railroad. Therefore, they are close to having some answers. She stated that this project was a direct payment from MDOT and wouldn't effect the city budget.

City Manager Guetschow stated that the way he understands the project, once approved you still have to get in line so he expects this may not be until the FY 21/22 budget year.

**PARKS:**

Director Gilson stated this year was slated for a Master Plan for Oak Park. Currently the City has been working on Dean Park. She stated that the bridges at Bennett Park need some work on reinforcements.

Council member Weissenborn asked what the contractual services included.

Director Gilson stated that was for grass cutting, weed control and waste removal. She stated that all parks get mowed once a week.

**DPW ADMINISTRATION:**

Director Gilson stated some of the costs are costs that are spread across all departments. Contractual services include: call out service; Miss Dig; MML drug pool; software maintenance; safety supplies and printing and publishing.

Director Gilson explained that leaf collection, grinding brush and leaves, maintaining parking lots; striping, winter maintenance; salting parking lots and tree work are included. She stated that there is a grant received from Consumers Energy of \$100/tree. This also includes training for electrical; first aid; CPR.

Council member Weissenborn asked about the \$11,250 for salary and if this was for going out to pick up the bags. She asked if everyone is allowed to bring their leaves and brush no matter where they live.

Director Gilson stated that this was for the weekend manning of the leaf dump and that you have to be a city resident to utilize the dump site.

**MOTOR VEHICLE POOL:**

Director Gilson stated that the internal service funds are charged to pay for maintenance. This pays for maintenance and salary of the mechanic; building maintenance; capital outlay; new sweeper and a new dump truck. Also included is a valve turning machine that will be used for turning valves on old mains. This needs to be done so that they will turn when needed. Some garage doors are included. Mowing and garbage removal are also included.

**CARA:**

City Manager Guetschow stated that the purpose of adding this to the agenda is to explain the financial operation of CARA.

Director Gilson explained that because of the grant that is received from the County we are unable to charge a fee to use the center and can not turn anyone away no matter where they are from. She explained that the market for recyclables is down due to China not taking them any longer. The most money is made from cardboard and newspapers. The center no longer receives any money for plastics. The increase in minimum wage has added to the deficit. She stated that there are usually two spaghetti dinners per year and a trash walk to raise funds for the center. Quinn Underwood is the director and arranges these events. They do sell some books by the gaylord.

Proposals were taken in the past to have someone take over operations and it was a lot more expensive.

Council member McRae asked if there was anything collected that may end up in the landfill as a last resort.

Director Gilson advised that everything goes where it is supposed to and none in the landfill.

Council member Dyer asked if they could ask residents if they are City or Township residents when they come in.

Director Gilson stated that some people don't want to tell you and others say Charlotte because they have a Charlotte address and some you get a lot of push back when questioning residency.

Council member Weissenborn asked the amount of the grant that is received from the county .

Director Gilson stated that it varies around \$22,000 to \$23,000 range per year, however the counties budget year is different than the cities.

Council member Weissenborn asked about working with Quinn to try and create other ideas for funding options.

Director Gilson stated that she had worked to obtain grant funding and tried to get people to donate.

Council member Weissenborn asked how much the spaghetti dinners and trash walk usually bring in.

Director Gilson stated that the dinners are in the range of \$300 to \$1000 and the walk around \$300 to \$500.

Council member Weissenborn asked if any thought had went into contacting people to make donations and again checking with the townships for their participation.

Council member Hoogstra asked about a bottle can return drive to help.

Discussion was held on expenses vs. revenues.

City Manager Guetschow stated that there has been an accounting error discovered in the amount of \$4500.00 that will need to be taken into account from last budget year.

Council member McRae asked about getting information from the census of users that had previously been taken.

Director Gilson stated that from a 2018 survey that was taken in August it appeared that there were 338 to 354 customers per week.

Council member McRae asked about Paul Wilson's proposal to pull together businesses to donate.

City Manager Guetschow stated that he thinks that idea was the spirit behind Friends of CARA. He thinks there could be a couple of tiers of recognition. A certain amount of donation gets a Friends of CARA sticker and pays a certain amount per year and then perhaps a business pays another fee per year. It would be an opportunity to develop a regular roster to build an additional revenue source. He would suggest having someone come from Resource Recovery to talk to council before taking further steps.

Council member Baker stated that he talked with someone from Eaton Township today and they agreed to talk about it in an upcoming meeting to relook at the agreement.

Council member McRae feels this would be an opportunity for people to make a difference in the environment.

Mayor Ridge asked if Quinn would be able to put something together for council.

City Manager Guetschow thanked Amy for sharing the information and stated that she controls a significant portion of the budget.

**EXPEDITED RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2020-64 TO AUTHORIZE CHANGE ORDER #1 FOR LEAVITT & STARCK EXCAVATING FOR PARKING LOT #1 RECONSTRUCTION:**

**RESOLUTION NO. 2020-64**

**A RESOLUTION TO AUTHORIZE CHANGE ORDER #1 FOR LEAVITT & STARCK EXCAVATING, INC.– PARKING LOT #1 RECONSTRUCTION**

**WHEREAS**, the Parking Lot #1 Reconstruction Project contract was awarded to Leavitt & Starck Excavating, Inc. by City Council on March 23, 2020 in the amount of \$465,616.80; and

**WHEREAS**, the contract is a unit price contract whereby the City is charged by actual quantities of items constructed; and

**WHEREAS**, unexpected conditions such as gas mains and old building foundations were encountered that resulted in contract additions in the amount of \$41,972.23; and

**WHEREAS**, the above changes were included in the Change Order #1; and

**WHEREAS**, the current project price including this change order is \$507,589.03.

**THEREFORE, BE IT RESOLVED** that the City Council approves contract Change Order #1 in the amount of \$41,972.23 for the Parking Lot #1 Reconstruction Project.

Council member Weissenborn asked for an explanation of what the change order was for.

Director Gilson stated that in 2003 all utilities were put in a trench three feet from the sanitary main along the buildings and the gas main was laid over the top of that. There are some storm sewer changes and

poor soil conditions. An old building foundation has been found that needs to be taken care of. She stated that there will be more change orders as some other problems have been encountered such as lining that needs to be put in service leads to buildings and there has been two underground storage tanks found that need to be taken care of. These are all unforeseen conditions that were not known.

Discussion was held on the lining of the sanitary sewer and if there was a contingency for this project.

Director Gilson stated that the lining is a coating inside of the main and that there had been more money budgeted for this project than what the bid came in for.

**Council member Baker moved, supported by Weissenborn to approve Resolution No. 2020-64 to authorize Change Order #1 for Leavitt & Starck Excavating for Parking Lot #1 Reconstruction as presented. Carried. 7 Yes. 0 No.**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2020-66 TO AUTHORIZE PAYMENT APPLICATION #6 FOR POCKET PARK:**

**RESOLUTION NO. 2020-66**

**RESOLUTION TO APPROVE**

**FINAL PAYMENT #6 POCKET PARK**

**WHEREAS**, the City of Charlotte withheld final payment #6 until project was complete; and

**WHEREAS**, it is believed that the project has now been completed to satisfaction as agreed; and

**THEREFORE, BE IT RESOLVED**, that the City of Charlotte make final payment in the amount of \$11,392.38.

**Mayor Pro-Tem Armitage moved, supported by Baker to approve Resolution No. 2020-66 to authorize payment application #6 for Pocket Park as presented. Carried. 7 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2020-65 REGARDING PAYMENT OF CLAIMS AND ACCOUNTS:**

**RESOLUTION NO. 2020-65**

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

**FOR MAY 11, 2020**

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

**WHEREAS**, the May 8, 2020 payroll totaled \$146,196.25;

**WHEREAS**, the May 11, 2020 claims total \$285,146.30;

**WHEREAS**, the April 27, 2020 insurance claims \$140.43; May 4, 2020, insurance claims \$389.71; and

**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for May 11, 2020 in the amount of \$431,872.69.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Mayor Pro-Tem Armitage moved, supported by Baker to approve Resolution 2020-65 regarding payment of claims & accounts as presented. Carried. 7 Yes. 0 No.

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER APPROVAL OF ORDINANCE NO. 2020-03**  
**SECTION 10-4 DOMESTIC ANIMALS AND FOWLOF**  
**CHAPTER 10 ANIMALS:**

**CITY OF CHARLOTTE**  
**ORDINANCE NO. 2020-02**  
**AN ORDINANCE TO AMEND SECTION 10-4 DOMESTIC**  
**ANIMALS AND FOWL**

THE CITY OF CHARLOTTE ORDAINS:

~~Section 1. Purpose. The purpose of this ordinance is to extend the sunset date for section 10-4 Domestic Animals and Fowl from May 29, 2020 to May 29, 2024 so that the section remain in effect.~~

Section 2. That Section 10-4 Domestic Animals and Fowl of Chapter 10 Animals of the Code of Ordinances is hereby amended to read as follows:

**§ 10-4 DOMESTIC ANIMALS AND FOWL.**

(A) Except as provided in this section, no person shall keep or house any animals or fowl within the city.

(B) Dogs, cats, birds and animals commonly classified as household pets may be kept within the city.

(C) Ponies, cattle and horses may be kept on premises constituting a farm, as defined in the zoning chapter of this Code,

(D) Persons may keep chickens if done so in conformity with all of the following.

(1) Any person who keeps chickens in the city shall obtain a permit from the city prior to acquiring the chickens. Application shall be made to the City Clerk with a fee as determined by Council resolution.

(2) No more than ten permits may be outstanding at any time.

(3) Permits may be revoked at any time if the applicant fails to comply with all applicable ordinances, rules and regulations.

(4) Permits expire and become invalid two years after the date of issuance. A person who wishes to continue keeping chickens shall obtain a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

(5) Notwithstanding the issuance of a permit by the city, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions,

neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(6) A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:

(a) Have been issued the permit required under division (D)(1) of this section;

(b) Keep no more than six chickens;

(c) The principal use of the person's property is for a single-family dwelling;

(d) No person shall keep any rooster;

(e) No person shall slaughter any chickens outdoors;

(f) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times;

(g) A person shall not keep chickens in any location on the property other than in the backyard as defined by the Zoning Code;

(h) All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from

being harbored underneath, within, or within the walls of the enclosure;

(i) All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them;

(j) The coop and fenced enclosure may not be located nearer than 15 feet to any property line; and

(k) The coop and enclosures must comply with all zoning ordinance requirements for accessory structures and use, including lot coverage requirements.

(7) The city may initiate prosecution for a civil infraction violation for any violation of this section. Each day a violation exists shall constitute a separate offense.

(8) A person who has been issued a permit shall submit it for examination upon demand by any Police Officer or Code Enforcement Officer.

(9) This section shall not regulate the keeping of chickens on a farm, as defined at § [82-4](#) of the City Code, which is located outside the boundaries of either a proprietary or supervisor's plat and having an area of not less than five acres, and where the raising of poultry is a permitted principal use when conducted in compliance with the



Michigan Right to Farm Act and the Generally Accepted Agricultural and Management Practices promulgated thereunder.

(10) Council may adopt additional rules and regulations as necessary to implement the ordinance codified herein.

~~—(11) This § 10-4 Domestic Animals and Fowl shall be null, void and of no force and effect on May 29, 2024.~~

Section 3. Effective Date. This ordinance shall be come effect 20 days after adoption.

Discussion was held on ordinance change to eliminate the sunset provision from this ordinance.

**Mayor Pro-Tem Armitage moved, supported by Baker to approve Ordinance No. 2020-03 Section 10-4 Domestic Animals and Fowl with the elimination of Section 1 and Subsection (11) to delete the sunset provision as amended. 7 Yes. 0 No.**

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**  
None

**PUBLIC COMMENT:** None.

Correspondence included in packet:

**Brian Callahan**, 1633 W. Broadway, Charlotte, regarding lack of basic public utilities.

**Lisa Starr**, 655 N. Steward, Charlotte, in support of recycling center.

**COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT:** No report included in this packet.

**CITY MANAGER REPORT:** City Manager Guetschow report included in packet.

**COUNCILMEMBER COMMITTEE REPORTS:**

- Mayor Ridge stated that there is a Council Calendar that is included in the packet. Some of the issues noted on the calendar for further review are; pension planning; Vision 2025 goal setting; budget special meeting May 18, 2020; water/sewer rate review; ZBA review; and DDA /LDFA consolidation. Code enforcement and rental property review is set for August. Mayor Pro-Tem Armitage has begun working on the Ad-hoc communications committee. She asked that council please look over the documents and let her know if they have anything that they would like added to the calendar. She noted that there is a lot to accomplish by the end of the year.
- Council member Weissenborn stated she has some concerns with the code enforcement and rental not being addressed until August. She asked how this is being addressed currently.
- City Manager Guetschow stated that this is being tracked through our BS&A software. Since there is no face to face presently it is being addressed through letters and then will be followed up in person when possible.

**MAYOR AND COUNCIL COMMENTS:**

- Council member Dyer thanked Gregg and Amy for their work on the budget.
- Council member Weissenborn stated she would like to keep looking for ways to offset the pension issue while looking at the budget to offset costs.
- Council member Baker no comment.
- Mayor Pro Tem Armitage would like to see a development plan for support of CARA going forward.
- Council member McRae echoed Mayor Pro-Tem's point about some alternative plan for CARA. He asked if Planning Commission would be meeting in the near future. He also wondered about the EATRAN meetings and if they are meeting at this time.
- City Manager Guetschow stated that there will be a need for Planning Commission to meet in June as well as the DDA and they are planning to set that up as a teleconference meeting.
- Council member Hoogstra no comment.
- Mayor Ridge thanked Amy, Gregg and Ginger for everything that they are doing. She stated that she has noted the concerns about CARA and pension for upcoming meetings. She asked that council look at the Vision 2025 Plan to see how that can be addressed going forward.

**Councilmember Baker moved, seconded by Dyer to adjourn at 8:45 P.M. Carried. 7 Yes. 0 No**

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Mayor Yvonne Ridge

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Ginger Terpstra, City Clerk, CMMC