

COUNCIL PROCEEDINGS
Regular Meeting
November 27, 2017

CALL TO ORDER: By Mayor Lewis on Monday, November 27, 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 Randy Royston, New Hope Community Church followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR ORGANIZATIONAL MEETING OF NOVEMBER 13, 2017: Mayor Pro-Tem Baker moved, supported by Russo to approve the organizational meeting minutes of November 13, 2017 as presented. 6 Yes 0 No 1 Absent (Bahmer)

APPROVAL OF MINUTES FOR REGULAR MEETING OF NOVEMBER 13, 2017: Council member Johnston moved, supported by Russo to approve the regular meeting minutes of November 13, 2017 as presented. 6 Yes 0 No 1 Absent (Bahmer)

ABSENT: Council member Bahmer

Mayor Pro-Tem Baker moved, supported by Russo to excuse Council member Bahmer due to illness. Carried. 6 Yes. 0 No.

PUBLIC HEARINGS: None.

PUBLIC COMMENT: None.

APPROVAL OF AGENDA: Council member Ridge moved, supported by Mitchell to approve the agenda as presented. Carried. 6 Yes. 0 No.

SPECIAL PRESENTATIONS: None.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2017-114 TO APPROVE AUTHORIZED SIGNERS FOR INDEPENDENT BANK:

RESOLUTION NO. 2017-114

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

WHEREAS, 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	Jessica Walters

WHEREAS, that the City Council authorizes the following signers to Independent Bank Accounts: 1133756, 1235492, 1235489 and 1246766:

Title	Signer
City Treasurer	Christine K. Mossner
Deputy City Treasurer	Lisa C. Brown
Deputy City Treasurer	Sally E. Starkweather
City Clerk	Ginger Terpstra

Deputy City Clerk Jessica Walters
THEREFORE, BE IT RESOLVED that the City Council approve the Independent Bank Account signers as listed above.

Council member Johnston moved, supported by Baker to approve Resolution No. 2017-114 to approve authorized signers for Independent Bank as presented. Carried. 6 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2017-115 TO APPROVE AUTHORIZED SIGNERS FOR EATON FEDERAL BANK:

RESOLUTION NO. 2017-115

A RESOLUTION TO APPROVE AUTHORIZED SIGNERS FOR VARIOUS EATON FEDERAL 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

WHEREAS, that the City Council authorizes the following signers to Eaton Federal Bank Accounts and Certificates of Deposit:

TITLE	SIGNER
City Treasurer	Christine K. Mossner
Deputy City Treasurer	Lisa C. Brown
City Clerk	Ginger Terpstra
Deputy City Clerk	Jessica Walters

THEREFORE, BE IT RESOLVED that the City Council approve the Eaton Federal Bank Account signers as listed above.

Council member Johnston moved, supported by Russo to approve Resolution No. 2017-115 to approve authorized signers for Eaton Federal Bank as presented. Carried. 6 Yes. 0 No.

C. CONSIDER APPROVAL OF RESOLUTION NO. 2017-116 TO APPROVE AUTHORIZED SIGNERS FOR FIFTH THIRD BANK:

RESOLUTION NO. 2017-116

A RESOLUTION TO APPROVE AUTHORIZED SIGNERS FOR VARIOUS FIFTH THIRD 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

WHEREAS, that the City Council authorizes the following signers to Fifth Third Bank Accounts and Certificates of Deposit:

TITLE	SIGNER
City Treasurer	Christine K. Mossner
Deputy City Treasurer	Lisa C. Brown
City Clerk	Ginger Terpstra
Deputy City Clerk	Jessica Walters

THEREFORE, BE IT RESOLVED that the City Council approve the Fifth Third Bank Account signers as listed above.

Mayor Pro-Tem Baker moved, supported by Johnston to approve Resolution No. 2017-116 to approve authorized signers for Fifth Third Bank as presented. Carried. 6 Yes. 0 No.

D. CONSIDER APPROVAL OF RESOLUTION NO. 2017-117 TO APPROVE DDA DEFICIT ELIMINATION PLAN:

RESOLUTION NO. 2017-117

A RESOLUTION TO APPROVE THE DOWNTOWN DEVELOPMENT AUTHORITY FUND'S DEFICIT ELIMINATION PLAN

WHEREAS, the City of Charlotte's Downtown Development Authority fund has a \$1,701 deficit fund balance on June 30, 2017; and

WHEREAS, 1971 PA 140 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury;

THEREFORE, BE IT RESOLVED that the City Council approves the following as the Downtown Development Authority fund's Deficit Elimination Plan:

Unrestricted Net Position (Deficit) June 30, 2017	\$	(1,701)
+ FY 2017/2018 Revenues		
Current Property Taxes		13,600
Special Assessment Revenue		13,385
Parking Permits		1,500
Interest Income		20
Sundry Revenue		200
Contributions From Others		2,500
Total Revenues		31,205
- FY 2017/2018 Expenses		
City Labor - DPW		2,000
FICA/Medicare - City Share		310
ICMA - City Share		60
Retirement Plans (City Share)		900
Materials & Supplies		500
Professional Services		50
Contractual Services		19,050
Contribution To Others		5,000
MVP Equipment Rental		1,500
Total Expenses		29,370
Unrestricted Net Position (Deficit) June 30, 2017	\$	134

BE IT FURTHER RESOLVED that the City of Charlotte's Finance Director submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Council member Ridge moved, supported by Mitchell to approve Resolution No. 2017-117 to approve DDA Deficit Elimination Plan as presented. Carried. 6 Yes. 0 No.

E. CONSIDER APPROVAL OF RESOLUTION NO. 2017-119 MAYORAL APPOINTMENT:

RESOLUTION NO. 2017-119

A RESOLUTION TO APPROVE MAYORAL APPOINTMENT

WHEREAS, a need for an appointment to the Airport Advisory Board; and

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

Name	Board	Term Ending
Bill Mitchell	Airport Advisory Committee	Council Representative

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

Mayor Pro-Tem Baker moved, supported by Johnston to approve Resolution No. 2017-119 to approve Mayoral appointment as presented. Carried. 6 Yes. 0 No.

E. CONSIDER APPROVAL OF RESOLUTION NO. 2017-121 TO VACATE A PART OF AN ALLEY N OF E. SEMINARY ST. BETWEEN PLEASANT & PRAIRIE IN GALES ADDITION AND SET A PUBLIC HEARING FOR DECEMBER 27, 2017:

RESOLUTION NO. 2017-121

CITY OF CHARLOTTE

EATON COUNTY, MICHIGAN

A RESOLUTION DEEMING IT ADVISABLE AND NECESSARY TO VACATE A PART OF AN ALLEY NORTH OF EAST SEMINARY STREET AND BETWEEN PLEASANT STREET AND PRAIRIE STREET AS DESCRIBED IN THE PLAT OF GALES ADDITION, AND TO PROVIDE FOR A PUBLIC HEARING AND NOTICE THEREOF.

WHEREAS, the City Council of the City of Charlotte determines that it is advisable and necessary for the health, welfare, comfort and safety of the people of the City of Charlotte to discontinue and vacate an alley north of East Seminary Street and between Pleasant Street and Prairie Street in Gales Addition as legally described as follows:

That part of an alley between the north line of Lots 46 and 17, and the north line of Lot 44 of Gales Addition, on the Book of Plats, Register of Deeds, Eaton County, Michigan

and;

WHEREAS, the City of Charlotte deems it advisable to reserve an easement in the above-described premises for the maintenance and repair of the sidewalk and the 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, the City determines that there shall be a public hearing on the proposed vacation of the above-described premises and that due notice, by publication and first class mail to all abutting landowners shall be provided;

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Charlotte deems 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 an alley north of East Seminary Street and between Pleasant Street and Prairie Street in Gales Addition; and

2. That a public hearing on the proposed vacation of the above-described premises shall be scheduled for December 27, 2017, in the City Council Chambers at Charlotte City Hall, 111 E. Lawrence Avenue, Charlotte, Michigan, at 7:00 p.m.; and

3. That said notice by first class mail shall be mailed to all abutting landowners and the notice of public hearing shall be published in a legal newspaper not less than ten days before said

hearing in a newspaper so authorized to publish said public notice.

Council member Johnston moved, supported by Baker to approve Resolution No. 2017-121 to vacate a part of an alley N of E. Seminary St. between Pleasant & Prairie in Gales Addition and set a public hearing for December 27, 2017 as presented. Carried. 6 Yes. 0 No.

G. CONSIDER APPROVAL OF RESOLUTION NO. 2017-118 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:

RESOLUTION NO. 2017-118

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY

FOR NOVEMBER 27, 2017

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

WHEREAS, the November 24, 2017 payroll totaled \$212,569.80; and

WHEREAS, the October 2017 Bank of America credit card charges totaled \$2,976.39; and

WHEREAS, the November 27, 2017 claims total \$119,715.40;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for November 27, 2017 in the amount of \$335,261.59

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL

VOTE: Council member Ridge moved, supported by Baker to approve Resolution 2017-118 for expenditures of the City for November 27, 2017 as presented. Carried. 6 Yes. 0 No. .

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

None.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. CONSIDER FIRST READING OF RESOLUTION NO.

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2017-120 APPROVING THE ORDER OF THE HEARING OFFICER IN THE MATTER OF THE DANGEROUS BUILDING AT 649 N. SHELDON ST. AND SET A PUBLIC HEARING ON THE MATTER FOR DECEMBER 27, 2017:

RESOLUTION NO. 2017-120

A RESOLUTION TO APPROVE THE ORDER OF THE HEARING OFFICER IN THE MATTER OF A DANGEROUS BUILDING CONDITION

AT 649 NORTH SHELDON STREET

WHEREAS, Teresa V. MacDonald and Kent N. MacDonald are the owners of the house at 649 North Sheldon Street; and

WHEREAS, the roof of the front porch on said house shows signs of significant structural failure and constitutes a dangerous building pursuant to the provisions of Section 52-2 of the Charlotte City Code; and

WHEREAS, a hearing was conducted concerning the dangerous building on September 22, 2017 and Mr. and Mrs. MacDonald were ordered to repair or otherwise make safe the dangerous building within 30 days; and

WHEREAS, Mr. and Mrs. MacDonald have not repaired or otherwise made safe the dangerous building; and

WHEREAS, the City conducted a hearing on December 27, 2017 at which time Mr. and Mrs. MacDonald were provided an opportunity to show cause why the order issued by the hearing officer in this matter should not be enforced; and

WHEREAS, the City Council has determined that the order of the hearing officer should be approved;

THEREFORE, BE IT RESOLVED that the City Council does hereby approve the order of the hearing officer and directs Mr. and Mrs. MacDonald to comply with the order within 60 days; and

BE IT FURTHER RESOLVED that if the dangerous condition is not abated pursuant to the order of the hearing officer within 60 days, the City Manager is hereby directed and authorized

to take such actions as are necessary to repair or otherwise make safe the dangerous building consistent with the order of the hearing officer and to assess the costs associated with such actions against the property.

Council member Ridge moved, supported by Mitchell to approve Resolution No. 2017-120 approving the order of the hearing officer in the matter of the dangerous building at 649 N. Sheldon St. and set a public hearing for December 27, 2017 as presented. Carried. 6 Yes. 0 No.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT:

City Attorney Hitch was present to remind council of his role of official spokesman for legal counsel for the city. He represents the City Council and provides guidance by written opinions. He spoke of the Open Meetings Act. He reminded council that any deliberations have to be held in an open meeting. The meetings have to be regularly scheduled meetings or they have to be given an 18 hour notice prior to meeting. He explained what their firm does for the Police Department on the prosecution side. He spoke of the council's fiduciary duties and their responsibility to disclose any conflicts of interest.

CITY MANAGER REPORT: City Manager Guetschow reported that the demolition of the building at 108/110 E. Lawrence is scheduled for mid-week. He advised that the second council meeting in December will be held on Wednesday, December 27th. The agenda will be published the preceding Thursday due to the holidays. He reported that there has been a slight decrease in health care premiums driven by the removal of some retirees and the previous claims experience.

COUNCILMEMBER COMMITTEE REPORTS:

At Council member Bahmer's request Clerk Terpstra reported on the November 14, 2017 Planning Commission meeting.

- The site plan for the Oakridge Condominiums were approved. Scheduled to start construction on some model units in March. The price range will be \$180,000 to \$225,000.
- Brett Roberts asked for clarification on the fencing for the Dairy Queen project. He advised that when the fence height was raised from 6’ to 8’ it nearly doubled the cost of the fence. He would like to now construct a wood fence instead of the white vinyl that was discussed. The commission asked him to bring pictures of the wooden fence to the next meeting.
- Discussion was held on RV Parking. No decision was made and it was the consensus of the commission to have the City Council discuss this issue.
- The meeting dates for 2018 were approved with the January meeting being changed from January 2nd to January 9th.

PUBLIC COMMENT: None.

MAYOR AND COUNCIL COMMENTS:

- Council member Johnston thanked everyone for coming. He thanked Mr. Murphy’s third grade class for their work on the science project involving the Dairy Queen issue.
- Council member Russo no comment.
- Council member Ridge thanked everyone for coming.
- Mayor Pro Tem Baker no comment.
- Council member Mitchell no comment.
- Mayor Lewis spoke of the 108/110 E. Lawrence Ave. building being in the process of demolition. He reminded residents that the final leaf pick up will be this week and to have the leaves in bags at the curb by 7 A.M. He attended the CANDO! meeting and noted that they are looking at the big picture. He stated that Small Business Saturday was well attended. The Christmas Parade was fantastic and longer than in years past. He thanked Ben Phlegar for being on Tim Talks and talking about the “Hall of Fame” for athletics.

Council member Johnston moved, second by Baker to adjourn at 7:47 p.m. Carried. 6 Yes. 0 No

Mayor Tim Lewis

Ginger Terpstra, City Clerk, CMMC