

**CITY OF CHARLOTTE
COUNCIL PROCEEDINGS**

**Regular Meeting
July 19, 2021**

CALL TO ORDER:

By Mayor Armitage on Monday, July 19, 2021 at 7:00 p.m.

PRESENT:

Councilmembers: McRae, Baker, Weissenborn, VanStee, Hoogstra
Dyer & Mayor Armitage. Staff: Manager LaPere, Deputy Clerk
Densmore,

PLEDGE OF ALLEGIANCE:

Mayor Armitage led the Pledge of Allegiance to the Flag of the
United States of America.

APPROVAL OF MINUTES:

Motion by Baker, supported by Dyer to approve the minutes from
July 6, 2021 and July 13, 2021 as presented. Carried. 7 Yes. 0 No. 0
Absent.

EXCUSE ABSENT MEMBERS:

None

PUBLIC COMMENT:

Mark Getsal, Lansing MI representing Edmond Senior Apartments
expressed concern on noise in City.

Valli Halbeisen of 810 Pleasant St. expressed concern against Safe
Routes to School and the hardship that this would be placing on the
senior citizens on the block.

Doug Rosier of 300 High St. expressed concern of homes near not
being kept up.

Manager LaPere gave brief overview on status of 241 N. Clinton St.

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

Motion by Dyer, supported by McRae to approve the Regular
Meeting Agenda with the addition of item 10) f) Consider Resolution
Consider Resolution 2021-72 Recognizing Service of Fire Chief
Fullerton and the removal of item 13) c) Resolution 2021-072
Authorizing Treasurer-Clerk MERS Addendums. Carried. 7 Yes. 0
No. 0 Absent.

Dyer requested items 12)a & b be removed from the Unanimous
Consent Agenda.

Weissenborn requested item 10)e be removed from the Unanimous
Consent Agenda.

Armitage requested item 10)f be removed from the Unanimous
Consent Agenda.

Motion by Baker, supported by VanStee to approve the Unanimous
Consent Agenda as presented. Motion carried with roll call vote. 7
Yes. 0 No. 0 Absent.

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

SPECIAL PRESENTATION:

Manager LaPere gave overview on downtown overnight parking
permits.

Business owners don't feel they should have to pay for permits while
also paying taxes and maintenance to each building.

Anthony Rodriguez, business owner inquired on details of the matter
and

EXPEDITED RESOLUTIONS AND ORDINANCES:

**A. Consider Resolution 2021-106 Approving Claims and
Expenditures**

RESOLUTION NO. 2021-106

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY OF CHARLOTTE FOR JULY 19, 2021

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

WHEREAS, the July 16, 2021, payroll totaled \$86,593.67; and

WHEREAS, the July 16, 2021, claims total in the amount of \$121,419.64; and

WHEREAS, the July 12, 2021, insurance claims totaled \$5,112.55; and

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for July 19, 2021, in the amount of \$213,125.86.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

B. Consider Resolution 2021-107 Confirmation of City Treasurer

A RESOLUTION TO CONFIRM THE APPOINTMENT OF ERIC SMITH AS FINANCE DIRECTOR-TREASURER

WHEREAS, former Clerk-Treasurer 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, the City Charter has the role of Treasurer as an appointed officer of the City and the City Ordinance designates those duties and responsibilities to one office, known as Finance Director/Treasurer; and

WHEREAS, City Manager LaPere has reviewed the skills and experience as they related to the position of finance director/treasurer and has determined that Eric Smith is well qualified to fulfill the responsibilities of the position; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby confirm City Manager LaPere's appointment of Eric Smith as Finance Director/Treasurer.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

C. Consider Resolution 2021-108 Confirmation of City Clerk

A RESOLUTION TO CONFIRM THE APPOINTMENT OF MARY LAROCQUE AS CITY CLERK

WHEREAS, former Clerk-Treasurer 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, the City Charter has the role of City Clerk as an appointed officer of the City and the City Ordinance designates those duties and responsibilities to one office, known as City Clerk; and

WHEREAS, City Manager LaPere has reviewed the skills and experience as they related to the position of city clerk and has determined that Mary LaRocque is well qualified to fulfill the responsibilities of the position; and

WHEREAS, the City Charter requires that City Council confirm the city manager’s appointment of city officers including the city clerk;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby confirm City Manager LaPere’s appointment of Mary LaRocque as City Clerk.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

D. Consider Resolution 2021-109 Approving Accepting ARPA funds

**A RESOLUTION TO AUTHORIZE
ACCEPTANCE OF AMERICAN RESCUE ACT
FUNDS**

WHEREAS, the City Council approves accepting the preliminary award of \$951,437 from the American Rescue Plan Act Fiscal Recovery Fund, authorizes the City Manager or Finance Director/Treasurer to execute all documents related to the acceptance; and

WHEREAS, on March 11, 2021 the Federal Government enacted Public Law 117-2 known as the “American Rescue Plan Act of 2021” or “ARPA” to provide additional relief to address the continued impact of the Coronavirus Disease of 2019 (COVID-19) pandemic on the economy, public health, state and local governments, individuals, and businesses. On May 10, 2021 the US Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by ARPA, to provide \$350 billion in emergency funding for eligible state, local, territorial, and Tribal governments to recover from the COVID-19 pandemic; and

WHEREAS, the City of Charlotte will receive its funding through the State of Michigan, which acts as a pass-through for smaller municipalities not entitled to receive funding directly from the federal government. The State has computed the City of Charlotte preliminary allotment of Fiscal Recovery Funds to be \$951,437. This allotment will be paid to the City over two years. The ARPA permits the City to use the funds to cover eligible costs incurred during the period beginning March 3, 2021 and ending December 31, 2024. Eligible costs generally include recovery of revenue losses, negative economic impacts from the COVID-19 pandemic, and investments in water, sewer, and broadband infrastructure. Final guidance is still being developed related to eligible costs. The City plans to have ongoing dialogue and transparency regarding appropriation of these funds;

THEREFORE, BE IT RESOLVED that the City Council accept the American Rescue Plan Act Funds on behalf of the City and authorizes the City Manager to submit required application and supplemental documentation to the state treasury.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

E. Consider Resolution 2021-110 Approving Stipend amount for Asst. Chief

**A RESOLUTION TO AUTHORIZE A STIPEND
REQUEST FOR CITY OF CHARLOTTE
VOLUNTEER FIRE DEPARTMENT.**

WHEREAS, the City has received a request from the Charlotte Volunteer Department for approval of a quarterly stipend for the Assistant Fire Chief; and

WHEREAS, the Charlotte Volunteer Fire Department has appointed a member of the volunteer ranks as the Assistant Fire Chief when the role had been held by a full-time employee for a number of years who was not eligible for a stipend; and

WHEREAS, the proposed stipend amounts is \$2,500 per quarter to be paid in lieu of the quarterly stipend payment to compensate the volunteer for the additional duties of this role; and

WHEREAS, the Charlotte Volunteer Fire Department is requesting that the City Council approve the stipend amount as set forth above for a volunteer serving as Assistant Fire Chief.

THEREFORE, BE IT RESOLVED that the City Council authorizes the quarterly stipend of \$2,500 for the role of Assistant Fire Chief with the Charlotte Volunteer Fire Department. This stipend would be subject to the same requirements and payment processes as the other quarterly stipends for the volunteers.

The foregoing resolution offered by Council member Dyer and supported by Weissenborn. Carried with roll call vote. 6 Yes. 1 No. 0 Absent.

F. Consider Resolution 2021- 111 Approving Circuit Court Action

**RESOLUTION NO. 2021-111
A RESOLUTION TO APPROVE THE CITY OF
CHARLOTTE
CIRCUIT COURT ACTION**

WHEREAS, the City of Charlotte has notified the property owner of 241 N Clinton of the determination by the Building Official that the unit at 407 W Stoddard is unfit for human habitation and is considered an unsafe structure in accordance with section 108.1.3 of the 2015 International Property Maintenance code and has been condemned until the hazards are remedied; and

WHEREAS, the City has given the property owner notice that the rubbish and other debris on the premises is in violation of Chapter 52, Section 302.1 and 307.1, and Chapter 50, Section 4; and

WHEREAS, the City has given the property owner until July 26, 2021 to obtain permits and commence necessary repairs, and clean up of the rubbish and debris; and

WHEREAS, the City Administration seeks to file claim in Circuit Court to abate this nuisance;

THEREFORE, BE IT RESOLVED that the City Council approves action by the City Attorney to file a claim and take any other necessary legal actions to remedy this nuisance.

The foregoing resolution offered by Council member Dyer and supported by Baker. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

APPROVAL OF RESOLUTIONS AND ORDINANCES

A. Consider Resolution 2021-102 Approving Charlotte Frontier Days Street Closures and Related Activities

CHARLOTTE FRONTIER DAYS RESOLUTION 2021 CITY OF CHARLOTTE

WHEREAS, the Frontier Days Festival is a community based, organized event that is to be held September 10 through the 12, 2021; and

WHEREAS, the Charlotte Frontier Days Festival Committee is responsible for organizing events that contribute to community wide fellowship, benevolence, and welfare; and

WHEREAS, the Committee in conjunction with the Chief of Police and DPW Director, have planned the Charlotte Frontier Days Parade and

other events that require use and closure of certain public streets and right of ways; and

WHEREAS, the Committee has requested that the Charlotte City Council approve the following requests and conditions:

CLOSURE OF STREETS

1. Closure to through traffic from 6:00 a.m. to 1:00 p.m. on Saturday, September 11, 2021:

West Lovett at Cochran

East Lovett at Cochran

Seminary from Cochran to Pleasant

Krebs Ct. from Cochran to Horatio

Henry from Cochran to Pleasant

Warren from Cochran to Pleasant

Shaw from Cochran to Pleasant

Oliver from Lawrence to Horatio

Horatio from Oliver to Shepherd

Washington from Lawrence to Seminary

With one side of above-mentioned street remaining open for emergency vehicle access.

2. The Committee will provide for street closure signing as per the Michigan Manual of Uniform Traffic Devices for the above streets, except for Horatio. The city will supply closing signs for Horatio at Shepherd and Lawrence.

3. The Committee requests E. Lovett from Cochran to Washington closed on Friday, September 10, after 6:00 p.m. to Saturday, September 11, at 6:00 p.m. for placement of a "Reviewing Stand" east of the Cochran intersection and for special events.

4. The Committee requests Cochran from Lawrence south to Fourth Street be closed from 9:30 a.m. Saturday, September 11, until 1 p.m. Saturday, September 11 for a parade and as approved by the Michigan Department of Transportation Permit.

PARADE – SEPTEMBER 11, 2021

1. The Department of Public Works shall be responsible for placement of the required “NO PARKING” signs at 5:00 a.m., Saturday, September 11, 2021 along the parade assembly area as well as Third Street, Fourth Street and the 100 Block of W. Stoddard Street or as designated by the Charlotte Police Department.
2. The Committee will provide parade marshals near the street closure locations to assist with traffic.
3. The Committee requests that the Charlotte Police Department provide assistance for the parade on September 11, and further assistance will be provided by parade marshals, with the route and detour of the parade and time being provided to the Charlotte Police at the earliest opportunity.
4. The Committee will rope the parade route and display “No Parking” signs on the morning of the parade between 5:00 a.m. and 6:00 a.m. and remove them immediately after the parade.
5. Due to the parade route no parking will be allowed on Third Street, both on the East and West side of the fairgrounds.

OTHER REQUESTS

1. Council gives special approval for the use of Eatan Trolley pickup signs placed in the right-of way where necessary.
2. The Committee will provide “No Parking” signs for the above streets except for Horatio, which the city will provide the “No Parking” signs.
3. The Committee will provide, for approval, to the Chief of Police, a completed liquor license application for the saloon.
4. Sparrow Eaton Hospital will organize and hold a “5k Race” on Saturday morning, September 11, 2021. The race will begin in the 200 Block of N. Oliver Street, follow the parade route, circle through Bennett Park and return to finish on Lawrence Avenue near Pleasant Street.

5. That the City Department of Public Works install event signs to be placed in the right of way on S. Cochran South bound, North of Third Street (60” x 18”), North bound South of Third Street (48” x 6”), and North bound, South of tennis court/fairgrounds entrance (60” x 18”).
 6. The Committee will provide several kids’ and family activities, at the Eaton County Fairgrounds from September 10 through September 12, 2021.
 7. Grant the use of the back entrance into the fairgrounds camping area located adjacent to the waste water treatment plant, for the entrance and exit of campers and their vehicles and for access on and off the grounds Saturday, September 11, during the 5k race and the parade (9:30 a.m. to 1:00 p.m.)
 8. That the following area be designated as “No Parking”: All four sides of the 1885 Courthouse block which includes East bound Harris, South bound Cochran, West bound Lawrence, and North bound Bostwick and the North side of 100 and 200 blocks of West Harris, with a portion of N. Bostwick Avenue reserved for handicapped parking. The “No Parking” signs will be placed around the square as coordinated by the Charlotte Police Department and the Arts and Craft Chairman with signing to be provided by the Arts and Crafts Committee.
 9. Permission to place arts and crafts in the parkway around Courthouse square boarded by Cochran, Lawrence, Bostwick, and Harris streets under the direction of the Charlotte Police Department in accordance with a layout map provided.
 10. A license will be granted to Charlotte Frontier Days, Inc. to be the designated agent for all solicitor licenses in the City of Charlotte during the Frontier Days Celebration from September 10 through September 12, 2021, per City Code, Chapter 46, and Section 2.
- WHEREAS**, the City Council of the City of Charlotte determine these temporary street closings and other requests are in the best interest of the City.

WHEREAS, the City of Charlotte may require payment for in kind services to cover the costs of overtime labor and equipment charges used in conjunction with this special event.

NOW, THEREFORE BE IT RESOLVED, that these street closures at the specified times and the other requests be granted.

BE IT ALSO RESOLVED, that the Department of Public Works will provide the requested barricades and signs for street closings and parking.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

B. Consider Resolution 2021-102 Approving Lovett Street Closure for Eaton Theater Event

RESOLUTION 2021 – 103

A RESOLUTION AUTHORIZING THE CLOSURE OF LOVETT STREET FOR ACTIVITIES RELATED TO A FUNDRAISING EVENT FOR THE EATON THEATER

WHEREAS, an ad hoc group of community organizations is helping to organize a fundraising event in support of The Eaton Theater, which has suffered significant financial loss during the Covid-19 pandemic; and

WHEREAS, this event would take place at Beach Market on Saturday, August 28; and

WHEREAS, the event would include a car show for pre-war antique cars; and

WHEREAS, the temporary closure of Lovett Street is necessary to facilitate the car show portion of the event.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby authorizes the temporary closure of the 100 block of West Lovett Street from 1 p.m. to 7 p.m. on Saturday, August 28.

BE IT FURTHER RESOLVED that the City Council authorizes the city to supply whatever closing signs and barricades it has available for the street closures; and further authorizes the city Department of Public Works to place the required barricades as needed and designated by the Charlotte Police Department.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

C. Consider Resolution 2021-103 Approving Purchase of Water Meters and Appurtenances

RESOLUTION NO. 2021-104

A RESOLUTION TO AUTHORIZE PURCHASE OF WATER METERS AND APPURTENANCES

WHEREAS, the City utilizes a single brand of water meters throughout the City to keep costs low and efficiencies high; and

WHEREAS, the DPW is continually replacing and upgrading old meters to maintain accuracy; and

WHEREAS, the FY 2021-2022 budget has approved \$30,000.00 for the purchase of meters, wire, remote readers, meter transceivers as well as other related equipment; and

WHEREAS, DPW staff has received a quote in the amount of \$20,880.00 from ETNA Supply for material and equipment to meet the anticipated needs of the upcoming months; and

WHEREAS, ETNA Supply is the sole vendor for the lower peninsula of Michigan authorized to sell this brand of equipment in our region of the United States; and

WHEREAS, Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases over the amount of \$5,000 and the required three quotes for purchases over \$2,500.

THEREFORE, BE IT RESOLVED That the city council authorizes the purchase of the meters and appurtenances from ETNA Supply in the amount of \$20,880.00 and agrees to waive the sealed bid process because the equipment is available only through a single vendor. There are no competitive quotes available.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

D. Consider Resolution 2021-105 Approving Interlocal Agreement to utilize RAVE Alerts in partnership with Eaton County.

RESOLUTION NO. 2021-105

A RESOLUTION TO AUTHORIZE AN INTERLOCAL AGREEMENT WITH EATON COUNTY TO PROVIDE EMERGENCY ALERT NOTIFICATION SERVICES

WHEREAS, the City is seeking to improve communications with residents through various technologies available; and

WHEREAS, the City Charter, Chapter 15, Section 15.1 vests the authority to enter into contracts on behalf of the city to the City Council; and

WHEREAS, Administration has reviewed vendors and obtained price quotes to provide emergency alert and similar notification services; and

WHEREAS, the annual fee of \$1,500 offered by Eaton County to obtain licensing through RAVE Alerts system currently utilized by the county for emergency alert notices was the lowest price;

THEREFORE, BE IT RESOLVED that the City Council authorizes the City Manager to sign an interlocal agreement with Eaton County to provide.

The foregoing resolution offered by Council member Baker and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES

- A. Consider Ordinance 2021-09 Amending Chapter 14, Article III to establish a rental registration and inspection program.

THE CITY OF CHARLOTTE ORDAINS:

SECTION 1. ESTABLISHING A RENTAL REGISTRATION AND INSPECTION PROGRAM. Chapter 14, *ARTICLE III RESERVED*, Title and Sections listed below shall hereby be amended.

Article III – Rental Dwelling Registration

ARTICLE III RENTAL DWELLING REGISTRATION

Section 14-56 - 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:

Building inspector means the official who is charged with the administration and enforcement of this Code, or any duly authorized representative by the city manager.

Hotel, motel, boardinghouse, rooming house mean a building held out to the public as a place for lodging for a nightly, weekly or monthly rate, including bed and breakfasts.

Occupant includes all tenants, lessees and persons residing within a rental dwelling or rental unit.

Owner means any person, firm, corporation or other legal entity having a legal or equitable interest in the premises. If more than one person or entity owns the subject real property or if more than one person or entity is a land contract vendee of the subject real property, property owner refers to each person or entity holding any portion of that interest in the property, and the property owners' obligations in this article are joint and several as to each property owner.

Owner's representative means a person or representative of a corporation, partnership, firm, joint venture, trust, association, organization or other entity designated by the owner of the premises as responsible for operating such property in compliance with all the provisions of the city's ordinances.

Rental building or structure means any building containing one or more rental units.

Rental unit means any portion of a rental building in the city that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, which is occupied by a person other than a property owner or the parents or children of a property owner. The definition of rental unit includes a single-family dwelling, or a unit in a multifamily or multipurpose dwelling, or a unit in a condominium or cooperative housing project, or any room or group of rooms located within a dwelling and forming a single unit with facilities that are used or intended to be used for living, sleeping, cooking or eating.

Sec. 14-57. - Purpose of standards.

The city recognizes a compelling interest in establishing standards for the maintenance of sanitary and safe residential rental structures in the city as an important factor for the general health, safety and welfare of all of its citizens. This article is designed to promote the continued maintenance of quality and safe rental properties and to enhance and maintain property values by adopting legislation which will be applicable to all rental housing units.

Sec. 14-58. - Applicability; exclusions

This article shall apply to any rental dwelling unit, or part thereof, which is occupied by persons pursuant to any oral or written rental or lease agreement or other valuable compensation. Such dwelling shall include, but not be limited to, single-family dwellings, multiple-family dwellings, rooming houses and boarding houses. No person

shall lease or rent a rental dwelling unit unless they have registered their property.

This article does not apply to jails, hospitals, nursing homes, convalescent homes, foster homes or temporary group shelters provided by legal nonprofit agencies which are inspected, certified and/or licensed by the state.

Sec. 14-59. - Registration.

Compliance required. All rental dwelling unit owners in District 1 are required to register their rental dwelling units within 90 days of the effective date of this ordinance, and every two (2) years or biennially, thereafter. All rental dwelling unit owners in District 2 are required to register their rental dwelling units between 90-180 days of the effective date of this ordinance, and every two years, or biennially, thereafter. All rental dwelling unit owners must abide by the registration process and procedures of this article and shall comply with the following:

1. All existing rental dwelling units property shall be registered within one hundred eighty (180) days of the effective date of the ordinance.
2. All newly constructed rental dwelling units shall be registered prior to any use or occupancy as a rental dwelling unit and every two (2) years thereafter.
3. A new owner shall register a rental dwelling unit, which is sold, transferred or conveyed, within thirty (30) days of the date of the closing of such sale. Any existing registration shall be transferred to the new owner and shall be valid

until its expiration or revocation for noncompliance with city codes and ordinances.

4. All existing nonrental dwelling units, which are converted to rental dwelling units, shall be registered prior to the date on which the property is first occupied for rental purposes and every two (2) years thereafter. Failure to comply will result in penalties as described in this article or by resolution.

Applications for registration shall be made in such form and in accordance with such instructions as may be provided by the building inspector designated by the city manager and shall include at least the following information:

- a. The name, address and telephone number of the owner (no post office box shall be accepted).
- b. The name, address and telephone number of the owner's representative or responsible local agent, if the rental property owner has opted to appoint a representative.
- c. The authorization appointing a local agent, signed by both the owner and the local agent, is designated.
- d. The address of the rental unit.
- e. The number of dwelling or rooming units in each building on the premises

Upon registration, the owner shall be responsible for notifying the building inspector of any change of address of either the owner or owner's representative. Renewal registration shall require a satisfactory inspection being completed.

In the event of a transfer of ownership, the registration shall become invalid. Any new owner shall register within ten days of the date of transfer. Every person holding such registration shall notify the building inspector in writing within ten days after having sold, transferred or otherwise changed the ownership of such rental unit.

Fee. At the time of registration of the dwelling unit, there will be a prescribed fee, as adopted by resolution. Any unpaid registration fees shall become a lien on the property immediately and collected as an assessment pursuant to city ordinance. An owner shall not have a property as a rental dwelling unless it has registered with the city.

Section 14-60. - Inspections.

The City employee assigned to inspect a particular rental unit shall give confirmation notice, by first class mail, to the local agent and the tenant within seven days of the scheduled inspection. The landlord, the tenant and the agent shall permit the inspection by the City inspector. The City inspector shall advise the landlord, tenant and/or agent, at the time of the inspection, that the landlord, tenant and/or agent shall have the right to refuse entry if the inspector does not have a search warrant. The City inspector shall also advise the landlord, tenant and/or agent that, if the inspection is refused, an administrative search warrant will be sought. If the landlord, tenant and/or agent refuses to permit a scheduled inspection, the inspector may, through the City Attorney, seek an administrative search warrant to conduct the inspection.

The City inspector may, at the request of the landlord, the tenant or the agent, inspect the property. If the inspector is invited to inspect the property, no notice shall be required to be given.

A reinspection notification shall be given by first class mail or by telephone within seven days of the scheduled reinspection.

Sec. 14-61. - Responsible Local Agent.

At the discretion of the property owner, a responsible local agent may be designated. The responsible local agent shall be a person or representative of a corporation, partnership, firm, joint venture, trust, association, organization or other entity, having his place of residence in the county, and shall be designated by the owner of the premises as responsible for operating such property in compliance with all the provisions of this Code. All official notices of the city may be served on the responsible local agent, and any notice so served shall be deemed to have been served upon the owner of record.

Sec. 14-62. - Certificate of Compliance.

No person shall operate, lease, rent or occupy a rental unit unless there is a valid certificate of compliance issued by the building inspector in the name of the operator and issued for the specific rental unit. The certificate shall be issued for each building containing a rental unit and shall be displayed in a conspicuous place. The certificate shall be issued after registration with the city and after inspection by the building inspector and shall state that the unit or units inspected comply with the provisions of this Code and state law. A certificate of compliance is valid for a period of two years from its date of issuance and must be renewed in conformity with the registration provisions of this article. The name, address and telephone number of the property owner or the designated

responsible local agent shall be posted on the certificate of compliance.

Sec. 14-63. - Requirements for Issuance, Revocation of Certificate.

The building inspector shall not issue a certificate of compliance unless a current housing registration is in effect, the responsible local agent is properly designated, any fees for registration plus penalties are paid in full, and inspection of each unit has determined that compliance has been secured with the minimum standards and other provisions of this Code.

The building inspector may, after inspection, issue a certificate of compliance for all units in a multiple unit dwelling. The Building inspector may also, after inspection, issue a certificate of compliance for a portion, but not all, of the units in a multiple unit dwelling. If the certificate of compliance is not issued for all units in a multiple unit dwelling, it shall be a partial certificate of compliance, and noncomplying units may not be operated, leased, rented or allowed to be occupied. Owners of noncomplying units and multiple unit dwellings may appeal the decision of the Building Inspector through the procedures listed in section 14-XX. For the purposes of this subsection, multiple unit dwellings shall include all hotels, motels, boarding houses, rooming houses, two-family dwelling units and multiple unit dwellings.

Whenever the building inspector finds that the operator of any rental unit has failed to comply with a notice of violation or compliance order issued pursuant to this Code, the certificate of compliance may be revoked.

Upon revocation of a certificate of compliance and/or a determination by the housing and building board of appeals that a rental unit is unfit for human habitation, the owner or operator of the unit shall immediately vacate the unit; and no person shall thereafter occupy for sleeping or living purposes the unit until the unit is in compliance with this article.

Sec. 14-64. - Applicable standards.

The standards used to determine rental property and dwelling unit compliance with city codes and ordinances shall be the International Property Maintenance Code, as adopted and amended by the city council.

Sec. 14-65. - Noncompliance with code.

The building inspector may enter rental dwelling units under any of the following circumstances:

1. After the registration of the rental dwelling unit which shows the possibility of not complying with local or state law.
2. Upon receipt of a written complaint from an owner, owner's representative or occupant that the premises is in violation of this article.
3. Upon receipt of a report or referral from the police department, fire department, public or private school, or

another public agency, or a failure to comply with this article.

4. Upon evidence of an existing ordinance violation observed by the building inspector.
5. At the request of the owner to determine compliance with the International Property Maintenance Code.
6. If the proposed rental dwelling unit is being converted from a single-family home, the building inspector shall evaluate the property for public safety violations before first occupied for rental purposes.

The building inspector may make an appointment with the owner or owner's representative of the rental dwelling unit. The owner or owner's representative must give the building inspector at least twenty-four (24) hours' notice when changing the scheduled appointment with an alternative date and time. The building inspector shall issue a written report noting any violations of this article or any other provision of the city's ordinances and shall provide a copy of the report to the owner or owner's representative. The building inspector shall direct the owner or owner's representative to correct violations within the time set forth in the report. A reasonable time for correcting violations shall be determined by the building inspector in light of the nature of the violations and all relevant circumstances, which shall not exceed sixty (60) days, unless correction of the violation within a 60-day period is impossible due to seasonal considerations. Upon request of the person responsible for correcting violations, the building inspector may extend the time for correcting violations, but not to exceed an additional thirty (30) days.

The building inspector may charge a nominal fee that equals the actual administrative cost to enter premises as established by

resolution. If the building inspector determines that a complaint was filed without a factual basis and with malice, a fee may be charged to the complainant.

Sec. 14-66. - Fees.

Fees for registration of rental units and penalties shall be established by resolution of Council. The fee schedule shall be available to the public from the city clerk. Any unpaid inspection fees shall become a lien on the property and collected as provided by law.

Reinspection fees for violations shall be assessed after the original inspection and one reinspection. There will be no exceptions or extensions for immediate health, safety and life threatening violations. Following is a list of reasons that a reinspection fee may be charged: failure to appear for inspection; failure to comply with violation notices; and failure to permit inspection.

Inspection fees shall be set by resolution of the City Council. Such fees may be changed from time to time by resolution of Council.

Sec. 14-67. - Violations.

If the owner or owner's representative does not correct a violation of any provision of this article, the building inspector may bring an action to seek the enforcement of this article by an appropriate legal remedy. Any structure not in compliance with this article is deemed a nuisance.

Any owner or owner's representative of a rental dwelling unit who violates any section of this article for the first offense shall be responsible for a municipal civil infraction as provided for in this Code with the fines as stated in subsection (a) below.

a. The fines for municipal civil infractions for violating this article shall be: Two hundred dollars (\$200.00) per occurrence for the first offense; four hundred dollars (\$400.00) for a second offense if it occurs within two (2) years of the prior offense even if it occurs at the same time as the prior offense. Each day that a violation continues shall be a separate offense.

The building inspector, building official, code enforcement officer and any other person designated by the city manager are hereby designated as the authorized individuals to issue municipal civil infraction citations for violations of this article.

In addition to any penalties imposed by law, a finding of responsibility by the court for a violation of this article, the city shall be entitled to immediately revoke any existing certificate of compliance and shall entitle the city to seek the issuance of a court order compelling the eviction of all persons and property upon the premises until a certificate of compliance is issued by the city.

An owner or owner's representative may be charged with more than one (1) violation of the provisions of this article in a single complaint or municipal civil infraction, provided that each violation so charged relates to the same property.

Sec. 14-68. - Appeals.

Any person whose registration to rent or lease a dwelling or to operate a rental unit has been denied, or whose certificate of compliance has been revoked, may appeal to the City Council.

Sec. 14-69 through 14-85. - Reserved.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective 20 days after publication.

The foregoing resolution offered by Council member Dyer and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

B. Consider Ordinance 2021-10 Amending Chapter 68, Article III, Section 68-99 Billing and Collection

THE CITY OF CHARLOTTE ORDAINS:

SECTION 1. Modifying the payment deadline for water and sewer bills. Chapter 68, *ARTICLE III Water and Sewer Rate, Section 68-99 Billing and Collection* as listed below shall hereby be amended.

Section 68-99 – Billing and Collection.

(A) Charges for water and sewer usage shall be paid within 30 days of the date which they are billed. Payments shall be deemed made when they are received in the Treasurer’s office or a city authorized depository. If payment is not made as provided in this section, a penalty of 10% shall be added to the bill. Failure to receive a bill shall not relieve the customer from the responsibility for payment.

SECTION 2. EFFECT ON REMAINING SECTIONS. The remaining Sections of Chapter 68, Article III shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective 20 days after publication.

The foregoing resolution offered by Council member Dyer and supported by VanStee. Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

PUBLIC COMMENTS:

John Flaherty called in asking permission to have Blue Angel fly over during nephews memorial August 21, 2021

Valli Halbeisen urged council to go check out Hastings and see how they are running their city. Also would like her street removed from Safe Routes to School.

COMMUNICATIONS AND COMMITTEE REPORTS,
COUNCILMEMBER COMMENTS:

The City Attorney Report was received.

The City Manager Report was received. LaPere recapped on status of 241 N. Clinton St.

Manger LaPere introduced Mary LaRocque & Eric Smith, new City Clerk & City Treasurer/Finance Director.

ADJOURNMENT:

Council member Baker moved, supported by VanStee to adjourn the meeting at 8:46 p.m. Carried. 7 Yes. 0 No. 0 Absent.

Mayor Armitage

Mikayla Densmore, Deputy City Clerk