

CITY OF CHARLOTTE, COUNTY OF EATON, STATE OF MICHIGAN

RESOLUTION NO. 2021-057

A RESOLUTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT FOR THE OPERATION AND MAINTENANCE OF THE CHARLOTTE FIRE DEPARTMENT AND TO ORDER THE CREATION OF A SPECIAL ASSESSMENT ROLL TO FUND THE DEPARTMENT

WHEREAS, the City Council has determined to initiate the process for establishing a district to provide for the purchasing of equipment and for the operation and maintenance of the Charlotte Fire Department, and its annual operation and maintenance, pursuant to 1951 P.A. 33, as amended; and

WHEREAS, the City Council has caused the City Manager to prepare a cost estimate for fire protection for the fiscal year 2021; and

WHEREAS, after due and legal notice, the City Council has met on April 19, 2021, at 7:00 p.m., Eastern Daylight Time, and heard all persons interested therein at said first hearing with respect for the fire protection plan and the establishment of a special assessment district;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council, pursuant to 1951 P.A. 33, as amended, hereby determines to provide for the funding of the Charlotte Fire Department as described as follows:

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

2. The City Council hereby approves the cost estimate in the sum of _____ Dollars (\$ _____), as prepared and presented by the City Manager. Of the aforesaid total cost of the project, one-hundred (100%) will be spread against the special assessment district.

3. It is anticipated that the annual cost may rise, due to inflation and other factors, and one hundred percent (100%) of the cost, whatever it shall be in the future, shall be spread annually on the district. The special assessment district shall remain in existence for as long as the Fire Department shall be in effect, or at such time as terminated by Resolution of the City Council.

4. The City Council finally determines that the special assessment district shall consist of all of the lots and parcels of land located within the city limits of the City of Charlotte, as set forth in the records of the Office of the Great Seal of the Department of the Secretary of State.

5. The Assessor is hereby directed to make a special assessment roll in which shall be described all the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district pursuant to the requirements of Section 1(4) of 1951 P.A. 33, as amended.

6. When the Assessor shall have completed the special assessment roll, he shall affix thereto his certificate stating that said roll was made pursuant to a resolution of the City Council, adopted April 19, 2021, and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in said resolution, 1951 P.A. 33, as amended, and the statutes of the State of Michigan, and the Assessor shall then report the special assessment roll with his certificate attached thereto to the City Council.

7. Upon receipt of such tax roll, the City Council shall hold, upon due notice to the record owners of the property proposed to be assessed pursuant to 1951 P.A. 33, as amended, to hear public comments concerning the proposed special assessments.

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

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte, County of Eaton, Michigan, at a City Council meeting held on April 19, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 P.A. 267, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Pearl Tidwell, City Clerk

The foregoing resolution offered by Council member _____ and supported by _____.

Upon roll call vote, the following voted:

Aye:

Nay:

Absent:

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City of Charlotte at a regularly scheduled meeting held on Monday, April 19, 2021, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature this 19th day of April 2021.

Pearl Tidwell, City Clerk / Treasurer
City of Charlotte



Memo

Date: April 19, 2021
To: Honorable Mayor Armitage; City Council
From: Erin LaPere, City Manager
Re: Resolution to create a Special Assessment District

On the agenda for Council's consideration is a resolution to establish a special assessment district for fire protection. As discussed in the March 9th study session, the creation of a special assessment district to defray the costs of fire protection is a two-step process. Step one, is to estimate the costs and consider the establishment of the district. At that time, a public hearing is required and one was scheduled and noticed for the regular Council meeting of April 19, 2021.

In order to establish the district at the meeting held April 19th, Council must, by resolution, determine whether to create the special assessment district, determine the boundaries of the district, and determine the amount of special assessment levy. Council will then direct administration to spread the assessment levy to defray the costs of fire protection. Persons or entities who are exempt from the general property tax act (e.g. federal/state/county, churches, schools, eligible veterans) would also be exempt from this special assessment.

A resolution to create the special assessment district and directing the Assessor to prepare an assessment roll is attached for Council's review and consideration. Upon creation of the district, the second public hearing can be set to hear objections to the distribution of the special assessment. This hearing is subject to the same notification requirements as the initial hearing on the creation of the district. This is a separate agenda item for the April 19th Council meeting, should Council decide to create the district.

The cost estimate for the expenses was left blank on the resolution. This was in anticipation of discussion by Council on whether to fund the fire department as it currently operates with the anticipated hire of a full time Fire Chief in the next 4-6 months. This would require a levy of \$987,913 or approximately 4.5 mills.

Alternatively, Council could consider reductions to the fire department operations, which would lessen the levy required. Across the board cuts to city operations would result in net cost savings and lessen the additional revenue required but would lessen service to residents. There are a few options to

reduce the budget through cuts to expenses. The Council could consider across the board reductions, such as a 20% reduction to each department, or proportional reductions, meaning each department would reduce its budget based on its percentage of general fund expenditures. For example, general administration less DPW, police, and fire, is anticipate to be 22.93% of the budget and would therefore reduce expenditures by 22.93%. Police is 38.42% of the general fund and would reduce expenditures by 38.42%. These cuts would result in the city being able to begin additional payment towards its pension liabilities and otherwise contain costs to rebuild the general fund balance. However, there will be impacts to city services received by residents with such cuts across the city departments.

If Council would like to consider the second option, the fire department is 23.68% of the budget and would therefore reduce expenditures by 23.68%, or \$252,232. To reduce the fire department by this amount, we would need to lay off two fire fighters and close one station. Additionally, we would have to reduce capital equipment purchases and hire a part time Fire Chief. In doing so, we will also see a slight reduction in the revenues received from the Rural Fire Association as they contribute on a percentage basis towards operational and capital costs. The reduced levy required under this option would be \$815,048 or approximately 3.75 mills.

I am prepared to work through a number of scenarios with Council at Monday night's meeting to determine the appropriate funding for fire protection services.

eel

attachment



Pearl Tidwell <ptidwell@charlottemi.org>

Re: Written response to special assessment district

1 message

Pearl Tidwell <ptidwell@charlottemi.org>

Tue, Apr 13, 2021 at 8:47 AM

To: Jonathan Potter <jonathan@potterville.com>

Hi Jonathan,

Thank you for your email. I will file your protest with the city but please keep in mind if you chose to appeal this assessment to the State Tax Tribunal, the statute does require you attend/protest the assessment at the public hearing on April 19 at 7:00pm. Please let me know if you have any questions!

Sincerely,

Pearl Tidwell

On Tue, Apr 13, 2021 at 12:12 AM Jonathan Potter <jonathan@potterville.com> wrote:

Hello,

I'd like to file an appearance and protest by letter for the hearing on Monday, April 19th.

By nature a special assessment district seems to be referring to a specific, rather than general area within a city. For a city-wide tax increase of the sort proposed, a voter-approved millage would be a better vehicle.

Of course, we appreciate our fire department and services they provide. :-)

Jonathan Potter

109 W. Stoddard St



Pearl Tidwell <ptidwell@charlottemi.org>

Re: Special Assessment

1 message

Clarissa Sheler <clarissam626@yahoo.com>
To: Pearl Tidwell <ptidwell@charlottemi.org>

Thu, Apr 15, 2021 at 3:36 PM

Thank you.

I have a speaker problem with my laptop and hearing difficulty when it comes to the phone. I will try to find an external speaker for my laptop that will assist with my hearing issues.

Clarissa

On Thursday, April 15, 2021, 03:29:58 PM EDT, Pearl Tidwell <ptidwell@charlottemi.org> wrote:

Hi Clarissa,

Thank you for your email. I will add your protest to our file.

Please feel free to attend the meeting. Pursuant to Emergency Management Act, PA 390 of 1976 and Section 3(2) of the Open Meetings Act the meeting will be held electronically. Connect to Zoom from your computer, tablet or smartphone at website: <https://us02web.zoom.us/j/85922309909>; Meeting and Webinar ID: 859 2230 9909 or call in by telephone: (312) 626-6799.

You can also visit www.charlottemi.org/meetings and enter the webinar ID 859 2230 9909.

Let me know if you have any questions.

Pearl Rose Tidwell, Clerk / Treasurer
City of Charlotte111 E. Lawrence Avenue, Charlotte, MI 48813

Ph: 517-543-8843 Fax: 517-543-8853

Email: ptidwell@charlottemi.org Web: www.charlottemi.org

On Thu, Apr 15, 2021 at 3:23 PM Clarissa Sheler <clarissam626@yahoo.com> wrote:

This is my protest and objection to the Special Assessment. The correspondence I received is so generic and uninformative gives me cause for concern. I as most city residence feel I am constantly asked for more money in the form of tax increases on my property assessment. I am retired and living on a fixed budget. I allowed for general cost of living increases. Being asked to possibly pay additional money for a service that I thought is already being paid for in my current city/property assessment has me concerned.

Clarissa M Sheler
307 W. Shepherd

April 16, 2021

TO: City of Charlotte
ATTN: Special Assessment District Hearing
111 E. Lawrence Avenue
Charlotte, MI 48813
Fax: 517-543-8853
Email: ptidwell@charlottemi.org

FROM: Drema S. Emerson, Owner in interest
121 E. Henry Street
Charlotte, MI 48843
Tel: 269-967-6571
Email: dremalildrema@yahoo.com

RE: Protest and Opposition to the City of Charlotte's proposed creation of a special assessment district throughout the entire city to defray costs for fire protection (the "Proposed Assessment")

Ms. Pearl Tidwell, City Clerk/Treasurer, and all other City of Charlotte Officials It May Concern:

Pursuant to paragraph 3 of the City of Charlotte Notice of Public Hearing Special Assessment District Notice, which notice declared that the City of Charlotte will hold a public hearing on Monday, April 19, 2021, at 7:00 p.m. to consider the Proposed Assessment, **THIS CORRESPONDENCE SHALL SERVE AS MY APPEARANCE AND PROTEST/OBJECTION IN LIEU OF PERSONAL APPEARANCE and is being submitted via fax and email transmission as provided for in paragraph 3 of the afore-mentioned notice.**

My name is Drema Emerson, and I am a property owner in the City of Charlotte; specifically, I am the record titleholder of 121 E. Henry Street, Charlotte, MI 48813. As a property owner in the City of Charlotte who will be directly impacted by the Proposed Assessment, I am unequivocally lodging my protest and objections to the Proposed Assessment. Specifically:

1. The establishment of city taxes carried/carries the express intention of collecting money from a city's constituency in order to share the cost/burden of mutually beneficial services being provided, the most popular of those services being fire, police, municipal building maintenance (e.g. courthouses and government buildings), and infrastructure updates/repairs (e.g. road repair and sewer/water main updates). The taxes property owners in the City of Charlotte are currently required to pay are expressly intended for such afore-mentioned services, including fire, and creating a "special assessment" seeking additional funds to cover such services would be akin to "double-dipping".
2. The current taxes on my property alone are well over \$3,000 annually. According to statistical data, in 2019 the population of the City of Charlotte was 9,090. If even half that number of people own property in Charlotte (4,545) and those people pay even half of what I pay in taxes, then the City of Charlotte is garnering \$6,817,500 minimum in property taxes alone annually. It is highly likely that the revenue generated from property taxes in Charlotte is, in fact, higher. It is incredibly disheartening to assume that Charlotte is unable to effectively budget fire protection services for its constituents on a \$6.8MM+ budget annually.

3. I am also highly concerned about an article that recently ran in our community newspaper, the County Journal. In the April 3, 2021 edition, on page 4, submitted by Mike Armitage. This article reports that Charlotte has been underfunding pension liabilities and spending more than it is bringing in. This in my opinion is mismanagement of the city budget to such an extent that it is in bad financial condition. Does this mean that the City of Charlotte was unable to sufficiently pay the salaries of retired city workers? This would suggest that Charlotte should engage in an analysis of their budget management abilities in order to solve and/or reallocate funds to fire protection services, instead of simply billing the townspeople for its shortcomings.
4. Again, according to statistical data, in 2019 the median income of a Charlotte *household* was \$50,000 annually. Also at that time, nearly 15% of the city's residents were living in poverty. Charlotte's residents continue to struggle to support their families and paying their bills; they do not have options to pay additional assessments and amounts on top of exorbitant property taxes already being assessed.
5. Charlotte's property taxes and annual revenue are several times higher than several surrounding cities. It is shocking and disconcerting that these neighboring cities can budget and provide fire services with the funds received from annual property taxes, with no special assessments required to do so.

The foregoing list of objections is by no means exhaustive. I am also confident in saying I speak for all Charlotte property owners that this Proposed Assessment is unconscionable. The City of Charlotte garners a very "healthy" sum in property taxes annually, and those taxes are explicitly intended for the provision of such services as fire protection. The property owners of Charlotte should not be burdened with additional sums and assessments in order to receive services their current taxes are intended for. Could you imagine paying a monthly subscription fee to Netflix only to be told you also have to pay per view of each individual movie you attempted to stream? Charlotte's Proposed Assessment purports to do exactly this.

I thank you greatly for your time and consideration in this matter.

Sincerely,

Drema Emerson

April 12, 2021

I am writing in protest to the Special Assessment District to defray the *estimated* cost for fire protection.

I have many questions in regard to the operation of the City of Charlotte.

1. Why is the budget estimated?
2. You just raised the water and sewer rates the past two years 22% don't you feel the residents have had enough of an increase to pay out?
3. You hired new administrative staff at the top of the wage scale, why?
4. Why do you spend \$160,000.00 per year for IT services when they are not even full time staff?
5. Have you followed any of the recommendations from the job study you paid for? They must have had ways to save the City money.
6. What about removing the restriction from the \$800,000.00 that the City has from the O.I. lawsuit? It is my understanding the City Council has the authority to remove the restriction.
7. What about the money from the Federal Government under the Cares Act that the City has coming? You are receiving \$900,000.000 for infrastructure so monies you budgeted for that could be moved to the General Fund to be used for operations and the Cares Act for streets etc. I understand you will get half the first year and half the second year and you have spend it by 2024.
8. I would also like to know where the money goes from billable fire runs that are paid by townships at \$3,600.00 per run.

In my opinion you need to stop buying new equipment like the DPW Dumptrucks and pickups, as well as every other new thing they want. The firetrucks have at least a 20 year life span. Then lets talk about the Armory that is used as a storage building and a place to hang out. How

How much does it cost the city to heat the building? I have noticed when I have traveled to other cities they don't have all the shiny new trucks and fire equipment in Mason, Grand Ledge and Eaton Rapids.

I understand this City Council and Mayor inherited many of these problems due to mismanagement but, I don't think balancing the budget on the taxpayers backs is the best way to go either. We as home owners have to live within our means and many of us are on fixed income and have no other way to make up the increases that you want to tax us for.

Please go back to the drawing board.

Sincerely,

Stephanie Schultz
286 Bonnie Brook Dr.
Charlotte