

**COUNCIL PROCEEDINGS**  
**Regular Meeting**  
**December 11, 2017**

**CALL TO ORDER:** By Mayor Lewis on Monday, December 11, 2017, at 7:00 p.m.

**PRESENT:** Councilmembers Baker, Johnston, Ridge, Mitchell, Russo, Mayor Lewis, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Pastor Martin Saunders, Five Corners Church, followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES FOR REGULAR MEETING OF NOVEMBER 27, 2017:** Mayor Pro-Tem Baker moved, supported by Mitchell to approve the regular meeting minutes of November 27, 2017 as presented. 7 Yes 0 No

**ABSENT:** None.

**PUBLIC HEARINGS:**

**A. PUBLIC HEARING ON VACATING THAT PART OF HARRIS STREET AT THE WESTERNMOST DRIVEWAY TO HAYES GREEN BEACH HOSPITAL:**

Public Hearing Opened: 7:03 p.m.

**Claudia Perry St. Andre**, 316 E. Harris St., asked for clarification on what part of Harris Street would be vacated.

**Justin Brummette**, 340 High Street, asked for clarification on whether or not Harris Street would still be a thru street from Lansing Road.

**Randy Owens**, HGB Hospital, gave an overview and timeline of the entire project which will be for a new surgical unit and outpatient services.

**Public Hearing Closed: 7:11 p.m.**

**PUBLIC COMMENT:** **Justin Brummette**, 340 High Street, addressed the City Council regarding their vote on the Dairy Queen issue. He feels that there should have been a bit more discussion on the matter by the City Council before the votes were cast on the rezoning issue after the Planning Commission had recommended that the zoning not be changed. He thanked the City Council for their service.

**APPROVAL OF AGENDA:** Council member Ridge moved, supported by Johnston to approve the agenda as presented.

Council member Bahmer moved, supported by Russo to move item 11f –Consider approval of Resolution No. 2017-129 to approve Change order #1 Prein & Newhof- State & Lincoln Street Project to Item 13c and approve as amended. Carried. 5 Yes (Mitchell, Bahmer, Russo, Johnston, Baker) 2 No. (Ridge, Lewis)

**SPECIAL PRESENTATIONS:**

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**A. PRESENTATION OF PROCLAMATION 2017-03 TO CHARLOTTE HIGH SCHOOL BAND: PROCLAMATION 2017-03**

**WHEREAS**, the Charlotte High School Marching Band was celebrating a Class B victory at the 26<sup>th</sup> Annual Hastings Invitational on Saturday, October 7, 2017; and

**WHEREAS**, this is just the third year that the Oriole Marching Band has competed in the Scholastic Marching Band Circuit; and

**WHEREAS**, they were then announced as the Invitational’s Grand Champion; and

**WHEREAS**, the Oriole Marching Band earned the top score of the invitational, recording an 85.2; and

**WHEREAS**, in doing so, they outperformed two Class A schools and two Class AA schools; and

**WHEREAS**, the Charlotte City Council is very proud of the Oriole Marching Band and it’s accomplishments; and

**NOW, THEREFORE BE IT RESOLVED, I, Tim Lewis**, Mayor of the City of Charlotte, do hereby applaud the members of the Charlotte High School Marching band for sharing their talents and making the citizens of Charlotte, Michigan proud to be their home town.

**BE IT FINALLY PROCLAIMED**, that this Proclamation be entered into the official proceedings of the Charlotte City Council on the 11<sup>th</sup> day of December, 2017.

Mayor Lewis congratulated Band Director Rose and Senior Drum Major Erica Pryor on their most recent Grand Champion win at the

Hastings Invitational in October. He presented them with the preceding proclamation.

**B. PRESENATION TO COREY SANDERS FOR SERVICE ON CITY COUNCIL:**

Mayor Lewis presented Corey Sanders with a clock to honor his eight years of service to the Charlotte Community. He noted that Corey had served on the Airport Board, Volunteer Fire Department and had been the Mayor Pro-Tem.

**EXPEDITED RESOLUTIONS AND ORDINANCES**

**A. CONSIDER APPROVAL OF RESOLUTION NO. 2017-122 MAYORAL APPOINTMENT:**

**RESOLUTION NO. 2017-122**

**A RESOLUTION TO APPROVE MAYORAL APPOINTMENT**

**WHEREAS**, a need for a reappointment to the Board of Review and a reappointment to the Compensation Commission exists; and

**WHEREAS**, Mayor Lewis is recommending the following individuals to be reappointed to these board:

<b>Name</b>	<b>Board</b>	<b>Term Ending</b>
Cindy Martens	Board of Review	12/31/2022
Gary Colles	Compensation Commission	1/14/2023

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

**Council member Baker moved, supported by Russo to approve**

**Resolution No. 2017-122 Mayoral appointment as presented.  
Carried. 7 Yes. 0 No.**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2017-123 DOING BUSINESS STATEMENT 2018:  
RESOLUTION NO. 2017-123  
STATEMENT OF DOING BUSINESS WITH CITY OF  
CHARLOTTE 2018**

**WHEREAS**, Pursuant to the provisions of Section 15.4 of the City Charter, the undersigned, doing business in the City of Charlotte, hereby states that he/she intends to have business dealings with the City of the type that is on a continuing basis, involving more than one or a sequence of transactions. Such dealings will be as listed or similar transactions

Bryan Myrkle – Cable Operator  
Mikayla Densmore – Cable Operator  
Tyger Fullerton – Straw Sales  
Tom Archer – Straw Sales  
Brandon Youngs – Straw Sales  
L. Daryl Baker – Insurance (11/7/2017)

**Council member Johnston moved, supported by Russo to approve Resolution No. 2017-123 Doing Business Statement 2018 as presented. Carried. 7 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2017-124 TO VACATE THAT PART OF HARRIS STREET**

**DESCRIBED IN THE ORIGINAL PLAT OF  
CHARLOTTE:**

**RESOLUTION NO. 2017-124  
CITY OF CHARLOTTE  
EATON COUNTY, MICHIGAN  
A RESOLUTION TO VACATE THAT PART OF HARRIS  
STREET DESCRIBED IN THE ORIGINAL PLAT OF  
CHARLOTTE.**

**WHEREAS**, the City Council of the City of Charlotte, on November 13, 2017, adopted a resolution deeming it advisable and necessary for the health, welfare, comfort and safety of the people of the City of Charlotte to discontinue and vacate that portion of Harris Street, legally described as follows: A parcel of land platted as Harris Street, Original Plat of Charlotte, Eaton County, Michigan, as recorded in Liber 1 of Plats, Page 67 of Eaton County Records, the surveyed boundary of said parcel described as: Commencing at the Northeast corner of Section 18, T2N, R4W; thence S89°11'25"E along the North line of said Section 18 a distance of 991.95 feet; thence S00°48'35"W perpendicular to said North line 991.45 feet to the Southwest corner of Lot 3, Robinson's Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 1 of Plats, Page 75 of Eaton County Records; thence N00°04'30"W along the West line of said Lot 3 a distance of 13.81 feet to the point of beginning of this description; thence Northwesterly 10.45 feet along a curve to the right, said curve having a radius of 122.08 feet, a delta angle of 4°54'11", and a chord of 10.44 feet bearing N53°56'30"W; thence S89°43'42"W parallel

with the South line of Block 8, of said Original Plat of Charlotte 61.57 feet; thence N00°04'30"W parallel with said West line 20.00 feet to said South line; thence N89°43'42"E along said South line 70.00 feet to said West line; thence S00°04'30"E along said West line 26.19 feet to the point of beginning; said parcel containing 1,426 square feet, more or less; said parcel subject to all easements and restrictions if any. and;

**WHEREAS**, the City of Charlotte deems it advisable to reserve an easement in the above- described premises for maintenance and repair of the sidewalk and for right-of-way and for utility purposes, including an easement over the entire vacated area for installation of cable and telecommunication systems operating under franchise or permit issued by the City and any and all existing public and quasi public utility easements thereover or thereunder; and

**WHEREAS**, a notice of hearing on the proposed vacation of the above-described premises was delivered to all abutting landowners, which notice established the time and place of the public hearing as December 11, 2017, in the City Council Chambers at Charlotte City Hall, 111 East Lawrence Avenue, Charlotte, MI 48813, at 7:00 p.m.; and

**WHEREAS**, the public hearing on the vacation of the above-described platted alley was held on this 11th day of December 2017, in the City Council Chambers at City Hall, 111 East Lawrence Avenue, Charlotte, Michigan; and **WHEREAS**, no objections were made to said vacation of the premises; **NOW, THEREFORE, BE IT RESOLVED**: 1. That pursuant to the authority granted by the Home Rule

Cities Act, being MCL 117.1, et seq, the Charter of the City of Charlotte, and the Subdivision Control Act, MCL 560.257, the City Council of the City of Charlotte hereby vacates and discontinues the abovedescribed premises as a public street, subject to an easement over the entire vacated area for the maintenance and repair of the sidewalk and right-of-way for public utility purposes, including an easement over the entire vacated area for installation of cable and telecommunication systems operating under franchise or permit issued by the City and any and all existing public or quasi public utility easements thereover or thereunder.

**Mayor Pro-Tem Baker moved, supported by Ridge to approve Resolution No. 2017-124 to vacate that part of Harris Street described in the Original Plat of Charlotte as presented. Carried. 7 Yes. 0 No.**

**D. CONSIDER APPROVAL OF RESOLUTION NO. 2017-126 MEETING DATES CITY COUNCIL 2018:**

**CITY OF CHARLOTTE  
RESOLUTION 2017-126**

**WHEREAS**, Public Act 267 of 1976 requires a resolution setting meeting dates.

**NOW THEREFORE BE IT RESOLVED**, that the regular meeting dates of the Charlotte City Council be as follows for the year 2018.

	COUNCIL CHAMBERS 2 <sup>ND</sup> Floor, City Complex 111 E. Lawrence Ave Charlotte MI 48813
Monday, January 8	Phone: 543-2750
Monday, January 22	7:00 P.M.
Monday, February 12	
Monday, February 26	
Monday, March 12	
Monday, March 26	
Monday, April 9	
Monday, April 23	
Monday, May 14	
<b>*Tuesday, May 29</b>	
Monday, June 11	
Monday, June 25	
Monday, July 9	
Monday, July 23	
Monday, August 13	
Monday, August 27	
Monday, September 10	
Monday, September 24	
Monday, October 8	
Monday, October 22	
<b>*Tuesday, November 13</b>	
Monday, November 26	
Monday, December 10	
<b>*Wednesday, December 26</b>	

**SPECIAL MEETINGS SHALL BE POSTED 18 HOURS BEFORE SUCH MEETING IS HELD**

**Council member Ridge moved, supported by Baker to approve Resolution No. 2017-126 Meeting Dates City Council as presented. Carried. 7 Yes. 0 No.**

**E. CONSIDER APPROVAL OF RESOLUTION NO. 2017-128 TO SET SPECIAL COUNCIL MEETING FOR JANUARY 4, 2018 TO DISCUSS PARKING ON RESIDENTIAL LOTS:**

**RESOLUTION NO. 2017-128**

**A RESOLUTION TO SET A SPECIAL COUNCIL MEETING FOR JANUARY 4, 2018 FOR THE PURPOSE OF DISCUSSING PARKING ON RESIDENTIAL LOTS**

**BE IT RESOLVED** that the City Council does hereby authorize holding a special meeting on January 4, 2018 at 6:00 p.m. in the City Hall Council Chambers for the purpose of discussing parking of vehicles other than passenger vehicles on residential lots.

**Council member Johnston moved, supported by Russo to approve Resolution No. 2017-128 to set special council meeting for January 15, 2018 at 7:00 P.M. to discuss parking on residential lots as presented. Carried. 7 Yes. 0 No.**

**F. (G.) CONSIDER APPROVAL OF RESOLUTION NO. 2017-127 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:**

**RESOLUTION NO. 2017-127  
A RESOLUTION TO APPROVE EXPENDITURES OF THE  
CITY  
FOR DECEMBER 11, 2017**

**WHEREAS**, Section 7.7 (B) of the City Charter requires Council approval for the expenditure of city funds; and  
**WHEREAS**, the December 8, 2017 payroll totaled \$164,400.35; and  
**WHEREAS**, the December 11, 2017 claims total \$221,351.52;  
**THEREFORE, BE IT RESOLVED** that the City Council approves claims and accounts for December 11, 2017 in the amount of \$385,751.87.

**APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE:** Mayor Pro Tem Baker moved, supported by Ridge to approve Resolution 2017-127 for expenditures of the City for December 11, 2017 as presented. Carried. 7 Yes. 0 No.

**ACTION ITEMS – RESOLUTIONS AND ORDINANCES:**  
None.

**INTRODUCTION OF RESOLUTIONS AND ORDINANCES:**  
**A. CONSIDER FIRST READING OF RESOLUTION NO. 2017-125 POVERTY EXEMPTION GUIDELINES 2018:**  
**CITY OF CHARLOTTE**  
**2018 FEDERAL POVERTY EXEMPTION CERTIFICATE**  
**RESOLUTION NO. 2018-125**

**WHEREAS**, the adoption of guidelines for poverty exemption is within the purview of the City Council; and  
**WHEREAS**, the homestead of persons who, in the judgment of the City Assessor and board of review, by reason of

poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL.211.7u); and

**WHEREAS**, pursuant to PA 390, 1994 the City of Charlotte, Eaton County adopts the following Income and Asset levels establishing eligibility for Poverty Exemptions in the year 2018,

**FEDERAL INCOME GUIDELINES FOR 2018 POVERTY EXEMPTION**

1 person .....	\$ 12,060
2 persons .....	\$ 16,240
3 persons.....	\$ 20,420
4 persons.....	\$ 24,600
5 persons.....	\$ 28,780
6 persons.....	\$ 32,960
7 persons.....	\$ 37,140
8 persons.....	\$ 41,320
For Each Additional Person add.....	\$ 4,180

**MAXIMUM ASSET STANDARDS TO BE ELIGIBLE FOR A POVERTY EXEMPTION**

*(PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall include an asset level test)*

1 person .....	\$ 26,219
2 persons .....	\$ 32,479
3 persons.....	\$ 38,847
4 persons.....	\$ 45,095

5 persons.....	\$ 51,554
6 persons.....	\$ 57,903
7 persons.....	\$ 64,166
8 persons.....	\$ 70,510
9 persons or more.....	\$ 77,155

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the assessor and Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

**Council member Ridge moved, supported by Baker to approve Resolution No. 2017-125 Poverty Exemption Guidelines 2018 as presented. Carried. 7 Yes. 0 No.**

**B. CONSIDER APPROVAL OF RESOLUTION NO. 2017-130 TO APPROVE CHANGE ORDER #1 FOR MCS EXCAVATING FOR 108/110 E. LAWRENCE DEMOLITION PROJECT:**

**RESOLUTION NO. 2017-130**

**A RESOLUTION TO APPROVE CHANGE ORDER #1 FOR MCS EXCAVATING FOR THE 108/110 E. LAWRENCE DEMOLITION PROJECT**

**WHEREAS**, the 108/110 E. Lawrence Demolition contract was awarded to MCS Excavating by City Council on October 23, 2017 in the amount of \$35,000.00; and

**WHEREAS**, it has been determined since award of the project that it is necessary to remove additional asbestos containing material from 110 E. Lawrence and additional expense must be incurred to complete the work; and

**WHEREAS**, MCS Excavating has proposed a cost of \$3,500.00 to remove the additional asbestos containing material; and

**WHEREAS**, these additional costs will be paid for out of the funds budgeted for Pocket Park construction.

**THEREFORE, BE IT RESOLVED** that the City Council authorizes contract Change Order #1 in the amount of \$3,500.00 for MCS Excavating for additional asbestos removal work on the 108/110 E. Lawrence Demolition Project.

**Council member Johnston moved, supported by Mitchell to approve Resolution No. 2017-130 to approve change order #1 for MCS Excavating for 108/110 E. Lawrence demolition project as presented. Carried. 7 Yes. 0 No.**

**C. CONSIDER APPROVAL OF RESOLUTION NO. 2017-129 TO APPROVE CHANGE ORDER #1 PREIN & NEWHOF- STATE & LINCOLN STREET PROJECT:**

**RESOLUTION NO. 2017-129**

**A RESOLUTION TO APPROVE CHANGE ORDER #1 FOR PREIN & NEWHOF FOR THE STATE AND LINCOLN STREET PROJECT**

**WHEREAS**, the State and Lincoln Street Project engineering contract was awarded to Prein & Newhof by City Council on October 23, 2017 in the amount of \$125,000.00; and

**WHEREAS**, it has been determined since award of the project that it is necessary to replace the sanitary sewer from Lawrence Avenue to W. Seminary Street and additional costs must be incurred to complete the work; and

**WHEREAS**, Prein & Newhof has proposed a cost of \$4,500.00 in design and construction engineering to complete the work necessary; and

**WHEREAS**, Prein & Newhof 's proposal does not include any extra time for field observation and will address that at the time of construction; and

**WHEREAS**, these additional costs will be paid for out of the Water and Sewer Fund.

**THEREFORE, BE IT RESOLVED** that the City Council authorizes contract Change Order #1 in the amount of \$4,500.00 for Prein & Newhof for additional work on sanitary sewer replacement as part of the State and Lincoln Street Reconstruction Project.

Council member Bahmer asked that more clarification be provided on this Change Order from DPW Director Gilson.

**Council member Ridge moved, supported by Baker to approve Resolution No. 2017-129 to approve change order #1 Prein & Newhof – State & Lincoln Street project as presented. Carried. 7 Yes. 0 No.**

## **COMMUNICATIONS AND COMMITTEE REPORTS**

**CITY ATTORNEY REPORT: None.**

**CITY MANAGER REPORT:** City Manager Guetschow reported that there will be a Special Council meeting to discuss the RV Parking issue on January 15<sup>th</sup>. He provided an updated Major & Local Street cash flow chart. He provided a copy of the 2017 Dash Board that is published each year. He congratulated Clerk Terpstra on being recertified as a Michigan Municipal Clerk.

## **COUNCILMEMBER COMMITTEE REPORTS:**

- Council member Bahmer reported that the Planning Commission met on December 5<sup>th</sup> to discuss whether the Dairy Queen fence was to be constructed of vinyl or wood. It was voted upon to require an 8' vinyl fence.

**PUBLIC COMMENT: Claudia Perry St. Andre, 316 E. Harris, asked for clarification on Resolution No. 2017-125 Poverty Exemption Guidelines.**

## **MAYOR AND COUNCIL COMMENTS:**

- Council member Johnston congratulated the Charlotte High School Marching Band on their accomplishments. He invited everyone to join him for wrapping presents for Christmas Kiddies on Saturday, December 16<sup>th</sup> at 9 A.M. He wished everyone a Merry Christmas!
- Council member Russo no comment.
- Council member Ridge congratulated the Marching Band. She stated that Charlotte has always had a band that



performed with high excellence. She had two children that were drum majors. She congratulated Corey and stated that she appreciated his service to the community. She announced that the Competitive Cheer team just won a first place this past weekend in which she is very proud. She wished everyone a Merry Christmas!

- Mayor Pro Tem Baker stated that he feels the decision that the Planning Commission made on the Dairy Queen fence to be vinyl bodes well for the neighbors. He wished everyone a Merry Christmas!
- Council member Mitchell wished everyone a Merry Christmas and Happy New Year! He reminded everyone to shop local downtown.
- Council member Bahmer thanked council from excusing him from the last meeting. He thanked Clerk Terpstra for giving the Planning Commission report in his absence. He congratulated Clerk Terpstra on her recertification. He stated that he feels that everyone needs to watch the meeting were Council made the decision on the Dairy Queen because he feels that the Council had a fair amount of discussion before voting on the matter.
- Mayor Lewis reminded everyone about the Christmas Kiddie program and encouraged everyone to participate in this endeavor. He recognized Clerk Terpstra for her recent recertification as Michigan Municipal Clerk. He recognized the Police, Fire Public Works Department and reminded everyone that they are often working when the rest of us are enjoying the holidays. He wished everyone a Happy Holiday Season and Happy New Year!

**Council member Johnston moved, second by Mitchell to adjourn at 7:55 p.m. Carried. 7 Yes. 0 No**

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Mayor Tim Lewis

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Ginger Terpstra, City Clerk, CMMC