

COUNCIL PROCEEDINGS
Regular Meeting
May 17, 2021

CALL TO ORDER:

By Mayor Armitage on Monday, May 17, 2021 at 7:01 p.m.

PRESENT:

Mayor Armitage, Mayor Pro Tem Dyer, Councilmembers Baker, Hoogstra, McRae, VanStee. Councilmember Weissenborn joined the meeting at 7:04 p.m. All reported their remote meeting location as being in the City of Charlotte, County of Eaton and State of Michigan.

EXCUSE ABSENT MEMBERS:

All members were present.

INVOCATION:

No invocation due to absence of assigned clergy.

PLEDGE OF ALLEGIANCE:

Mayor Armitage led the City Council in the Pledge of Allegiance.

MINUTES:

Councilmember Baker, supported by Mayor Pro Tem Dyer, moved the approval of the May 3, 2021 and May 11, 2021 City Council meeting minutes. Carried.

PUBLIC COMMENTS:

No members of the public addressed the City Council.

APPROVAL OF AGENDA AND UNANIMOUS

CONSENT AGENDA:

Councilmember VanStee, supported by Mayor Pro Tem Dyer, moved the approval of the agenda as presented. Carried.

Mayor Armitage asked whether Councilmembers wanted any items removed from the Unanimous Consent Agenda for individual consideration. Councilmember Hoogstra requested item 11B, Mayor Pro Tem Dyer requested item 12C, Councilmember Baker requested item 10a.

Councilmember Baker, supported by Mayor Pro Tem Dyer, moved the approval of the remaining items on the Unanimous Consent Agenda. Carried via roll call vote. 7 Yes. 0 No. 0 Absent.

PUBLIC HEARING:

Mayor Armitage opened a public hearing regarding proposed City of Charlotte Ordinance 2021-4 Cost Recovery at 7:08 p.m.

No members of the public addressed the Council during this public hearing.

Mayor Armitage closed the public hearing at 7:09 p.m.

EXPEDITED RESOLUTIONS AND ORDINANCES:

A. Consider Resolution 2021-074 Approving Claims and Expenditures

**CITY OF CHARLOTTE, COUNTY OF EATON,
STATE OF MICHIGAN**

**RESOLUTION NO. 2021-074 A RESOLUTION TO
APPROVE EXPENDITURES OF THE CITY OF
CHARLOTTE FOR MAY 17, 2021**

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

WHEREAS, the April 23, 2021, payroll totaled \$163,909.24; and

WHEREAS, the May 3, 2021, claims total in the amount of \$697,316.29; and

WHEREAS, the May 3, 2021, insurance claims totaled \$2,065.55; and

WHEREAS, the May 10, 2021, insurance claims totaled \$8,678.45; and

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for May 17, 2021, in the amount of \$871,969.53.

Moved be Councilmember Hoogstra, supported by Councilmember Baker to approve Resolution No. 2021-074.

Councilmember Baker inquired about a payment to CD Hughes, asking whether it related to water service work and that it seemed expensive. Baker also inquired about a water and sewer bond payment to Huntington Bank, and asked whether it was a regular payment.

Director of Public Works Amy Gilson answered the questions, saying that the payment to CD Hughes is related to last year's paving project and that the City is still withholding payment for plantings related to that project, too. She said that she is unclear as to why the payment to Huntington Bank is a paper check rather than an electronic funds transfer, but that it is payment owed for previous plant upgrades.

Councilmember Baker said that he intends to abstain from voting on the Claims and Accounts because it includes a payment to Charlotte Insurance Agency, and that represents a conflict of interest for him. Mayor Armitage asked whether any Councilmembers objected to this abstention. None did.

Mayor Armitage said that there is no detail regarding credit card expenditures included with these Claims, and that he had

previously asked that a credit card log be included for payments to credit card accounts.

Carried on a roll call vote. 6 Yes. 0 No. 1 Abstain (Baker). 0 Absent.

B. Consider Resolution 2021-078 Awarding Farmland Bid:

RESOLUTION NO. 2021-078

A RESOLUTION TO AWARD A BID FOR THE LEASE OF FARMLAND IN THE COMBS INDUSTRIAL PARK

WHEREAS, the City of Charlotte desires to lease certain property in the Combs Industrial park for agricultural use; and

WHEREAS, the City of Charlotte has advertised the property for public bid; and

WHEREAS, the bid most favorable to the City has been received from Tom Archer, 4395 Otto Road, Charlotte, Michigan.

THEREFORE, BE IT RESOLVED that the City of Charlotte hereby accepts this proposal from Tom Archer and authorizes City of Charlotte representatives to execute a lease agreement with Mr. Archer matching the terms of the proposal.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

C. Consider Resolution 2021-079 Statement of Doing Business with the City:

RESOLUTION NO. 2021-079

STATEMENT OF DOING BUSINESS WITH CITY OF CHARLOTTE 2021

WHEREAS, 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:

Tom Archer – Straw sales and other farming/agricultural operations

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

D. Consider Resolution 2021- 080 Approving Fireworks Display at CPS:

RESOLUTION NO. 2021-080

A RESOLUTION TO APPROVE AN APPLICATION FOR A FIREWORKS DISPLAY AT CHARLOTTE PUBLIC SCHOOLS ON JUNE 6, 2021

WHEREAS, the City has received an application for a permit for a fireworks display to be held at the Charlotte Public Schools baseball diamond on June 6, 2021; and

WHEREAS, the application has been reviewed by Fire Department personnel and a determination has been made that the pyrotechnic operator and location meet the department's requirements for a fireworks display;

THEREFORE, BE IT RESOLVED that the City Council does hereby approve the application for a fireworks display at the Charlotte Public Schools baseball diamond on June 6, 2021 and authorizes the City Clerk to execute the application on behalf of the City.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

E. Consider Resolution 2021- 081 Approving Acting Clerk/Treasurer:

RESOLUTION 2021-081

A RESOLUTION TO CONFIRM THE APPOINTMENT OF ACTING CITY CLERK-TREASURER

WHEREAS, Pearl Tidwell's resignation from the position of city clerk-treasurer has created a vacancy in a position that is essential to the efficient and effective functioning of Charlotte City government; and

WHEREAS, City Council has authorized the recruitment of replacement candidates which is ongoing; and

WHEREAS, pursuant to Section 2-66 of the City Ordinance, the City Manager may designate an interim, acting administrative officer or department head, or perform personally the functions of the office, until such vacancy is filled in accordance with the City Charter and the City Manager will serve as Acting City Clerk-Treasurer until such time the position is filled; and

WHEREAS, the City Charter requires that City Council confirm the city manager's appointment of city officers including the city clerk and city treasurer.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby confirm City Manager LaPere as Acting City Clerk-Treasurer until such time the offices are filled.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

F. Consider Resolution 2021- 082 Approving Bank Signatures:

RESOLUTION 2021-082

A RESOLUTION TO APPROVE CHANGES TO SIGNATORIES FOR INDEPENDENT BANK ACCOUNTS

WHEREAS, the City maintains its various bank accounts with Independent Bank whose branch is located at 129 Lansing Street in Charlotte; and

WHEREAS, various officers and employees are authorized to act on behalf of the City to make various transactions with regard to those accounts and, in this capacity, are designated as signatories on these accounts; and

WHEREAS, due to changes in persons designated as officers, it is necessary to instruct Independent Bank who is designated as a signatory and has access to accounts.

NOW, THEREFORE, BE IT RESOLVED that former City Clerk-Treasurer Pearl Tidwell is to be removed as a signatory and her rights to access accounts are to be terminated.

BE IT FURTHER RESOLVED, that Department of Public Works Director Amy Gilson is to be removed as a signatory and her rights to access accounts are to be terminated.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

G. Consider Resolution 2021- 083 Approving Collective Bargaining Agreement

RESOLUTION 2021-083

A RESOLUTION TO APPROVE A COLLECTIVE BARGAINING AGREEMENT WITH POLICE OFFICERS LABOR COUNCIL CHARLOTTE POLICE NON-SUPERVISORY UNIT

WHEREAS, the City has previously entered into a collective bargaining agreement with the Police Officers Labor Council Non-Supervisory Unit, which agreement concludes on June 30, 2021; and

WHEREAS, the parties to the agreement, through their respective representatives, have negotiated a successor agreement describing the terms and conditions of employment for members of the aforementioned bargaining unit; and

WHEREAS, the agreement includes modifications to the predecessor agreement generally described as follows:

- Article 4 - Union Security and Check-off: Updates to language to comply with the law as defined by the United States Supreme Court decision of *Janus v AFSCME*, 138 S Ct 2448 (June 27, 2018) as well as 2012 PA 349 at MCL 423.209 and MCL 423.210.
- Article 6 - Probationary Period: Remove language to move officer off bid shift to be consistent with current and past practices.
- Article 7 - Seniority: Modify loss of seniority provision for Operating While Intoxicated and add language for loss of seniority if employee is totally disabled.
- Article 9 - Payday: Pay will be made via direct deposit to the employee's bank account.
- Article 10 - Vacation Leave: Language updated to change request time required by employee and to clarify accumulation of vacation leave schedule.
- Article 11 - Sick Leave: Language updated to require employee availability by telephone to be eligible to use sick time.

- Article 12 - Holidays: Modify language to include Martin Luther King Jr Day and remove Good Friday, and clarify holiday pay.
- Article 16- Other Leave: Modify language to change cancellation of leave policy from three to five days.
- Article 23 - Salary Classification: Add language to address compensation for senior Patrol Officer when no Sergeant or Chief is scheduled.
- Article 24 - Uniforms and Equipment: Modify language to address equipment issued by the city, increase boot allowance, and allow for reimbursement for personal property damaged in the line of duty.
- Article 29 - Earned Time Off: Modify language to change incremental use. • Wages: 2% increase in wages for each year of the agreement and lump sum signing incentive of \$500.
- Miscellaneous: Incorporate current letter of understanding regarding time off requests and delete “Education Bonus” in Appendix B.
- Duration: date of Council approval – June 30, 2024; and

WHEREAS, entering into this agreement serves to promote harmony with the members of the bargaining unit and preserves a constructive labor environment which is a benefit to all citizens.

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby approve the terms of the collective bargaining agreement, including the modifications generally described

above, and authorizes the Mayor, City Manager, and Deputy City Clerk to execute the agreement on behalf of the City.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

APPROVAL OF RESOLUTIONS AND ORDINANCES:

A. Consider Resolution 2021-073 Authorizing General Fund Budget Amendments

RESOLUTION NO. 2021-073

A RESOLUTION TO AMEND THE BUDGET FOR THE
2020-21 FISCAL YEAR

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, 2020 and ending June 30, 2021 with Resolution 2020-70; and

WHEREAS, Resolution 2020-70 appropriated \$6,374,020.80 for General Government purposes within the General Fund; 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, the attached budget amendments modify the appropriations to \$5,966,479.00 for General Government purposes within the General Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve the attached amendments to the budget for the General Fund for the fiscal year that ends June 30, 2021.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

A. Consider Ordinance 2021-04 for Cost Recovery

ORDINANCE NO. 2021-04

AN ORDINANCE TO AMEND CHAPTER 2 -
ADMINISTRATION - OF THE CODE OF THE CITY OF
CHARLOTTE BY AMENDING ARTICLE V - FINANCE TO
ADD DIVISION 5 CHARGES FOR CERTAIN
EMERGENCY RESPONSE SERVICES.

THE CITY OF CHARLOTTE ORDAINS:

SECTION 1. PURPOSE. The purpose of this ordinance is to clarify when charges for certain emergency response services

are due, who is the responsible party, and exemptions and limitations on charges.

SECTION 2. Article V - Finance of Chapter 2 - Administration - of the Code of the City of Charlotte is hereby amended to read as follows:

Division 5. CHARGES FOR CERTAIN EMERGENCY RESPONSE SERVICES Section 2-200

PURPOSE. This division is adopted to defray some costs incurred in providing certain emergency response services. It is not the purpose of this division to provide complete reimbursement of funding for the Charlotte Police Department and/or the Charlotte Fire Department.

Section 2-201

DEFINITIONS. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) Alarm system means a fire detection system, intrusion or holdup device designed or arranged to signal the presence of any fire hazard, intrusion or holdup of any residential, commercial or business property. Excluded from this definition are single-family residence battery-operated smoke or heat detectors.

(2) Alarm user means any person on whose premises an alarm system is maintained except for alarm systems on motor vehicles. If, however, an alarm system on a motor vehicle is connected with an alarm system at a premises, the person using such system is an alarm user. Also excluded from this definition and from the coverage of this article are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located; however, systems using a flashing light or beacon designed to signal persons outside the premises, shall be within the definition of an alarm system and shall be subject to this article.

(3) Assessable costs mean those charges and fees incurred by the city as a result of assistance provided by the police or fire department or by a third party on behalf of the city in connection with a fire department response to an incident including, but not limited to, the actual labor and material costs (including without limitation, employee wages, fringe benefits, administrative overhead, costs of equipment, costs of equipment operation, costs of materials, costs of transportation, costs of material disposal, and costs of contracted labor, legal fees, collection costs, etc.) provided.

(4) Emergency response means the following actions or services provided by the city, or by a private individual or corporation operating at the request or direction of the city:

- a. Extinguishing or fighting any fire occurring on or at a structure, vehicle, or any other fire occurring on public or private property.
- b. Any incident requiring a response by the city that involves any public or private utility property and requires city equipment or personnel to remain at the incident to protect health, safety, and welfare of the public until the utility provider responds to the incident and takes corrective measures, lasting greater than one hour.
- c. The extrication of an individual(s) from a vehicle involved in an accident.
- d. Extinguishing or fighting any vehicle fire.
- e. Any response to a false alarm at a property in excess of once in a calendar year. This includes, but is not limited to: fire, medical, burglary, panic, hold-up, and other types of alarms.

(5) False alarm means the activation of an alarm system through mechanical failure, malfunction, improper installation, negligence or the intentional activation of the alarm system without reasonable and legitimate need or cause by the person or their employees and agents using an alarm system. False alarm does not include an alarm caused by meteorological or geological conditions or by disruption or disturbance of telephone or other communication systems.

(6) Person responsible means the owner, operator, and/or person in charge of or person in possession of the structure, property or vehicle to which the emergency response is directed, including any private contractor, such as alarm

companies requesting or initiating such a response. This also includes the person or persons who require rescue of a technical nature, and/or who cause extrication, rescue, or hazardous materials response to be needed.

(7) Vehicle means all motor vehicles (including but not limited to, cars, trucks, semi tractors, motorcycles, and trailers), trains, aircraft, or watercraft.

Section 2-202

CHARGES IMPOSED UPON RESPONSIBLE PARTY.

(1) The assessable costs of an emergency response shall be charged against the person(s) responsible. If there is more than one person responsible, liability shall be joint and several and the city may bill any or all persons responsible, however the city may not collect more than the total amount owed. Liability for charges assessed under this article shall not be dependent upon fault or negligence. The charge constitutes a debt of the person(s) responsible and shall be collectible by the city in the same manner as an obligation under a contract.

(2) The assessable cost within the expense of an emergency response may not exceed an amount set forth by resolution of the city council.

Section 2-203

BILLING PROCEDURES. Following the conclusion of the emergency incident, the Police Chief or Fire Chief shall submit a detailed listing of all known costs and expenses to the City Clerk, who shall prepare an invoice to the responsible party for payment. The Clerk's invoice shall demand full payment within 30 days of receipt of the bill. Any additional costs or expenses that become known following the transmittal of the bill to the responsible party shall be billed in the same manner on a subsequent bill to the responsible party. For any amounts due that remain unpaid after 30 days, the city shall impose a late charge of 1% per month, or fraction thereof.

Section 2-204

OTHER REMEDIES. In case of default, the city may commence a civil suit to recover the costs and expenses of the response and court costs and attorney fees incurred in the collection of such debt. The statement submitted to the person responsible shall be prima facie evidence of the validity of such costs and the person responsible bears the burden of challenging said costs. The city may pursue any other remedy, or may institute any appropriate action or proceeding, in a court of competent jurisdiction to collect charges imposed under this article. The recovery of charges imposed under this article does not limit the liability of responsible parties under state or federal law, rule or regulation. In addition to any other court costs, the prevailing party shall be entitled to their

reasonable attorney fees incurred in bringing or defending the action.

Section 2-205

EXEMPTIONS.

(1) The following persons responsible shall be exempt from the charges authorized by this division for an emergency response which does not involve hazardous material or a hazardous substance as defined under Chapter 30, Article IV:

- a. Fires caused by railroad trains which are the specific responsibility of railroad companies;
- b. Fire service provided outside the jurisdiction of the city under a mutual aid or similar contract with an adjoining municipality;
- c. Fire service to property owned by the United States of America, or the State of Michigan, or any political subdivision of the State of Michigan;
- d. Charges waived by the city council; and
- e. Persons responsible who require or necessitate an emergency response which does not exceed \$500.00.

Section 2-206

NON-EXCLUSIVE CHARGES. All charges for services rendered pursuant to this article shall be in addition to any

charges or taxes made by the department or the city pursuant to law for the maintenance or operation of the department.

Section 2-207

DEFINITIONS FOR INCIDENTS INVOLVING DRIVERS OPERATING MOTOR VEHICLES UNDER THE INFLUENCE.

The following words, terms and phrases, when used in sections 2-208 through 2-214, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) Emergency response means:

- a. The providing, sending or utilizing of police, firefighting, emergency medical and rescue services by the city, or by a private individual or corporation operating at the request or direction of the city, to an incident resulting in an accident involving a motor vehicle where one or more of the drivers were operating the motor vehicle while under the influence of an alcoholic beverage or controlled substance or the combined influence of an alcoholic beverage and controlled substance; or
- b. An incident resulting in a traffic stop and arrest by a police officer when a driver was operating the motor vehicle while under the influence of an alcoholic beverage or controlled substance.

(2) Expense of an emergency response means the direct and reasonable costs incurred by the city, or to a private person or corporation operating at the request or direction of the city, when making an emergency response to the incident, including the costs of providing police, firefighting and rescue services at the scene of the incident. These costs further include all of the salaries and wages of the city personnel responding to the incident, all salaries and wages of the city personnel engaged in investigation, supervision and report preparation, and all costs connected with the administration and provision of all chemical tests of driver's blood, and prosecution of the person causing the incident.

Section 2-208

PURPOSE AND INTENT.

The city finds that a significant number of traffic arrests and traffic accidents in the city involve drivers who operate a motor vehicle while under the influence of alcoholic beverages or controlled substances. In addition, the city finds that in traffic accidents involving drivers who were operating motor vehicles while under the influence of alcoholic beverages or controlled substances there is a greater likelihood of personal injury and property damage. As a result of these determinations, a greater operational and financial burden is placed upon the city's police, firefighting, rescue and other services by persons who are operating a motor vehicle while under the influence of alcoholic beverages or controlled substances.

Section 2-209

LIABILITY FOR EXPENSE.

Any person is liable for the expense of an emergency response if, while under the influence of an alcoholic beverage or controlled substance, or the combined influence of an alcoholic beverage and controlled substance, such person's operation of a motor vehicle proximately causes any incident resulting in an emergency response.

Section 2-210

PRESUMPTIONS.

For the purpose of this division, a person is under the influence of an alcoholic beverage or controlled substance, or the combined influences of an alcoholic beverage and controlled substance, when his/her physical or mental abilities are impaired to a degree that he/she no longer has the ability to operate a motor vehicle with the caution characteristic of a sober person of ordinary prudence. Further, it shall be presumed that a person was operating a motor vehicle while under the influence of an alcoholic beverage if a chemical analysis of his/her blood, urine or breath indicates that the amount of alcohol in his/her blood was in excess of 0.07 percent.

Section 2-211

RESPONSIBILITY FOR PAYMENT OF CHARGES.

The expense of an emergency response shall be a charge against the person liable for the expenses under this division. The charge constitutes a debt of that person and is collectible by the city for incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied.

Section 2-212

COST RECOVERY SCHEDULE.

The city council shall, by resolution, adopt a schedule of the costs included within the expense of an emergency response. This schedule shall be available to the public from either the city clerk or the police department.

Section 2-213

BILLING.

The chief of police or city treasurer, or his/her designee, may, within ten days of receiving itemized costs, or any part thereof, incurred for an emergency response, submit a bill for these costs by first class mail or personal service to the person liable

for the expenses as enumerated under this division. The bill shall require full payment in 30 days from the date of service.

Section 2-214

FAILURE TO PAY CHARGES.

Any failure by the person described in this division as liable for the expenses of an emergency response to pay the bill within 30 days of service shall be considered a default. In case of default, the city may commence a civil suit to recover the expenses and any costs allowed by law.

Section 2-215

MEDICAL TREATMENT OF THOSE IN CUSTODY.

Any person held in custody, confined or incarcerated by the city, including, but not limited to: individuals who are i) under arrest, ii) incarcerated, iii) imprisoned, iv) escaped from confinement, v) under supervised release, vi) on medical furlough, vii) residing in a mental health facility or halfway house, viii) living under home detention, ix) or confined completely or partially in any way under a state or local penal statute, ordinance or rule; shall be solely responsible for the payment of any medical services rendered to, and received by, that person during the course of his or her confinement with the city, or at the city's or court's direction, including without limitation, transportation to and from a medical treatment

facility, and any treatment deemed necessary by his or her treating physician, whether or not requested by the prisoner; and shall be required to reimburse the city, in full for any fees or charges incurred for such services, if not paid directly to medical facility or practitioner by the prisoner or his or her insurance carrier.

Section 3.

EFFECTIVE DATE.

This ordinance shall become effective 20 days after adoption.

Councilmember McRae, supported by Mayor Pro Tem Dyer, moved the approval of Ordinance 2021-04 Cost Recovery.

Councilmember McRae offered two amendments to the ordinance. Mayor Pro Tem Dyer accepted the amendments for inclusion in the motion to approve.

Councilmember McRae discussed his proposed amendments to the ordinance. They were offered for consideration as follows:

Amendment 1 – Amend Section 2-205 following “d.” by deleting the balance of the subdivision and inserting: “Persons responsible in circumstances in which the city manager finds imposition of assessable costs of an emergency response would clearly result in a manifest injustice. The city manager’s decision may be appealed to the city council; and”

Amendment 2 – Amend Section 2-215 following “or his or her insurance carrier.” By inserting: “However, a person held in custody, confined or incarcerated by the city shall not be responsible for payment of any medical services provided to treat illness or injury caused or worsened by an intentional or negligent act of a city employee.”

Councilmember McRae said that it is hard for an ordinance to anticipate everything and Amendment 1 would allow a greater element of fairness in its application.

Mayor Armitage said that he agrees with the two proposals and thinks the first one would help control the flow of appeals to the City Council, and the second one provides greater clarity.

Mayor Armitage said that Councilmember Hoogstra intends to abstain from this vote due to a work conflict.

Carried via roll call vote. 6 Yes. 0 No. 1 Abstention. 0 Absent.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES

A. Consider Resolution 2021-076 Authorizing Brush Grinding Contract

RESOLUTION NO. 2021-076

A RESOLUTION TO AUTHORIZE BRUSH GRINDING CONTRACT

WHEREAS, the Department of Public Works collects leaves and brush throughout the year and contracts for its grinding a removal each Spring; and

WHEREAS, the Department issued a bid request to the few companies who own the equipment necessary to provide this service; and

WHEREAS, only one bid was turned in this year and it was from last year’s low bidder; and

WHEREAS, the bid from Hammond Farms, Inc. of Dimondale, MI is in the amount of \$15,165.00; and

WHEREAS, Hammond Farms was the low bidder last few years and their work was timely and satisfactory.

THEREFORE, BE IT RESOLVED That the City Council approve the brush grinding service by Hammond Farms, Inc. and it be paid for from the General Fund Leaf Collection account as budgeted.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

B. Consider Resolution 2021-077 Approving FTCH contract for Drinking Water Asset Management Grant

RESOLUTION NO. 2021-077

A RESOLUTION TO AUTHORIZE A CONTRACT WITH FISHBECK FOR ENGINEERING SERVICES RELATED TO DRINKING WATER ASSET MANAGEMENT GRANT

WHEREAS, the Michigan Department of Environment, Great Lakes and Energy (EGLE) has required municipalities to verify the material of all water service lines in three locations each by 2025; and

WHEREAS, The Department of Public Works (DPW) was assisted by Fishbeck in obtaining a \$350,700 Drinking Water Asset Management (DWAM) grant from EGLE to verify the grant allowable interim sampling of 346 water services in the City and perform asset management work related to the water Geographic Information System (GIS); and

WHEREAS, As outlined in the grant agreement, Fishbeck will provide a turnkey project including soliciting bids for the potholing of services, managing the contractor, paying them and providing GIS services related to the grant, and

WHEREAS, funding for the professional services related to the DWAM grant do not require a match, therefore there is no net effect to the Water and Sewer Fund.

THEREFORE, BE IT RESOLVED that the City Council enter into a contract with Fishbeck to provide the above mentioned services in accordance with the grant award and that the Mayor or Clerk be directed to sign a contract on behalf of the City.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

C. Consider Resolution 2021-084 Approving Fund Balance Policy

RESOLUTION NO. 2021-084

A RESOLUTION TO APPROVE COUNCIL POLICY 2021-06 GENERAL FUND BALANCE POLICY

WHEREAS, City Council has expressed a desire to establish a formal Fund Balance and Reserve Policy for the General Fund that promotes responsible financial management by adhering to best budget practices and Generally Accepted Accounting Principles (GAAP); and

WHEREAS, by maintaining sufficient fund balances and reserves, the city will be well positioned to provide financial security and continued delivery of services, withstand economic downturns and other financial stressors such as a natural disaster or emergency, promote stable tax rates and

fees, protect the city's credit worthiness and bond rating, respond to opportunities, and consider long-term financial needs; and

WHEREAS, the policy will establish a target threshold for the unassigned General Fund balance, provide requirements to replenish the depleted reserves, and guidelines by which surpluses may be spent;

THEREFORE, BE IT RESOLVED that Council Policy 2021-06 regarding the general fund balance is hereby approved.

Councilmember Dyer, supported by Councilmember VanStee, moved approval of the resolution.

Councilmember Dyer asked for an explanation of the reasoning behind the policy, if possible, in the absence of City Manager LaPere. Mayor Armitage said that other communities have this type of policy, and it was recommended by the City's auditors and financial consultants. He said it is intended to provide direction to future City Councils.

Councilmember Dyer asked about why the policy describes the desired fund balance level in terms of a period of time, being 2 months, rather than a percentage of budget, as he has more commonly seen. Mayor Armitage said he did not know why it is being described in this way, but that he would find out for the second reading of the resolution.

Carried via roll call vote. 7 Yes. 0 No. 0 Absent.

D. Consider Resolution 2021-085 Approve Ad Hoc Committee Extension.

RESOLUTION NO. 2021-085

A RESOLUTION TO EXTEND ASSIGNMENT OF THE AD HOC CODE ENFORCEMENT COMMITTEE

WHEREAS, City Council established an Ad Hoc Code Enforcement Committee to review the code enforcement presence in the community; and

WHEREAS, City Council wishes to extend the assignment to include a review of certain sections of the City Ordinance related to property maintenance and dangerous buildings, specifically the language contained within Chapter 52 - Property Maintenance and Nuisance Abatement; and

WHEREAS, City Council believes that it is prudent to undertake an evaluation of the City's current property maintenance ordinance by forming an ad hoc committee to review and make recommendations to the City Council;

NOW, THEREFORE, BE IT RESOLVED that the previously established Ad Hoc Code Enforcement Committee shall

continue to meet to 1) review certain city ordinances, and 2) make a recommendation to City Council for further consideration of language amendments to those ordinances.

BE IT FURTHER RESOLVED that the Ad Hoc Code Enforcement Committee shall issue a final written report of its findings and recommendations to the City Council not later than the first regular Council meeting in September 2021.

The foregoing resolution moved by Baker, supported by Dyer. Carried. 7 Yes. 0 No. 0 Absent.

PUBLIC COMMENTS:

No members of the public addressed the City Council.

COMMUNICATIONS AND COMMITTEE REPORTS:

Mayor Armitage listed the various reports that can be found in the City Council meeting packet.

Councilmember McRae reported that the EATRAN Board met and things are going well with the organization. He said that ridership is increasing as Covid-19 restrictions are being lifted. He expects that trend to continue.

Councilmember Weissenborn reported that the Charlotte Area Recreation Council will be installing gates at the entrance to

the softball fields, and will also be adding dugouts. She said that they hope the field will be in use yet this season.

MAYOR AND COUNCIL COMMENTS:

Mayor Armitage asked for any City Council comments.

Councilmember McRae thanked Community Development Director Myrkle for filling-in and recording minutes for this meeting.

Mayor Armitage reminded City Council members of next week Monday's special meeting.

Mayor Armitage said that he would be working with City Manager LaPere on a plan to re-open City Hall in stages. He also said he hopes that June City meetings would be in-person or some type of hybrid arrangement.

Mayor Armitage congratulated the Class of 2021, and said he would be speaking to seniors at an Optimist Event tomorrow evening.

Mayor Armitage said that he has received a voice mail from a resident regarding bathrooms being closed at Dean Park and people relieving themselves in the bushes.

ADJOURNMENT:

**Councilmember Baker moved, supported by
Councilmember Weissenborn to adjourn the meeting at
7:31 p.m. Carried. 7 Yes. 0 No. 0 Absent.**