

COUNCIL PROCEEDINGS
Regular Meeting
May 22, 2017

CALL TO ORDER: By Mayor Lewis on Monday, May 22, 2017, at 7:00 p.m.

PRESENT: Council members Bahmer, Johnston, Ridge, Sanders, Mitchell, Russo, Mayor Lewis and City Clerk Terpstra.

The invocation was offered by Reverend King, followed by the Pledge of Allegiance led by student Claire Lupini.

APPROVAL OF MINUTES REGULAR SESSION MEETING OF MAY 8, 2017: Mayor Pro-Tem Sanders moved, supported by Mitchell to approve the regular session meeting minutes of May 8, 2017 with an amendment to page 3 on roll call for amendment to Resolution No. 2017-42 to reflect a yes vote for Council member Bahmer and to correct page 23 to reflect 6 Yes votes on the last motion to reconsider adoption of Ordinance on front & rear yard definition. Carried. 7 Yes. 0 No.

APPROVAL OF MINUTES SPECIAL SESSION MEETING OF MAY 15, 2017: Council member Ridge moved, supported by Mitchell to approve the special session meeting minutes of May 15, 2017 with the removal of Mayor Pro Tem Sanders being absent. Carried. 7 Yes. 0 No.

ABSENT: None.

PUBLIC HEARINGS:

PUBLIC HEARING: HAZARD & NUISANCES RESOLUTION NO. 2017-45:

Public Hearing Opened: 7:05 P.M.

No Comments

Public Hearing Closed: 7:06 P.M.

PUBLIC HEARING: SIDE YARD SETBACK VARIANCE FOR 627 W. SEMINARY:

Public Hearing Opened: 7:06 P.M.

William Butler, owner of Lots 19, 20 & 21 bordering Henry Street and the alley was present. He said he had concerns with water problems and doesn't feel the lot is large enough for the structure that is proposed. He stated that he has a right of way to the alley from Briggs but that the alley has been closed. He is opposed to this variance request.

John Little, owner 627 W. Seminary, stated that he was told that the alley was still there. He stated that he has tried to take care of the alley.

Public Hearing Closed: 7:13 P.M.

PUBLIC HEARING: FY 2017/2018 BUDGET

Public Hearing Opened: 7:13 P.M.

Don Sovey, 106 Kensington Ct., reminded council of the city receiving awards regarding government finance and transparency. He would like to see council move forward on the proposed budget as presented. He is not in favor of the discussion to end recycling, opposed to ending DDA and opposed to redirecting the airport money that is budgeted for improvements to the building.

Clerk Terpstra read concerns from **Daryl Baker**, 406 E. Third. He called to say that he is not in favor getting rid of the recycling center. He feels many people use it. He is not in favor of disbanding the DDA. He feels there are a lot of new business owners that benefit from this board. He would like to see the \$10,000 that is budgeted for the airport renovations be used for that purpose.

Ed Foster, 316 Beech St., stated that it would be a detriment to use the \$10,000 for another purpose as discussed at the last meeting.

PUBLIC COMMENT: None.

APPROVAL OF AGENDA:

Mayor Pro-Tem Sanders moved, supported by Ridge to approve the agenda as presented. Carried. 7 Yes. 0 No.

SPECIAL PRESENTATIONS: None.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2017-55
MERS HYBRID PLAN AMENDMENT:

RESOLUTION NO. 2017-55

A RESOLUTION TO AUTHORIZE

MERS HYBRID PLAN AMENDMENTS

WHEREAS, these Plan Amendments are for the defined contribution (DC) component of the Hybrid retirement plans for the POLC (Police), SEIU (DPW/Clerical) and Fire/Police (Non-Union) and;

WHEREAS, every year following receipt of the actuarial, the City is required to resubmit a new agreement with the adjusted employer

contribution for each group based upon the calculation outlined in the collective bargaining agreements, and;

WHEREAS, this amount is calculated with the following formula (maximum employer contribution – defined benefit % of earnings = defined contribution % of earnings) and;

WHEREAS, for the POLC (Police) the calculation for FY 2017/2018 is 16.2% - 4.22% = 11.98% Employer Contribution and;

WHEREAS, for the SEIU (DPW/Clerical) the calculation for FY 2017/2018 is 10.0% - 3.55% = 6.45% Employer Contribution and;

WHEREAS, for the FIRE/POLICE (Non-Union) the calculation for FY 2017/2018 is 16.2% - 6.04% = 10.16% Employer Contribution and;

Council member Johnston moved, supported by Ridge to approve Resolution No. 2017-55 MERS Hybrid Plan Amendment as presented. Carried. 7 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2017-56

BANK RESOLUTION:

**A RESOLUTION TO APPROVE AUTHORIZED SIGNERS
FOR VARIOUS INDEPENDENT BANK ACCOUNTS
AND CERTIFICATES OF DEPOSIT**

WHEREAS, Pursuant to Section 7.7(B) of the City of Charlotte Charter, the City Council has the authority to designate authorize signers for city bank accounts

THEREFORE, BE IT RESOLVED that the City Council authorizes the following signers to Independent Bank Accounts and Certificates of Deposit: 1242346, 1259177, 1246779, 9019822518, 9019822527, 9019822536, 9019728018 and 9019822509:

TITLE	SIGNER
City Treasurer	Christine K. Mossner
City Clerk	Ginger Terpstra
Deputy City Clerk	Tina Holliday

Mayor Pro-Tem Sanders moved, supported by Ridge to approve Resolution No. 2017-56 Bank Resolution as presented. Carried. 7 Yes. 0 No.

C. CONSIDER APPROVAL OF RESOLUTION NO. 2017-58 HAZARD & NUISANCES:

**Resolution No.
2017-58
2017 HAZARDS AND NUISANCES**

WHEREAS, the City Council held a public hearing on Monday, May 22, 2017, after due and legal notice, and reviewed the special assessment roll prepared by the Assessor of all lots and parcels of land within the City upon which hazards and nuisances were found to have existed and for which the City incurred costs associated with the altering, repairing, tearing down, abating or removing the hazards and nuisances including the following property addresses:

339 N Bostwick
727 Cherry
421 Court
221 E Lawrence
460 Horatio
612 Pearl

618 Pearl
702 S Clinton
515 W First
429 W Lovett
610 W Lovett

And

WHEREAS, after hearing all persons interested therein and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with benefits derived by the parcel of land assessed.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor is hereby confirmed and shall be known as Special Assessment Roll No. 2017-01.
2. Said special assessment roll shall be added to the Summer 2017 property tax bill.

Said Special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown there as directed by the City Council.

Council member Johnston moved, supported by Russo to approve Resolution No. 2017-58 Hazard & Nuisances as presented. Carried. 6 Yes. 0 No. 1 Abstain. (Bahmer)

D. CONSIDER APPROVAL OF RESOLUTION NO. 2017-59 MAYORAL APPOINTMENT:

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RESOLUTION NO. 2017-59

A RESOLUTION TO APPROVE MAYORAL APPOINTMENTS

WHEREAS , a need for a reappointment exists on the Planning Commission; and

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

Name	Board	Term Ending
Matt Harag	Planning Commission	3/31/2020

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

Council member Russo moved, supported by Mitchell to approve Resolution No. 2017-59 Mayoral appointment as presented. Carried. 7 Yes. 0 No.

E. CONSIDER APPROVAL OF PROCLAMATION NO. 2017-02 VETERANS ROUND TABLE:

PROCLAMATION NO. 2017-02

WHEREAS, Charlotte Public Schools is observing it's Twenty Ninth Annual Vietnam Veterans Roundtable discussion involving our young people and Veterans of the Vietnam War, and

WHEREAS, through the sharing of their oral history, experiences and remembrances, these Vietnam Veterans impact our students directly concerning the significance of the Vietnam War, and

WHEREAS, on this occasion we all might reflect upon the experiences that these fine Americans have shared, so that we

will not forget those who have served and those who are still missing in South East Asia.

NOW THEREFORE BE IT RESOLVED, that I as Mayor of the City of Charlotte, urge all students of Charlotte High School and all citizens of our fine city to show their appreciation to these veterans who served and have now returned, to open our eyes and our hearts to the realities of war. Let us never forget those who did not return, and especially those missing in action. As long as we remember, their lives will not have been in vain. They are teaching us even now.

BE IT FURTHER RESOLVED, that the City of Charlotte recognizes the importance of these Vietnam Veterans to the education of our students now and in the future, and

BE IT FINALLY RESOLVED, that the City of Charlotte pays special tribute to the twenty-seven men from Eaton County who gave their lives for our nation in the Vietnam War for which the 26th day of May, 2017 is dedicated.

Council member Ridge moved, supported by Russo to approve Proclamation No. 2017-02 Veterans Round Table as presented. Carried. 7 Yes. 0 No.

F. CONSIDER APPROVAL OF RESOLUTION NO. 2017-57 REGARDING PAYMENT OF CLAIMS & ACCOUNTS: APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:

RESOLUTION NO. 2017-57

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY FOR MAY 22, 2017

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

WHEREAS, the May 12, 2017 payroll totaled \$145,666.77; and

WHEREAS, the April 2017 Bank of America credit card charges totaled \$7,143.20; and

WHEREAS, the May 22, 2017 claims total \$168,274.19;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for May 22, 2017 in the amount of \$321,084.16.

Council member Johnston moved, supported by Ridge to approve Resolution 2017-57 for expenditures of the City for May 22, 2017 as presented. Carried. 7 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-48 TO AUTHORIZE SIGNING VOTING MACHINE GRANT APPLICATION:

RESOLUTION NO. 2017-48

A RESOLUTION TO APPROVE VOTING EQUIPMENT GRANT APPLICATION

WHEREAS, the City of Charlotte wishes to apply to the Secretary of State for a grant to purchase a new voting system, which includes precinct tabulators, Absent counting board (AVCB) tabulator, accessible voting devices for use by individuals with disabilities, and related Election Management System (EMS) software; and

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State- appropriated funds; and

WHEREAS, the City of Charlotte plans to begin implementation of the new voting system in 2018; and

WHEREAS, the deadline for receiving the voting equipment is December 31, 2017; and

NOW THEREFORE, BE IT RESOLVED that the City Clerk is hereby authorized to submit a Grant Application on behalf of the City of Charlotte, Eaton County on this 22nd day of May, 2017; and

FURTHER BE IT RESOLVED, that the clerk is also authorized to pursue further contracts for the acquisition and delivery of other election paraphernalia that is reflective of the state contract for the purpose of securing peripherals through Hart InterCivic.

Mayor Pro-Tem Sanders moved, supported by Johnston to approve the second reading and adoption of Resolution 2017-48 to authorize signing voting machine grant application as presented. Carried. 7 Yes. 0 No.

B. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-49 TO AUTHORIZE TUB GRINDING CONTRACT:

RESOLUTION NO. 2017-49

A RESOLUTION TO AUTHORIZE TUB GRINDING CONTRACT

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

WHEREAS, because the cost has been steadily rising and the cost exceeds the purchasing limit of \$5,000.00, a formal bid was prepared and distributed to the few companies who own the equipment necessary to provide this service; and

WHEREAS, no sealed bids were received for the project despite phone calls to remind the vendors of the bid time and date; and

WHEREAS, the Department reached out to the vendors to find that they were too busy to fill out a bid and submit it, but two indicated that they would fax over a quote; and

WHEREAS, the only response was from Hammond Farms, Inc. of Dimondale, MI in the amount of \$6,500.00; and

WHEREAS, Hammond Farms was the low bidder last year for the same amount, and their work was timely and satisfactory.

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

Council member Ridge moved, supported by Mitchell to approve the second reading and adoption of Resolution 2017-49 to authorize Tub Grinding contract as presented. Carried. 7 Yes. 0 No.

C. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-50 TO AUTHORIZE SALE OF MISCELLANEOUS PARTS:

RESOLUTION NO. 2017-50

A RESOLUTION TO AUTHORIZE A SALE OF MISCELLANEOUS PARTS

WHEREAS, the Department of Public Works accumulates various parts and equipment that are no longer needed in the day to day operations of the Department; and

WHEREAS, an accumulation of items such as truck bumpers, tailgates, loader tires, skid steer tire rims, a can crusher, a flatbed for a pickup, an old well pump and bowls, old laboratory equipment, treatment

equipment, pumps, valves, fittings, and miscellaneous lighting fixtures has been identified as ready for sale; and

WHEREAS, the Department would like to sell these items through an online auction used by the Department for disposition of equipment; and

WHEREAS, a minimum bid will be set for each item.

THEREFORE, BE IT RESOLVED That the City Council authorizes the sale of the miscellaneous items through biddergy.com in accordance with City Ordinance 2-185.

Council member Bahmer moved, supported by Johnston to approve the second reading and adoption of Resolution 2017-50 to authorize sale of miscellaneous parts as presented. Carried. 7 Yes. 0 No.

D. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 2017-52 TO SUPPORT THE REDEVELOPMENT READY COMMUNITIES PROGRAM:

RESOLUTION NO. 2017-52

A RESOLUTION OF SUPPORT FOR PARTICIPATION IN THE REDEVELOPMENT READY COMMUNITIES PROGRAM

WHEREAS, the City of Charlotte encourages the redevelopment, reuse and preservation of existing buildings and parcels in the City; and

WHEREAS, redevelopment projects will be a significant source of future growth and investment in the City, given the limited opportunities for Greenfield Development within the City limits; and

WHEREAS, the City desires to create a climate that attracts and encourages private investment through modern planning and development processes that are easy to understand, responsive to development needs, and predictable; and

WHEREAS, the Redevelopment Ready Communities program was created by the Michigan Economic Development Corporation to help communities identify and strengthen weak areas in the local community development process; and

WHEREAS, the City of Charlotte wishes to participate in the program as a means to assess and improve its internal processes with the goal of making the most of future development and redevelopment opportunities.

THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte, Michigan is supportive of the efforts initiated by Staff in the self-evaluation process of the Redevelopment Ready Communities program and looks forward to the MEDC’s feedback on how the City’s procedures may be improved to the benefit of all.

Mayor Pro-Tem Sanders moved, supported by Ridge to approve the second reading and adoption of Resolution 2017-52 to support the Redevelopment Ready Communities Program as presented. Carried. 7 Yes. 0 No.

E. CONSIDER SECOND READING AND ADOPTION OF RESOLUTION NO. 017-53 FY 2017/2018 ANNUAL BUDGET: RESOLUTION NO. 2017-53

A RESOLUTION TO ADOPT THE FY 2017/2018 ANNUAL BUDGET

WHEREAS, in accordance with the provisions of the City Charter, the City Manager on April 24, 2017 submitted to this Council a recommended budget for the City of Charlotte, Michigan for the fiscal year commencing July 1, 2017 and ending June 30, 2018; and

WHEREAS, this Council has considered the financial needs of the City of Charlotte for its efficient operations during the coming fiscal year

and has reviewed the recommended budget submitted by the City Manager, and

WHEREAS, in accordance with state statute, the Council did after proper notice, conduct public hearings on the proposed budget on May 22, 2017, at which public hearing all objections and comments on the proposed budget were considered.

THEREFORE, BE IT RESOLVED, that the estimated revenues for the fiscal year commencing July 1, 2017 and ending June 30, 2018 are hereby approved by the Charlotte City Council as follows:

AND BE IT FURTHER RESOLVED, that the expenditures and expenses for the fiscal year commencing July 1, 2017 and ending June 30, 2018 are as follows

REVENUES				
Fund #	Fund Name	Amount	Draw from (Increase to) Fund Balance/Net Assets	Total
101	General Fund	\$ 5,792,250	\$ 389,555	\$ 6,181,805
	Taxes	3,164,400		
	Licenses & Permits	35,730		
	Intergovernmental	896,150		
	Charges for Services	816,500		
	Fines & Forfeitures	26,650		
	Other Revenue	78,600		
	Loan Proceeds	275,000		
	Operating Transfers	499,220		
202	Major Street Fund	933,000	310,810	1,243,810
203	Local Street Fund	251,500	97,750	349,250
230	Police Drug Enforcement Fund	300	1,700	2,000
240	Act 302 Police Training Fund	9,500	-	9,500
260	DDA Fund	31,205	(1,835)	29,370
261	LDFA Fund	5,580	240,770	246,350
270	Industrial Park Fund	38,365	(5,090)	33,275
280	Airport Fund	164,860	-	164,860
290	Federal & State Grant Fund	236,000	236,000	
330	2008 Facility Building & Site Bonds	202,700	4,488	207,188
500	Recycling Fund	72,730	72,730	
510	Water & Sewer Fund	3,780,000	980,030	4,760,030
	Water Revenue	1,552,900		
	Sewer Revenue	2,215,000		
	Other Revenue	12,100		
601	Motor Vehicle Fund	378,960	430,420	809,380
	Total Revenues	\$ 11,896,950	\$ 2,757,328	\$ 14,036,818

EXPENDITURES

Fund #	Fund Name	Amount
101	General Fund	\$ 6,181,805
	General Government	1,140,180
	Public Safety	3,941,540
	Public Works	619,605
	Community & Economic Development	195,560
	Recreation & Culture	207,230
	Operating Transfers	77,690
202	Major Street Fund	1,243,810
203	Local Street Fund	349,250
230	Police Drug Enforcement Fund	2,000
240	Act 302 Police Training Fund	9,500
260	DDA Fund	29,370
261	LDFA Fund	246,350
270	Industrial Park Fund	33,275
280	Airport Fund	164,860
290	Federal & State Grant Fund	236,000
330	2008 Facility Building & Site Bonds	207,188
500	Recycling Fund	72,730
510	Water & Sewer Fund	4,760,030
601	Motor Vehicle Fund	809,380
	Total Expenditures	\$ 14,345,548

AND BE IT FURTHER RESOLVED, that 14.2913 mills be levied on the taxable valuation as equalized for general operating requirements of the City of Charlotte;

AND BE IT FURTHER RESOLVED, that .10 mills be levied on the taxable valuation as equalized for yard waste collection;

AND BE IT FURTHER RESOLVED, that 1.0 mills be levied on the taxable valuation as equalized to cover the principal and interest payments of the 2008 Building Facility & Site bonds due November 2017 and May 2018. The issuing of these bonds was approved

through a ballot proposal by the City of Charlotte electorate on November 6, 2007;

AND BE IT FURTHER RESOLVED, that 2.0 mills be levied on the taxable valuation as equalized for parcels within the Downtown Development Authority (DDA). Revenues collected by this levy will remain in the DDA fund;

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

AND BE IT FURTHER RESOLVED, that the City Manager be authorized to grant wage increases for all non-union employees within the budget appropriations and the wage schedule;

AND BE IT FURTHER RESOLVED, that the City Council adopt the following policies as recommended by the City Manager:

- 1) City Council reserve the following funds of the City:

Fund #	Fund Name	Amount
101	General Fund	\$ 1,113,000
	Assigned - O-I Judgment	808,000
	Assigned - Retiree Health Insurance	200,000
	Non-spendable - Prepaids & Inventory	105,000

AND BE IT FINALLY RESOLVED, that the City Manager is hereby

authorized to make budgetary transfers within a Fund or between funding centers within a Fund, if they exist, and that all other transfers be approved only by further action of the City Council, pursuant to the provisions of the Michigan Uniform Budget Act.

Council member Bahmer asked for clarification on the \$15,000 in the fund for wages for mapping services. He discussed the necessity of the \$9,000 for high definition cameras for the council chambers and would like to see a study done for formulating and equitable formula for charging the funding of accounts.

Council member Bahmer moved, supported by Russo to remove the \$9,000.00 from the budget that is for high definition cameras for the council chambers. Denied. 4 No. (Sanders, Ridge, Johnston, Lewis) 3 Yes. (Bahmber, Russo, Mitchell).

Council member Bahmer moved, supported by Russo to amend the budget to appropriate up to \$25,000.00 to be used for a study to find a formula for charging funds to be put back to the general fund. Denied. 5 No. (Sanders, Ridge, Johnston, Mitchell, Lewis) 2 Yes. (Bahmer, Russo)

Council member Bahmer moved, supported by Russo to eliminate the \$10,000.00 supplemental amount for the airport remodel project, as it relates to the upgrade. Denied. 5 No. (Sanders, Ridge, Johnston, Mitchell, Lewis) 2 Yes. (Bahmer, Russo)

Council member Bahmer moved, supported by Russo to remove CARA from the budget in its entirety. Denied. 4 No. (Sanders, Johnston, Ridge, Lewis) 3 Yes. (Russo, Bahmer, Mitchell)

Council member Ridge stated that she would like to look into unfunded liability and retiree health for next year's budget.

Council member Ridge moved, supported by Johnston to approve the second reading and adoption of Resolution 2017-53 FY 2017/2018 Annual Budget as presented. Carried. 5 Yes. (Sanders, Ridge, Johnston, Mitchell, Lewis) 2 No. (Bahmer, Russo)

**F. CONSIDER SECOND READING AND ADOPTION OF
RESOLUTION NO. 2017-54 CELEBRATE CHARLOTTE:**

RESOLUTION NO. 2017-

**AUTHORIZING CELEBRATE CHARLOTTE FESTIVAL
ACTIVITIES JUNE 16-18, 2017**

WHEREAS, the Celebrate Charlotte Festival 2017 is a community-based, organized event that is to be held June 16 to 18, 2017; and,

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

WHEREAS, the Committee in conjunction with City Administration, have planned events that require the use and closure of certain public facilities, streets and right of ways; and

WHEREAS, the Committee has requested that the Charlotte City Council approve the following requests and conditions, including assistance with street closures:

1. Closure of South Cochran Avenue in the 100 and 200 blocks, and East & West Lovett Streets in the 100 blocks to through traffic from 4:30 p.m. to 8:30 p.m. on Friday, June 16, 2017 for Touch-A-Truck.

2. Closure of South Cochran Avenue in the 100, 200 and 300 blocks, and East & West Lovett Streets in the 100 blocks to through traffic from 11 a.m. to 4 p.m. on Saturday, June 17, 2017 for the Celebrate Charlotte Car Show.
3. Temporary closures of portions of Vanlieu Street, Seminary Street, Lincoln Street, Shepherd Street, Cochran Avenue, Lovett Street, Bostwick Street, Pearl Street, and Lawrence Avenue for the United Way's Color's United 5K running event on the morning of Saturday, June 17, 2017.
4. Authorization for the use of Fitch H. Beach Municipal Airport for the annual Father's Day Fly-In and Pancake Breakfast at the airport the morning of June 18, 2017.
5. Authorization for the closure of City Parking Lot #7, across from Beach Market, on Friday evening, June 16, and during the day and evening on Saturday, June 17, for potential ancillary activities, including carnival rides.
6. Authorization for the closure of a portion of City Parking Lot #1, adjacent to Beach Market, on the evenings of June 15, June 16 and June 17 in conjunction with entertainment and refreshment events at Beach Market.
7. Authorization for the city to supply whatever closing signs and barricades it has available for the street closures. Other signs will be the responsibility of the event committee.
8. Authorization for the city Department of Public Works to place the required barricades as needed and designated by the Charlotte Police Department.
9. Authorization for the Charlotte Police Department to provide assistance for traffic diversion as necessary for the above-mentioned events.

10. Authorization for the Charlotte Fire Department and Police Department to provide whatever assistance and oversight it deems necessary for the Freedom Fireworks event on Saturday evening, June 17, 2017, at the Eaton County 4-H Fairgrounds.

WHEREAS, the City Council of the City of Charlotte determines these temporary street closings and other conditions are in the best interests of the community.

NOW, THEREFORE, BE IT RESOLVED, that these street closures at the specified times be granted and carried out in accordance with those permissions issued by the Michigan Department of Transportation; and,

BE IT ALSO RESOLVED, that the city Department of Public Works and Charlotte Police Department provide the authorized assistance as outlined above.

Council member Ridge moved, supported by Russo to approve the second reading and adoption of Resolution 2017-54 Celebrate Charlotte as presented. Carried. 7 Yes. 0 No.

G. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE TO AMEND CHAPTER 82 SEC. 82-4 REGARDING FRONT & REAR YARD DEFINITION:

City Manager Guetschow explained that after meeting with Fire Chief Kevin Fullerton it was decided that there are other options available rather than changing the ordinance.

Council member Bahmer moved to consider second reading and adoption of Ordinance to amend Chapter 82 Sec. 82-4 regarding front & rear yard definition. No support. Motion dies.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL FIRST READING OF RESOLUTION NO. 2017-60 GRANTING CORNER CLEARANCE VARIANCE AT 212 W. SEMINARY FOR CONSTRUCTING AN ORNAMENTAL FENCE IN THE DRIVEWAY CORNER CLEARANCE AREA AND SET PUBLIC HEARING FOR JUNE 12, 2017:

RESOLUTION NO. 2017-60

A RESOLUTION TO GRANT A VARIANCE FROM CITY CODE SECTION 82-463 CORNER CLEARANCE AT 212 WEST SEMINARY STREET FOR THE PURPOSES OF CONSTRUCTING A FENCE

WHEREAS, Charlotte City Code Section 82-463 requires fences to meet certain Corner Clearance requirements; and

WHEREAS, the owners of 212 West Seminary Street have applied for, and been denied, a fence permit based on a potential violation of these Corner Clearance requirements; and

WHEREAS, the owners of 212 West Seminary Street are seeking a variance that would grant relief from these Corner Clearance requirements; and

WHEREAS, the City of Charlotte Zoning Board of Appeals is able to grant such variances in certain circumstances; and

WHEREAS, in considering whether to grant a variance, the Zoning Board of Appeals is required to consider the following possible justifications:

- By reason of exceptional narrowness, shallowness, shape or area of the specific piece of property, or
- By reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, or
- The strict application of the regulations would result in peculiar or exceptional undue hardship upon the owner of such property, and

- Providing such relief may be granted without substantial detriment to the public good, and without substantially impairing the intent and purpose of the code, and

WHEREAS, the Zoning Board of Appeals also may attach whatever conditions regarding the location, character and other features of the proposed use as it deems reasonable; and

WHEREAS, if the Zoning Board of Appeals determines that a variance is appropriate, it must state the grounds on which it is granting the variance.

THEREFORE, BE IT RESOLVED the City Council of the City of Charlotte, acting as in its capacity as the Zoning Board of Appeals hereby (_____ grants, _____ does not grant) a variance from section 82-463 of the City Code for the purposes of constructing a fence at 212 W. Seminary Street; and

BE IT FURTHER RESOLVED that the justification for granting this variance is

Council member Johnston moved, supported by Bahmer to approve the first reading of Resolution No. 2017-60 granting corner clearance variance at 212 W. Seminary for constructing an ornamental fence in the driveway corner clearance area and set public hearing for June 12, 2017 as presented. Carried. 7 Yes. 0 No.

B. CONSIDER APPROVAL OF THE FIRST READING OF RESOLUTION NO. 2017-62b TO AMEND SECTION 7.6 OF CHAPTER 7 OF THE CHARTER :

**CITY OF CHARLOTTE
CITY COUNCIL RESOLUTION 2017-62(b)**

**A RESOLUTION TO PROPOSE AN AMENDMENT TO
SECTION 7.6 OF CHAPTER 7 OF THE CHARTER OF THE
CITY OF CHARLOTTE.**

WHEREAS, the City of Charlotte is organized and operates as a Home Rule City pursuant to its Charter of the City of Charlotte adopted April 2, 1962, under the provisions of the Home Rule Cities Act, 1909 PA 279, as amended, MCL 117.1, *et seq*; and

WHEREAS, Section 7.6 of Chapter 7 presently reads as follows:

SECTION 7.6. SPECIAL ACCOUNTS.

(A) The Council may, by ordinance, establish and maintain accounts for accumulating moneys to be used for acquiring, extending, altering, constructing, or repairing designated public improvements and for the purchase of equipment of any type needed for the operation or services of the city.

(B) Appropriations to such accounts may be made by the Council either in the annual appropriation resolution or, from time to time during the fiscal year, from available funds, from whatever source derived, which are not required for other appropriations or obligations of the city. Such accounts shall be continuing accounts and the balances therein at the end of each fiscal year shall remain a part thereof.

(C) At the end of each fiscal year, the Council may transfer any unencumbered balance or any part thereof into one or more of the accounts authorized to be created by this section.

(D) Moneys which are accumulated for the purpose of public improvements, as set forth in subsection (A) hereof, shall be used only at the direction of the Council, and only for the purpose provided in the original ordinance establishing such account, unless their use for some other municipal purpose be authorized by a majority vote of the electors of the city who vote on the proposition to amend such ordinance to provide for a change in the use of the moneys in such account. After the purpose of any such account has been fulfilled, any balance remaining therein may be transferred by the Council to any other special account or to the general fund of the city.

(E) Moneys which are accumulated for the purpose of purchasing equipment, as set forth in subsection (A) hereof, shall be expended only for the purpose provided in the ordinance establishing any such account, or as such ordinance may be amended from time to time. When no longer required for such purpose, such moneys or any remaining part thereof, may be transferred to the general fund by resolution of the Council.

and

WHEREAS, the Charlotte City Council believes that it would promote fair, equitable, efficient, and good government to place an amendment of the Charter before the qualified electors of the City of Charlotte to amend Section 7.6 of Chapter 7 to provide that the City establish a Special Revolving Fund of Eight Hundred Thousand Dollars (\$800,000) that shall be used to finance public improvements, or other uses if approved

by the voters;

NOW, THEREFORE, BE IT RESOLVED that in accordance with 1909 PA 279, as amended, MCL 117.21, the Charlotte City Council hereby proposes that said Section 7.6 of Chapter 7 of the Charlotte City Charter be amended to read as follows:

SECTION 7.6. SPECIAL ACCOUNTS.

(A) Except as provided in subparagraph (F), the Council may, by ordinance, establish and maintain accounts for accumulating moneys to be used for acquiring, extending, altering, constructing, or repairing designated public improvements and for the purchase of equipment of any type needed for the operation or services of the city.

(B) Appropriations to such accounts may be made by the Council either in the annual appropriation resolution or, from time to time during the fiscal year, from available funds, from whatever source derived, which are not required for other appropriations or obligations of the city. Such accounts shall be continuing accounts and the balances therein at the end of each fiscal year shall remain a part thereof.

(C) At the end of each fiscal year, the Council may transfer any unencumbered balance or any part thereof into one or more of the accounts authorized to be created by this section.

(D) Moneys which are accumulated for the purpose of public improvements, as set forth in subsection (A)

hereof, shall be used only at the direction of the Council, and only for the purpose provided in the original ordinance establishing such account, unless their use for some other municipal purpose be authorized by a majority vote of the electors of the city who vote on the proposition to amend such ordinance to provide for a change in the use of the moneys in such account. After the purpose of any such account has been fulfilled, any balance remaining therein may be transferred by the Council to any other special account or to the general fund of the city.

(E) Moneys which are accumulated for the purpose of purchasing equipment, as set forth in subsection (A) hereof, shall be expended only for the purpose provided in the ordinance establishing any such account, or as such ordinance may be amended from time to time. When no longer required for such purpose, such moneys or any remaining part thereof, may be transferred to the general fund by resolution of the Council.

(F) (1) A special account is hereby established, entitled the "Revolving Fund Special Account" in the amount of Eight Hundred Thousand Dollars (\$800,000).

(2) The Revolving Fund Special Account may be used for said purposes as set forth in subparagraph (A) of this section and in addition, for any approved use by the voters.

(3) The Revolving Fund Special Account may be augmented by the allocation of miscellaneous revenues, if

the revenues are not otherwise pledged or encumbered, by allocation of such funds raised by general taxation, by special assessments to fund the public expenditure, by funds provided by the State, or by gift.

(4) The monies which are accumulated in the Revolving Fund Special Account may be allocated by Council, without interest, for such public improvements or equipment as set forth above; provided, however, the funds must be repaid by allocations made pursuant to subsection (F)(3) within ten years from the date of said initial allocation for the public improvement or equipment. If the allocation is for the purpose of extending credit pursuant to subsection (F)(2), the principal and interest must be repaid within ten years.

(5) The interest from investment earnings or interest from the extension of credit may be transferred by Council to the General Fund, and used as the Council deems fit, and said earnings or interest need not be repaid.

(6) Notwithstanding the foregoing, if the Council proposes some other municipal purpose for some or all of said Revolving Fund Special Account, said use shall be prohibited unless the use be authorized by a majority vote of the electors of the City who vote on the proposition for use of said funds for such other municipal purpose. If approved by a majority of the electors, such monies shall be allocated to another special account as provided for in this section and after the purpose has

been fulfilled, any balance remaining therein shall be returned to the Revolving Fund Special Account. The monies expended for the other municipal purpose shall also be repaid within ten years, as provided in subsection (F)(2).

BE IT FURTHER RESOLVED that the aforesaid proposition to amend Section 7.6 of Chapter 7 of the Charter shall be submitted to the electors of the City of Charlotte at the general election to be held in the City on November 7 2017.

BALLOT QUESTION

Shall Section 7.6 of the City Charter be amended to provide for the establishment of a Revolving Fund Special Account of Eight Hundred Thousand Dollars (\$800,000) to finance public improvements, or other uses if approved by the voters?

YES

NO

STATEMENT OF PURPOSE

This amendment creates a Revolving Fund Special Account to be used for public improvements, or other uses, if approved by the voters.

BE IT FURTHER RESOLVED that the City Clerk shall do and perform all acts required of said Clerk by the City Charter and the statutes of the State of Michigan in such case made and provided in regard to the

registration of electors for said election, the giving of notice thereof, the giving of notice of such election, the preparation and furnishing of necessary ballots, the obtaining of necessary approval of this amendment by the Michigan Attorney General and Governor of the State of Michigan, and for the conduct of such election.

Council member Bahmer moved, supported by Russo to approve the first reading of Resolution No. 2017-62b to amend Section 7.6 of Chapter 7 of the Charter as presented. 6 Yes. (Bahmer, Russo, Sanders, Johnston, Mitchell, Lewis) 1 No. (Ridge)

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: None.

CITY MANAGER REPORT: City Manager Guetschow stated that the Rural Fire Association has met and approved the budget as presented.

COUNCILMEMBER COMMITTEE REPORTS: None.

PUBLIC COMMENT: Ed Foster, 316 Beech, stated that he feels that it may be a good idea to have a per vehicle charge at the recycling center to help offset costs.

MAYOR AND COUNCIL COMMENTS

- Council member Russo stated that the budget process is the most rewarding part of the job. He stated that tonight's meeting was a fantastic look at democracy in action.

- Council member Ridge stated that Charlotte Rising is in the second round of interviews for an Executive Director. She thanked everyone for coming. She thanked the City Manager and staff. She asked that there be a presentation on Charlotte Rising at the next meeting.
- Mayor Pro-Tem Sanders thanked everyone for attending.
- Councilmember Mitchell thanked everyone for coming. He stated that his vote on CARA is because he feels that the City will be footing the bill while the townships are still using the facility and not paying their share. He feels that the idea of charging would be a good idea.
- Council member Bahmer asked that the minutes be uploaded for the various boards on the website. He stated that he would like to be able to help the business at 627 W. Seminary as they are investing in the community. He wished everyone a Happy Memorial Day.
- Mayor Lewis stated that himself, City Manager Guetschow and Community Development Myrkle would be meeting on Wednesday with MDOT officials regarding downtown truck traffic. He thanked City Manager Guetschow and department heads on their work with the budget. He thanked Council member Russo for his comments on democracy in the works. He introduced Claire Lupini and highlighted his day of activities with her to show her each department of the City to help her better understand city government. Mayor Lewis presented Ms. Lupini with a key to the City.

Council member Johnston moved, supported by Sanders to adjourn the meeting at 8:44 p.m. Carried. 7 Yes. 0 No.

Mayor Tim Lewis

Ginger Terpstra, City Clerk, CMMC