

CITY OF CHARLOTTE COUNCIL PROCEEDINGS
111 E. Lawrence Ave., Charlotte, MI 48813 (517) 543-2750
Regular Council Meeting
June 20, 2022

CALL TO ORDER:

By Mayor Armitage on Monday June 20, 2022 7:00 p.m.

ROLL CALL:

Mayor Armitage, Mayor Pro-Tem Weissenborn, Council members Dyer, Rodriguez, and Van Langevelde and Chin. Duweck was absent. A quorum was met. Also in attendance were Attorney Gillies, City Manager LaPere, and City Clerk LaRocque.

City staff in the audience; Finance Director/Treasurer Smith; Police Chief Brentar; Fire Chief Jordan; and Public Works Director Gilson.

INVOCATION:

Dennis Weeks, Chester Gospel – not available

PLEDGE OF ALLEGIANCE:

Led by Mayor Armitage

APPROVAL OF MINUTES:

June 06, 2022 Regular meeting minutes and June 09, 2022 Workshop meeting minutes.

Motion by Chin, supported by Dyer to approve the meeting minutes as presented. Carried; Yea 6; Nay 0; Absent 1.

EXCUSE ABSENT MEMBERS:

Motion by Van Langevelde supported by Dyer to excuse the absence of councilmember Duweck. Carried; Yea 6; Nay 0; Absent 1.

PUBLIC HEARING:

a. Special Assessment District (SAD)

It is noted that this assessment was created in 2021, this annual renewal gives notice to residents of the amount to be assessed for this calendar year and gives them an opportunity to notice the city of their objection in person and reserve their right to appeal before the State Tax Tribunal or any other appropriate entity. The assessment will remain in perpetuity until Council abolishes it.

Public comment was opened with the following city residents speaking in protest: Matt Brook, who also owns 17 rental properties in Charlotte, a list of which was submitted by Brook and has been entered into the record; John Forte; Caleb Mason; and Charles Spagnuolo (via Zoom). Resident Don Sovey spoke in support of the assessment. Public comment was closed at 7:21 p.m. with no further comments offered.

The Clerk is also in receipt of an objection via email from Richard Deer and a letter submitted by DTN Management Company.

b. ZBA variance approval 319 Warren Ave.

Public comment was opened with the property owners James and Gail Higashino making their case for the approval of extending out the current fence line which is restricted in the ordinance to give them more room in their back yard in regards to the placement of a privacy fence on their corner lot; Caleb Mason, resident, spoke in favor of granting the Higashino's a variance. Public comment was closed at 7:29 p.m. with no further comments offered.

PUBLIC COMMENT:

No comments given

APPROVAL OF AGENDA:

Motion by Van Langevelde supported by Dyer to approve the agenda as presented. Carried; Yea 6; Nay 0; Absent 1.

CONSENT AGENDA:

- a. Approval of Claims and Expenditures totaling \$298,928.08
- b. Approval of Firework Display Permit at Eaton County Fairgrounds
- c. Appointment of Councilmember Duweck as council representative for the Planning Commission
- d. Resolution 2022-14 to approve amendments to FY 21-22 budget

**RESOLUTION NO. 2022-14
TO AMEND THE BUDGET FOR THE 2021-22 FISCAL YEAR**

BE IT HEREBY RESOLVED by the City Council of the City of Charlotte that the 2021-22 Fiscal Year Budget is amended as per the attached Budget Report for City of Charlotte for Fiscal Year 2021-22.

- e. Approval of lease agreement with Shyft Group for temporary use of Airport property

Motion by Weissenborn supported by Dyer to approve the Consent Agenda items a through e. Carried by unanimous roll call vote; Yea 6; Nay 0; Absent 1.

BUSINESS AGENDA:

- a. Consider approval of Variance for 319 Warren Ave.

After discussion, it was determined the criteria required to be met when granting a variance of the zoning ordinance was not met to grant this variance. Discussion ensued among the Council who felt another look at the ordinance should be pursued and it was agreed to consider amending the zoning ordinance to ease the restrictions on fence height and placement on corner lots. Amending an ordinance will take a few months to accomplish

Motion by Van Langevelde supported by Dyer to approve the zoning variance at 319 Warren Ave. Failed by roll call vote; Yea 2 (Rodriguez, Van Langevelde; Nay 4 (Weissenborn, Chin, Armitage, Dyer); Absent 1.

- b. Resolution 2022-13 to approve Special Assessment Roll for fire department

**RESOLUTION NO. 2022-13
TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR THE OPERATION AND MAINTENANCE OF THE CHARLOTTE FIRE DEPARTMENT AND TO LEVY AND TO COLLECT THE TAXES AND TO PROVIDE FOR ANNUAL APPROPRIATIONS**

WHEREAS, the City Council has, in adopting Resolution 2021-057, established a district to provide for the purchasing of equipment and for the operation and maintenance of the Charlotte Fire Department, pursuant to 1951 P.A. 33, as amended; and

WHEREAS, the City Council has caused the Assessor to prepare an assessment roll spreading the total amount to be assessed against each parcel for fire protection for the fiscal year 2022; and

WHEREAS, the City Council, after due and legal notice, has reviewed the special assessment roll prepared for the

purpose of defraying the cost of operating and maintaining the Charlotte Fire Department as follows:

For the purchase of fire apparatus and equipment, and for the funding, on an annual basis, for the operation and maintenance of the Charlotte Fire Department. and

WHEREAS, the City Council deems said special assessment roll to be fair and equitable as reported to it by the Assessor;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be designated "Special Assessment Roll No. 1 of 2022," and the district against which it is spread shall be designated "Special Assessment District No. 1 of 2022"

2. Said Special Assessment Roll No. 1 of 2022 in the amount of \$885,034.00, as prepared and reported to the City Council, shall be and the same is hereby confirmed.

3. The special assessment will defray eighty-five percent (85%) of the estimated cost of \$1,041,221.00 for the City's portion of the fire protection services. Each property subject to the assessment shall be assessed 3.805 mills per annum. The first 1.805 mills shall be collected on the July 2022 tax roll and the remaining 2 mills shall be collected on the December 2022 tax roll.

4. The assessments made in special assessments roll are hereby ordered and directed to be collected, and the City Clerk shall deliver said special assessment roll to the City Treasurer, with his warrants attached, commanding the Treasurer to collect the assessments therein in accordance

with the directions of the City Council with respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

5. The City Council may appropriate annually that sum necessary for the maintenance and operation of the fire department, as provided by law.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Motion by Dyer and supported by Chin to approve Resolution 2022-13 Carried by roll call vote: Yea 6; Nay 0; Absent 1.

c. Resolution 2022-11 to approve FY 22-23 budget

**RESOLUTION NO. 2022-11
TO APPROVE THE BUDGET FOR THE FISCAL
YEAR THAT BEGINS JULY 1, 2022, TO SET RATES
OF TAXATION, AND TO AUTHORIZE OTHER
RELATED ACTIONS.**

WHEREAS, in accordance with the provisions of the City Charter, the City Manager submitted to Council a proposed budget for the fiscal year commencing July 1, 2022 and ending June 30, 2023; and

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

WHEREAS, in accordance with legal requirements and after proper notice, a hearing was held on the proposed budget on June 6, 2022;

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

101	General Fund		\$5,801,120
	Taxes	\$3,590,285	
	Licenses & Permits	\$11,740	
	Intergovernmental	\$1,698,325	
	Charges for Services	\$46,500	
	Fines & Forfeitures	\$10,250	
	Other Revenue	\$94,020	
	Interfund Transfers	\$350,000	
202	Major Street Fund		\$1,193,800
203	Local Street Fund		\$581,000
206	Fire Fund		\$1,496,845
230	Police Drug Enforcement Fund		\$1,500
240	Police Training Fund		\$21,500
243	Brownfield Redevelopment Fund		\$97,815
260	DDA Fund		\$37,035
261	LDFA Fund		\$3,000
270	Industrial Park Fund		\$11,640
280	Airport Fund		\$185,720
290	Federal & State Grants Fund		\$0
330	2008 Facility Building & Site Fund		\$229,030
500	Recycling Fund		\$88,280
510	Water and Sewer Fund		\$4,699,500
	Water Revenue	\$1,775,600	
	Sewer Revenue	\$2,853,700	
	Other Revenue	\$70,200	
601	Motor Vehicle Pool Fund		\$540,950
666	Information Technology Pool Fund		\$281,500

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

101	General Fund		\$5,633,610
	General Government	\$1,624,535	

	Public Safety	\$2,453,885	
	Public Works	\$869,570	
	Community & Economic Dev.	\$337,030	
	Parks & Recreation	\$103,060	
	Operating Transfers	\$245,530	
202	Major Street Fund		\$1,673,650
203	Local Street Fund		\$626,375
206	Fire Fund		\$1,496,845
230	Police Drug Enforcement Fund		\$1,500
240	Police Training Fund		\$21,500
243	Brownfield Redevelopment Fund		\$83,940
260	DDA Fund		\$44,395
261	LDFA Fund		\$350
270	Industrial Park Fund		\$3,000
280	Airport Fund		\$185,720
290	Federal & State Grants Fund		\$0
330	2008 Facility Building & Site Fund		\$198,500
500	Recycling Fund		\$58,280
500	Water and Sewer Fund		\$5,261,825
601	Motor Vehicle Pool Fund		\$714,590
666	Information Technology Pool Fund		\$281,500

AND BE IT FURTHER RESOLVED, that 14.1369 mills be levied on the taxable valuation as equalized for general operating requirements of the City;

AND BE IT FURTHER RESOLVED, that .1800 mills be levied on the taxable valuation as equalized for yard waste collection;

AND BE IT FURTHER RESOLVED, that .0730 mills be levied on the taxable valuation as equalized for recycling center operating requirements;

AND BE IT FURTHER RESOLVED, that .9000 mills be levied on the taxable valuation as equalized to cover the principal and interest payments of the General Obligation

Unlimited Tax Refunding Bonds, Series 2017, which refunded the 2008 Building Facility & Site bonds approved by the electorate on November 6, 2007;

AND BE IT FURTHER RESOLVED, that 3.805 mills be levied on the taxable valuation as equalized for Special Assessment District #1 of 2022 to defray costs of fire protection services and capital expenditures, which assessment will be revenues of the Fire Fund;

AND BE IT FURTHER RESOLVED, that 1.8890 mills be levied on the taxable valuation as equalized for parcels within the Downtown Development Authority (DDA) district, which taxes will be revenues of the DDA fund;

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

~~**AND BE IT FURTHER RESOLVED**, that the administration is hereby directed to raise through donations, sponsorships or other fund raising the sum of \$20,000, which sum shall be used to defray operating expenses of the recycling center during the 2022-23 fiscal year;~~

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

AND BE IT FURTHER RESOLVED, that within the General Fund, \$110,125 is reserved and non-spendable as prepaids and inventory;

AND BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to make budgetary transfers within a fund or between funding centers within a fund, if such exist, and that

all other transfers be approved only by further action of the Council pursuant to the provisions of the Michigan Uniform Budgeting and Accounting Act.

The foregoing resolution 2022-11 was presented by Van Langevelde and supported by Dyer for approval after striking the paragraph that directs staff to fundraise \$20,000 for the recycling center. Carried with the following roll call vote; Yea 6; Nay 0; Absent 1 (Duweck).

d. Resolution 2022-12 to approve 2022 Fee Schedule

**RESOLUTION 2022-12
TO UPDATE THE FEE SCHEDULE**

WHEREAS, fees to be paid for zoning reviews, including fences, sheds, site plans, rezoning, Board of Appeals requests, etc., are to be established by resolution of the City Council; and

WHEREAS, fees to be paid for water turn on charges, NSF check, Sewer Cleaning, call out rates, and meter testing, etc. are to be established by resolution of the City Council; and

WHEREAS, fees to be paid for gun permits, copies of police reports, breath test, water turn on charges, weed cutting, copies, DVDs, CDs labels and other requests are to be established by resolution of the City Council; and

WHEREAS, fees are reviewed on an annual basis to consider whether to be adjusted to reflect the true costs of providing the services associated with the issuance of those services;

NOW THEREFORE BE IT RESOLVED, that the following fees be established as follows:

Administration/General Fees

~~City Code Book (incl Charter and Zoning w/ cover and tabs) \$95~~

City Code Book (incl Charter and Zoning no cover/tabs) \$0.25 per page

City Charter \$13.25

Qualified Voter File Information varies per FOIA ~~\$0.25 per page~~

~~Or \$5 per CD digital~~

~~Labels \$0.03 each~~

Copies \$0.25 per page

Notary Services \$10

Planning and Zoning

Zoning Permit (shed or fence) \$20

Act 425 Agreement \$100

Rezoning \$150

Rezoning w/ Master Plan Change \$200

Zoning Board of Appeals Hearing ~~\$75~~ \$100

Site plans, including planned development districts \$100

Special Condition Use \$100

Class A Non-Conforming Use \$100

Plan Review: Commercial/large building \$75

Plan Review: Residential/small building \$25

Agency or other requested inspections \$25

Agency or other requested reinspection \$15

Subdivision Review: Conventional Plat \$250

Plus \$2 per lot

Subdivision Open Spaces Plan \$250

Plus \$2 per lot

Multifamily Residential Plat \$250

Plus \$2 per individual dwelling unit

Zoning Book \$0.25 per page

Zoning Map \$2

Master Plan with Maps \$40

Copies \$0.25 per page

Department of Public Works

Water turn-on fee (repair/seasonal) \$30

Water turn-on fee (after hours - repair/seasonal) ~~\$70~~ \$100

Water turn-on fee (non-payment shut off) \$80

NSF returned check fee \$30

Sewer clean ~~\$75~~ \$85

Sewer clean (after hours - call out) \$150 \$170

Sewer clean (holiday - call out) \$200

Meter test varies per cost

Weed cutting (actual cost of labor/equipment) minimum \$150

Water meter rental:

Meter deposit (refundable less water charges) \$500

0-5,000 gallons minimum fee \$50

Above 5,000 gallons minimum fee \$100

Water used is billed at twice established rate

Frozen meter replacement varies based on cost of meter and copper horn

Frozen meter in pit varies based on cost of meter

Frozen water service varies based on labor, material, and equipment costs

Sprinkler meter varies based on cost of meter and copper horn

Sidewalk snow removal (based on actual costs) minimum \$100

Brush clean-up (based on actual costs) minimum \$100

Trash clean-up (based on actual costs) minimum \$150

Copies \$0.25 per page

Fire Department

Occupancy Permit \$30

Building/Structure Fire \$500

Residential False Alarm \$100

Commercial False Alarm \$200
 Vehicle Accident \$200
 Vehicle Accident with Extrication \$500
 Vehicle Fire \$500
 Cable Line Hazard \$50
 Power Line Hazard \$250 for first hour
 \$50 per hour for each additional hour or fraction thereof
 Fire Department Standby \$50
 Fire Report (non-FOIA) \$5

Police Department

Emergency Response Incidents Involving DUI \$250-500
 Residential False Alarm \$100
 Commercial False Alarm \$200
 Gun permit (notary fee) \$10
 Downtown parking permit (residents only) \$30
(6mos)
 Police report (FOIA) varies per FOIA
 Court ordered breath testing \$5
 Vehicle crash reports order online at <https://policereports.lexisnexis.com>

The foregoing resolution 2022-12 was presented by Dyer and supported by Van Langevelde for approval. Carried with the following vote; Yea 6; Nay 0; Absent 1.

COMMUNICATIONS AND COMMITTEE REPORTS:

a. City Attorney report was received.

Armitage noted the Charter Amendments regarding Ward Elimination, Mayoral Term length and Moving City Elections from Odd to Even years will be in the discussions to come at the July 5th meeting with the Attorney.

b. City Manager report was received

LaPere mentioned public input is sought for the Tri-County Mitigation Plan with a link to the report; volunteer opportunities still available to join one our City Boards and Commissions; Our Code Enforcement officer is working to establish a “Sponsor a Neighbor” program for help in lawn mowing; the Rental Inspector will be sending out notices to rental owners needing to register and those who need to schedule an inspection. Assistance programs for residents with financial difficulties paying their bills can be found at <https://www.charlottemi.org/assistance-programs-available/>; Sign up for RAVE alerts – text “Charlotte” to 67283; and Comcast, a cable and internet provider, will be installing infrastructure early 2023 and offering their services to residents thereafter.

c. Councilmember Committee Reports

Dyer; The Library board approved its budget. He is going to approach Friends of Library to see about partnering with them for improvements at Oak Park. Dyer clarified that CATA and EATRAN are not merging but rather partnering, coordinating, and sharing staff with the intention of improving regional transit services.

PUBLIC COMMENTS:

Caleb Mason, resident; has the intention of joining the Water Ad Hoc Committee; and, in following up with meeting discussions, he noted a national standard of 2’ to 4’ regarding the fence ordinance and cautioned about taking the cheapest bid, that they may not always be in the best interest of the City.

James Higashino resident at 319 Warren is disappointed his zoning variance was not approved. Is concerned about the safety of his family and passersby who may come close to his dog.

Gail Higashino resident at 319 Warren pled for council to reconsider their decision on the zoning variance.

John Forte, resident; feels public safety is priority number one and thereby stating who he thinks the city should terminate to open up positions for the police dept.

Caleb Mason, resident; mentioned that grants are available to beautify the downtown area.

MAYOR AND COUNCIL COMMENTS:

Armitage clarified that the County Drain Commission is partnering with the City on Island Hwy project and not MDOT. Next meeting is Tuesday July 5th due to holiday closures on Monday the 4th.

Van Langevelde expressed her gratitude to all the hard work and participation in the Celebrate Charlotte event.

Rodriguez offered his commitment to Mr. Higashino to work on improvements (to the zoning ordinance), encouraged public participation in the meetings and regarding the budget offered that “budgets can always be amended”.

Weissenborn thanked all attendees who spoke in person or watched virtually, she values their input and is listening to them.

Dyer stated the reason for his support of partnering with the County on the Island Road project is that the City saves on fixed costs that (the City) would otherwise have to shoulder on its own if performing the work singularly.

Chin thanked everyone for the opportunity to serve on Council and invited any District II residents to contact him, his phone number and email is listed on the City website. He will be learning and watching the budget carefully and quoted Rodriguez “Budgets can be amended”.

ADJOURN:

Motion by Van Langevelde supported by Dyer to adjourn the meeting at 9:29 p.m. Carried; Yea 6; Nay 0; Absent 1

Mayor Michael Armitage

Mary LaRocque, City Clerk