

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**February 27, 2017**

**CALL TO ORDER:** By Mayor Lewis on Monday, February 27, 2017, at 7:00 p.m.

**PRESENT:** Councilmembers Bahmer, Ridge, Sanders, Mayor Lewis, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Pastor John Colegrove followed by the Pledge of Allegiance.

**Councilmember Russo arrived at 7:04 P.M.**

**APPROVAL OF MINUTES FOR REGULAR MEETING OF FEBRUARY 13, 2017:** Mayor Pro-Tem Sanders moved, supported by Ridge to approve the regular meeting minutes of February 13, 2017 as presented. Carried. 5 Yes. 0 No.

**ABSENT:** Councilmembers Johnston and Mitchell.

Councilmember Ridge moved, supported by Sanders to excuse Councilmembers Johnston & Mitchell. Carried. 5 Yes. 0 No.

**PUBLIC HEARINGS:**  
**ORDINANCE TO AMEND CHAPTER 64 BY ADDING DIVISION 2 PROVIDING A TAX EXEMPTION FOR THE EDMOND SENIOR PROJECT:**

Public Hearing Opened: 7:05 P.M.

No comments.

Public Hearing Closed: 7:05 P.M.

**PUBLIC COMMENT:** None.

**APPROVAL OF AGENDA:** Mayor Pro-Tem Sanders moved, supported by Russo to approve the agenda as presented. Carried. 5 Yes. 0 No.

**SPECIAL PRESENTATIONS:** None.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2017-16 MAYORAL APPOINTMENTS:**

**WHEREAS**, a need for an appointment exists on the Downtown Development Authority; and

**WHEREAS**, Mayor Lewis is recommending the following individual to be appointed to this board:

Name	Board	Term Ending
Travis Lyon	Downtown Development	3/15/2020

**THEREFORE, BE IT RESOLVED** that the appointment listed above shall be and the same are hereby approved.

Councilmember Ridge moved, supported by Sanders to approve Resolution No. 2017-16 Mayoral Appointments as presented. Carried. 5 Yes. 0 No.

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2017-17 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:**

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

**WHEREAS**, the February 17, 2017 payroll totaled \$140,923.25; and

**WHEREAS**, the January 2017 Bank of America credit card charges totaled \$3,966.05; and

**WHEREAS**, the February 27, 2017 claims total \$309,679.20;  
**THEREFORE, BE IT RESOLVED** that the City Council approves claims  
and accounts for February 27, 2017 in the amount of \$454,598.30.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:**  
Councilmember Ridge moved, supported by Russo to approve  
Resolution 2017-17 for expenditures of the City for February 27, 2017,  
as presented. Carried. 5 Yes. 0 No.

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER SECOND READING AND ADOPTION OF AN  
ORDINANCE TO AMEND CHAPTER 64 BY ADDING  
DIVISION 2 PROVIDING A TAX EXEMPTION FOR THE  
EDMOND SENIOR APARTMENTS PROJECT:**

EXEMPTION BY ADDING DIVISION 2 TO  
ESTABLISH A TAX EXEMPTION FOR THE EDMOND  
SENIOR APARTMENTS ON SOUTH WASHINGTON  
STREET

**SECTION 1. PURPOSE.** The City is authorized by State law to levy a  
service charge in lieu of property taxes for certain housing developments for  
individuals with low and moderate incomes. An ordinance establishing such  
a charge for the Sugar Mill Apartments complex was passed in 2002. This  
ordinance amends City code to establish a service charge in lieu of property  
taxes for a proposed senior housing development called the Edmond Senior  
Apartments to be located on South Washington Street.

**SECTION 2.** Chapter 64 of the Code of Ordinances is hereby amended to  
read as follows:

*Division 1. Sugar Mill Apartments*

**§ 64-1 IN GENERAL.**

This division shall be known and cited as the "City of Charlotte Tax  
Exemption Ordinance for Sugar Mill Apartments Complex on Maynard  
Street."

**§ 64-2 PREAMBLE.**

(A) It is acknowledged that it is a proper public purpose of the State of  
Michigan and its political subdivisions to provide housing for its citizens of  
low to moderate income and to encourage the development of such housing  
by providing for a service charge in lieu of property taxes in accordance with  
the State Housing Development Authority Act of 1966 (1966) Public Act 346  
of 1966, being M.C.L.A. §§ 125.1401 *et seq.*, as amended. The city is  
authorized by this Act to establish or change the service charge to be paid in  
lieu of taxes by any or all classes of housing exempt from taxation under this  
Act at any amount it chooses not to exceed the taxes that would be paid but  
for this Act. It is further acknowledged that such housing is a public  
necessity, and as the city will be benefitted and improved by such housing,  
the encouragement of the same by providing certain real estate tax exemption  
for such housing is a valid public purpose; further, that the continuance of the  
provision of the chapter, for tax exemption and the service charge in lieu of  
taxes during the period contemplated in this chapter are essential to the  
determination of economic feasibility of housing developments which are  
constructed and financed in reliance on such tax exemption.

(B) The city acknowledges that Sugar Mill Limited Dividend Housing  
Association, Michigan Limited Partnership, ("the sponsor") has offered  
subject to receipt of a mortgage loan from the Michigan State Housing  
Development Authority, to erect, own and operate a housing development  
identified as Sugar Mill Apartments (the "housing development") on certain  
property located on the 100 Block of Maynard Street in the city to serve  
senior citizens of low to moderate income, and that the sponsor has offered to  
pay the city, on account of this housing development, an annual service  
charge for public services in lieu of taxes.

**§ 64-3 DEFINITIONS.**

**AUTHORITY.** The Michigan State Housing Development Authority.

**ACT.** The State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan, being M.C.L.A. §§ 125.1401 *et seq.*, as amended.

**ANNUAL SHELTER RENT.** The total collections during an agreed annual period from all occupants of a housing development representing rent or occupancy charges, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.

**ELDERLY PERSONS.** A family where the head of household is 62 years of age or older or a single person who is 62 years of age or older. Also includes persons of any age who are handicapped or disabled.

**HOUSING DEVELOPMENT.** A development which contains a significant element of housing for persons of low to moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the Authority determines improves the quality of the development as it relates to housing for persons of low to moderate income.

**MORTGAGE LOAN.** A loan to be made by the Authority to the sponsor for the construction and/or permanent financing of the housing development.

**UTILITIES.** Fuel, water, sanitary sewer service and/or electrical service, which are paid by the housing development.

**SPONSOR.** Person(s) or entities which have applied to the Authority for a mortgage loan to finance a housing development.

**§ 64-4 CLASS OF HOUSING DEVELOPMENT.**

It is determined that the class of housing development to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be senior housing which are financed or assisted pursuant to the Act. It is further determined that Sugar Mills Apartments is of this class.

**§ 64-5 ESTABLISHMENT OF ANNUAL SERVICE CHARGE.**

(A) The housing development identified as Sugar Mills Apartments and the property on which it shall be constructed shall be exempt from all property taxes from and after the commencement of construction. The city, acknowledging that the sponsor and the Authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this chapter, the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in this chapter in consideration of the sponsors offer, subject to receipt of a mortgage loan from the Authority, to construct, own and operate the housing development, agrees to accept payment of an annual service charge for public services in lieu of all property taxes.

(B) The annual service charge shall be the greater of the following:

(1) Fourteen percent of the difference between the annual shelter rents actually collected and utilities; or

(2) A minimum payment determined as follows. In the first year of operation, the minimum payment shall be \$35,900, prorated on a daily basis from the date the final occupancy permit is issued through the next August 31. Each year thereafter, this payment shall be adjusted annually by the lesser of: 5%; or the increase or decrease in the general price level for the preceding year, as defined in the Michigan Constitution, § 33. The general price level is also the same percentage used to calculate the taxable property value by the City Tax Assessor.

**§ 64-6 LIMITATION ON THE PAYMENT OF ANNUAL SERVICE CHARGE.**

(A) Notwithstanding § 64-5, the service charge to be paid each year in lieu of taxes for the part of the housing development which is tax exempt and which is occupied by other than low to moderate income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing development if the housing development were not tax exempt.

(B) The term **LOW TO MODERATE PERSONS** as used herein means, with respect to any housing development that is tax-exempt, senior persons eligible to move into that development.

**§ 64-7 CONTRACTUAL EFFECT OF CHAPTER.**

Notwithstanding the provisions of § 15(a)(5) of the Act, to the contrary, a contract between the city and the sponsor with the authority as third party beneficiary under the contract to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this chapter.

**§ 64-8 PAYMENT OF SERVICE CHARGE.**

The service charge in lieu of taxes as determined under the chapter shall be payable in the same manner as general property taxes are payable to the city except that the annual payment will be paid on or before August 31 each year.

**§ 64-9 DURATION.**

This chapter shall remain in effect and shall not terminate so long as the mortgage loan remains outstanding and unpaid or the Authority has any interest in the property; provided, that construction of the housing development commences within 1 year from the effective date of this chapter.

**§ 64-10 SEVERABILITY.**

The various sections and provisions of this chapter shall be deemed to be severable, and should any section or provision of this chapter be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the chapter as a whole or any section or provision of this chapter other than the section or provision so declared to be unconstitutional or invalid. It is hereby amplified that it is the city's intent to accept a payment in lieu of taxes only for the purpose of a senior development. If the property is ever used for another purpose, or if this chapter is unacceptable to any state agencies, this chapter is declared null and void.

*Division 2.*

**§ 64-11 IN GENERAL.**

This division shall be known and cited as the "City of Charlotte Tax Exemption Ordinance for the Edmond Senior Apartments on South Washington Street."

**§ 64-12 PREAMBLE.**

(A) It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low to moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966) Public Act 346 of 1966, being M.C.L.A. §§ 125.1401 *et seq.*, as amended. The city is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing is a public necessity, and as the city will be benefitted and improved by such housing, the encouragement of the same by providing certain real estate tax exemption

for such housing is a valid public purpose; further, that the continuance of the provision of the chapter, for tax exemption and the service charge in lieu of taxes during the period contemplated in this chapter are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such tax exemption.

(B) The city acknowledges that the Sponsor, as defined in this division, is a limited dividend housing association limited partnership and has offered, subject to receipt of an allocation under the Low Income Housing Tax Credit (LIHTC) Program and a Federally Aided Mortgage (as defined in the Act) to construct, own and operate the Housing Development Project to be known as The Edmond Senior Apartments located in the City to serve Low Income Persons, as defined herein, and that the Sponsor has offered to pay the City on account of this Housing Development an annual service charge for public services in lieu of all ad valorem property taxes.

#### § 64-13 DEFINITIONS.

**ACT.** The State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan, being M.C.L.A. §§ 125.1401 *et seq.*, as amended.

**ANNUAL SHELTER RENT.** The total collections during an agreed annual period from or paid on behalf of all Low Income Persons, as defined herein of the Housing Development Project representing rent or occupancy charges, exclusive of charges for Utilities, as defined herein.

**AUTHORITY.** The Michigan State Housing Development Authority.

**CITY.** The City of Charlotte, a Michigan municipal corporation.

**COMMENCEMENT OF CONSTRUCTION.** The commencement of the Housing Development, as defined herein.

**HOUSING DEVELOPMENT PROJECT.** The project being constructed at the Housing Development Location, consisting of a building to include qualified low income residential apartment units including approximately fifty (50) units reserved for Low Income Persons and such recreational, industrial, communal and educational facilities as the Sponsor and/or Authority determine will improve the quality of the Housing Development Project as it relates to housing for ~~Elderly~~ **Senior** Persons.

**HOUSING DEVELOPMENT LOCATION.** Lots 7, 8, 11, 12, 15, 16 and the West 30 feet 6 inches of Lot 17, the dividing line being the center of a block wall, and the vacated alley South of Lot 15 and the West ½ of the vacated alley adjacent to Lots 7, 8, 11, 12 & 15 Cummings Subdivision to the original Plat, City of Charlotte, Michigan and Lots 9, 10, 13, 14 the East 11 feet 1/5 inches of Lot 17, the dividing line being the center of a block wall, Lots 18, 19, 20 and the vacated alley South of Lot 14 and the East ½ of the vacated alley adjacent to Lots 9, 10, 13 & 14 of the Cummings Subdivision to the original plat, City of Charlotte, Michigan.

**LOW INCOME PERSONS.** Senior Persons eligible to move into the Housing Development Project pursuant to the Act and the Authority.

**MORTGAGE LOAN.** A loan to be made by the Authority to the sponsor for the construction and/or permanent financing of the housing development.

**SENIOR PERSONS.** Single persons who are 55 years of age or older or a household in which at least one member is 55 years of age or older ~~and all other members are 50 years of age or older.~~

**SPONSOR.** The Edmond Senior Apartments limited Dividend Housing Association Limited Partnership, 333 North Pennsylvania Street, Suite 100, Indianapolis, Indiana, who shall act as the owner of the Housing Development Project.

**UTILITIES.** Fuel, water, heat sanitary sewer service and/or electrical service furnished to the occupants which are paid by the Housing Development Project.

**§ 64-14 CLASS OF HOUSING DEVELOPMENT.**

It is determined that the class of housing development to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be senior housing which are financed or assisted pursuant to the Act. It is further determined that The Edmond Senior Apartments is of this class.

**§ 64-15 ESTABLISHMENT OF ANNUAL SERVICE CHARGE.**

(A) Subject to the provisions of this division, the Housing Development Project and the Housing Development Location shall be exempt from all property taxes for the period specified in Section 64-19. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the Housing Development Project in reliance upon the enactment and continuing effect of this Agreement and qualification of the Housing Development Project for the exemption from all property taxes and a payment in lieu of taxes as established in this division. Therefore, in consideration of the Sponsor's offer to construct, own and operate the Housing Development Project, the City has agreed to accept payment of an annual Service Charge, as defined below, for public services in lieu of all ad valorem property taxes as provided for in Section 64-15 (C) provided the Sponsor furnishes proof, on an annual basis upon request by the City, that the number of qualified low income units in the Housing Development Project have not increased, decreased, or been altered in any material form unless the City has otherwise amended the provisions of this division.

(B) In addition to the annual certified verification requirement in Section 64-15 (A), the tax exemption shall commence upon the acquisition of the

Housing Development Location by the Sponsor. The Sponsor of the Housing Development Project eligible for exemption, or the City as appropriate and necessary, shall file with the local assessing officer a certified notification of the exemption, which shall be in an affidavit form by either the Authority, the city and/or the Sponsor as appropriate. The completed affidavit form first shall be submitted to the Authority for certification by the Authority that the Housing Development Project is eligible for the exemption. The Sponsor and/or the City shall file or cause to be filed the certified notification of the exemption with the local assessing officer as soon as practically possible.

(C) The annual service charge shall be equal to ten percent (10%) of the difference between the Annual Shelter Rent actually collected and Utilities (the "Service Charge.")

**§ 64-16 LIMITATION ON THE PAYMENT OF ANNUAL SERVICE CHARGE.**

Notwithstanding § 64-15, the service charge to be paid each year in lieu of taxes for any part of the housing development which is tax exempt and occupied by other than Low Income Persons shall be equal to the full amount of the taxes which would be due and payable on that portion of the Housing Development Project if the project were not tax exempt.

**§ 64-17 CONTRACTUAL EFFECT OF CHAPTER.**

Notwithstanding the provisions of § 15(a)(5) of the Act, to the contrary, a contract between the city and the sponsor with the authority as third party beneficiary under the contract to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this division.

**§ 64-18 PAYMENT OF SERVICE CHARGE.**

The service charge in lieu of taxes as determined under the chapter shall be payable in the same manner as general property taxes are payable to the city



except that the annual payment will be paid on or before June 30 of the year following the calendar year upon which such Service Charge is calculated and shall be distributed to the several units levying ad valorem property taxes in the same proportion as for said taxes. Failure to pay the service charge on or before June 30 of each year shall result in the service charge being subject to one percent (1%) interest per month until paid. If any amount of the annual service charge or accrued interest shall remain unpaid as of December 31 of any year, the amount unpaid shall be a lien upon the real property constituting the Housing Development Project upon the City Treasurer filing a certificate of non-payment of the service charge, together with an affidavit of proof of service of the certificate of non-payment upon the Sponsor with the Eaton County Register of Deeds, and proceedings may ~~them~~ then be had to enforce the lien as provided by law for the foreclosure of tax liens upon real property.

**§ 64-19 DURATION.**

This division shall remain in effect and shall not terminate so long as the Housing Development Project continues to be used for Low Income Persons as provided in this division, but not to exceed fifty (50) years; provided, however, if construction of the Housing Development Project does not commence within one (1) year of the Authority's LIHTC April 1, 2017 funding round award date, which is anticipated to be on or about July 1, 2017, or if the Sponsor materially changes the scope or purpose of the Housing Development Project with the consent of the City, by and through its representatives, and in accordance with the requirements of law, this division shall automatically expire, terminate and be of no further effect.

**§ 64-20 SEVERABILITY.**

The various sections and provisions of this chapter shall be deemed to be severable, and should any section or provision of this chapter be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the chapter as a whole or any section or

provision of this chapter other than the section or provision so declared to be unconstitutional or invalid. It is hereby amplified that it is the city's intent to accept a payment in lieu of taxes only for the purpose of a senior development. If the property is ever used for another purpose, or if this chapter is unacceptable to any state agencies, this division is declared null and void.

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

**Councilmember Bahmer moved, supported by Ridge to approve the second reading and adoption of Ordinance to amend Chapter 64 by adding Division 2 providing a tax exemption for the Edmond Senior Project correcting 64-18 last sentence the word "them" to "then" as corrected. Carried. 5 Yes. 0 No.**

**B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-15 ESTABLISHING A SCHEDULE OF STREET IMPROVEMENT PROJECTS FOR 2017-2022:**

**WHEREAS**, City staff has proposed a schedule of street reconstruction and rehabilitation projects for the 2017 through 2022 construction seasons which formed the basis for the document entitled "Major Street Cash Flow"; and

**WHEREAS**, said schedule provides for reconstruction of the following streets during the associated construction seasons:

- Lincoln Street from Lawrence Avenue to Seminary Street...2017
- East Lovett Street from Cochran Avenue to Washington Street...2018
- West Lovett Street from Cochran Avenue to Sheldon Street...2019
- State Street from Seminary Street to Shepherd Street...2021
- West Harris Street from Cochran Avenue to Sheldon Street...2022

; and

**WHEREAS**, City staff has proposed the following rehabilitation projects for 2017:

East McClure Street from Cochran Avenue to Washington Street  
South Sheldon Street from Lawrence Avenue to Seminary Street  
Independence Boulevard from Beech Street to Courthouse Drive

; and

**WHEREAS**, additional rehabilitation projects will be proposed for subsequent years passed on an annual survey of street conditions;

**THEREFORE, BE IT RESOLVED** that the City Council does hereby approve the proposed program of street reconstruction and rehabilitation projects and authorizes staff to commence actions necessary to undertaking said projects.

Councilmember Bahmer discussed the different versions of the street plan and the money and funding options available to be used for funding the projects.

**Mayor Pro-Tem Sanders moved, supported by Ridge to adopt Resolution No. 2017-15 establishing a schedule of street improvement projects for 2017-2022 as presented.**

**Councilmember Bahmer moved, supported by Russo to amend the motion to adopt Version 3 of the street project schedule. Denied. 1 Yes (Bahmer) 4 No. (Ridge, Russo, Sanders, Lewis)**

**Councilmember Ridge moved, supported by Russo to amend the main motion to approve only East Lovett Street project in 2017 of Resolution No. 2017-15. Carried. 5 Yes. 0 No.**

**C. CONSIDER APPROVAL OF THE SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-10 TO ADD COMBSDALE DRIVE:**

**WHEREAS**, the City of Charlotte Local Development Finance Authority (LDFA) approved the construction of Combsdale Drive in the Samuel A. Combs Industrial Park and dedicating it as a public street; and

**WHEREAS**, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

**THEREFORE, BE IT RESOLVED:**

1. That the center line of said street is described as:

A parcel of land 66 feet in width for road right of way purposes, being part of the Southwest 1/4 of Section 6, Township 2 North, Range 4 West, City of Charlotte, Eaton County, Michigan, the centerline of which is described as beginning at a point which is the following two (2) courses from the West 1/4 corner of said Section 6, 1) S89°23'46"E, along the East-West 1/4 line of said section, 367.71 feet and 2) S00°05'59"E, 308.50 feet; thence continuing S00°05'59"E, 346.51 feet to a point on the Northerly right of way line of Parkland Drive and the point of Terminus. The sidelines of said right of way shall be lengthened or shortened so as to terminate on said northerly right of way line of Parkland Drive.

2. That said street is located within a City right-of-way and is under the control of the City of Charlotte.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on September 21, 2016.

**Mayor Pro-Tem Sanders moved, supported by Ridge to approve the second reading and adoption of Resolution No. 2017-10 to add Combsdale Drive as presented. Carried. 5 Yes. 0 No.**



**D. CONSIDER APPROVAL OF THE SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-11 FOR CLINTON STREET RAILROAD BORE PROJECT:**

**WHEREAS**, the N. Clinton Street Railroad Bore for watermain replacement contract was awarded to Ward Excavating, LLC (Contractor) by City Council on October 10, 2016 in the amount of \$86,896.84; and

**WHEREAS**, due to the emergency nature of the project, the contract was bid and awarded prior to approval of the permits from CN Railroad and Michigan Department of Environmental Quality. Any conditions of the pending permits were unknown at the time of the bid, so the Contractor did not make any allowances in his bid for the unidentified requirements;

**WHEREAS**, a contract addition in the amount of \$11,100.00 was authorized to reimburse the contractor for the required insurance, mandatory flagman, and mandatory fiber optic cable locating for CN Railroad as outlined in the change order; and

**WHEREAS**, a contract addition in the amount of \$4,120.50 was authorized to reimburse the contractor for extra material, equipment and labor costs related to additional excavation and watermain installation to properly place valves and to avoid unforeseen conflicts with and gas, storm water services and sanitary utilities; and

**WHEREAS**, the total cost of the N. Clinton Street Railroad Bore Project was \$102,117.34.

**THEREFORE, BE IT RESOLVED** that the City Council authorizes contract Change Order #1 in the amount of \$15,220.50 and the Final Payment to Wards Excavating, LLC in the amount of \$102,117.34.

**Councilmember Ridge moved, supported by Sanders to approve the second reading and adoption of Resolution No. 2017-11 for Clinton Street Railroad bore project as presented. Carried. 5 Yes. 0 No.**

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**

**A. CONSIDER APPROVAL FIRST READING OF RESOLUTION NO. 2017-18 TO GRANT A PERMANENT EASEMENT TO CONSUMERS ENERGY COMPANY:**

**WHEREAS**, the City of Charlotte Local Development Finance Authority (L DFA) approved the construction of Combsdale Drive in the Samuel A. Combs Industrial Park and dedicating it as a public street; and

**WHEREAS**, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

**THEREFORE, BE IT RESOLVED:**

1. That the center line of said street is described as:  
A parcel of land 66 feet in width for road right of way purposes, being part of the Southwest 1/4 of Section 6, Township 2 North, Range 4 West, City of Charlotte, Eaton County, Michigan, the centerline of which is described as beginning at a point which is the following two (2) courses from the West 1/4 corner of said Section 6, 1) S89°23'46"E, along the East-West 1/4 line of said section, 367.71 feet and 2) S00°05'59"E, 308.50 feet; thence continuing S00°05'59"E, 346.51 feet to a point on the Northerly right of way line of Parkland Drive and the point of Terminus. The sidelines of said right of way shall be lengthened or shortened so as to terminate on said northerly right of way line of Parkland Drive.
2. That said street is located within a City right-of-way and is under the control of the City of Charlotte.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City Local Street System and was open to the public on September 21, 2016.

**Councilmember Russo moved, supported by Ridge to approve the first reading of Resolution No. 2017-18 to grant a permanent easement to Consumers Energy as presented. Carried. 5 Yes. 0 No.**

**B. CONSIDER APPROVAL OF FIRST READING OF RESOLUTION NO. 2017-19 TO AUTHORIZE THE SALE OF TIMBER :**

**WHEREAS**, the ITC removed trees along their power lines on property owned by Consumers Energy adjacent to Bennett Park and Camp Frances; and

**WHEREAS**, it was determined that the wood had some value and ITC offered it to the City for the City to sell and keep the proceeds; and

**WHEREAS**, bid documents were prepared, sent to eight logging companies and sealed bids were taken; and

**WHEREAS**, one bid was submitted for the timber in the amount of \$6,300.00 and an additional amount of \$200.00 for the scrap firewood totaling \$6,500.00.

**THEREFORE, BE IT RESOLVED** That the City sell the ITC timber and firewood to Fodor Timber, Inc. of Grass Lake, MI for the highest bid prices totaling \$6,500.00.

**AND BE IT FURTHER RESOLVED** That 50% of the proceeds of the sale shall be credited to Camp Frances and 50% of the proceeds shall be credited to the City's General Fund.

**Mayor Pro-Tem Sanders moved, supported by Ridge to approve the first reading of Resolution No. 2017-19 to authorize the sale of timber as presented. Carried. 4 Yes. (Ridge, Russo, Sanders, Lewis) 1 No. (Bahmer)**

**COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT:** None.

**CITY MANAGER REPORT:** City Manager Guetschow reported that the Michigan Main Street Program presentation was very well attended. He announced that he will be moving into the Vice Chairman slot for the remainder of 2017 for CanDo! He stated that he will be launching some new task management software in an effort to more effectively manage projects. He reported that school officials are scheduled to attend the March 27<sup>th</sup> meeting to report on how they used the portion of the Owens-Brockway funds that they received.

**COUNCILMEMBER COMMITTEE REPORTS:** None

**PUBLIC COMMENT:** None.

**MAYOR AND COUNCIL COMMENTS**

- Councilmember Ridge stated that the Nordic Fire Festival was a success. She announced that the Varsity cheerleaders are going to the State Finals after winning their league and districts. They will be performing Thursday at the boys basketball game and Saturday at the Hooping for a Cure at the High School at 6:00 p.m. She stated that she attended, along with 100 other people, the Charlotte Rising Main Street presentation. Governor Snyder will be announcing who will be moving on during a press conference soon.
- Mayor Lewis offered his congratulations to the cheer team and commended Councilmember Ridge for her work as their coach. He stated that the Main Street presentation was a wonderful event.
- City Manager Guetschow stated that Paul Wilson, business owner, was also in attendance, along with several other business owners in Charlotte.

**Mayor Pro-Tem Sanders moved, supported by Ridge to adjourn the meeting at 8:07 p.m. Carried. 5 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC