

COUNCIL PROCEEDINGS

Regular Meeting

October 26, 2015

CALL TO ORDER: By Mayor Burch on Monday, October 26, 2015 at 7:00 p.m.

PRESENT: Councilmembers Baker, Conway, Dyer, Johnston, Ridge, Mayor Pro-Tem Sanders, Mayor Burch, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Mayor Burch followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR REGULAR MEETING OF OCTOBER 12, 2015: Councilmember Conway moved, supported by Baker to approve the minutes of October 12, 2015 as presented. Carried. 7 Yes. 0 No.

ABSENT: None.

PUBLIC HEARINGS:

A. PUBLIC HEARING ON ORDINANCE REGARDING BUILDING BOARD OF APPEALS:

Public Hearing Opened: 7:02 P.M.

No public comment

Public Hearing Closed: 7:02 P.M.

B. PUBLIC HEARING ON ORDINANCE REGARDING FIRE PROTECTION:

Public Hearing Opened: 7:03 P.M.

No public comment

Public Hearing Closed: 7:03 P.M.

PUBLIC COMMENT: None.

CHARLOTTE HIGH SCHOOL LIAISON: Madelynn Hull, reported that the fall sports are coming to a close. This week is National College week. The Robotics Team received fifth place at their competition. The FFA has five students attending the National Convention this week. Singin' in the Rain tickets are now on sale for next week's performances. Winter sports will be starting soon.

APPROVAL OF AGENDA: Mayor Pro-Tem Sanders moved, supported by Dyer to approve the agenda as presented. Carried. 7 Yes. 0 No.

SPECIAL PRESENTATIONS:

A. PROCLAMATION 2015-10 HONORING ALL VETERANS AND VETERAN CURTIS BRAATZ:

WHEREAS, Charlotte Public Schools is observing Veterans Day; and

WHEREAS, Charlotte Public Schools encourages its students, staff and faculty to honor the memory of veterans, both living and deceased, who have served our nation throughout its history; and

WHEREAS, on this occasion we all might reflect upon this day the sacrifices that these fine Americans and their families have made, so that we shall not forget those who have served and those who are still missing; and

THEREFORE, 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 all 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.

NOW THEREFORE BE IT RESOLVED, that the City of Charlotte recognizes the importance of 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 Private First Class Curtis E. Braatz of the United States Army and the Charlotte High School Class of 1967 who made the ultimate sacrifice while serving our country in Vietnam and who will be remembered at Charlotte High School as an exemplary athlete, student, and citizen for which the 11th day of November 2015 is dedicated.

Councilmember Conway moved, supported by Dyer to approve Proclamation No. 2015-10 as presented. 7 Yes. 0 No.

B. DISCUSSION ON CRIME/NEIGHBORHOOD WATCH PROGRAM BY COUNCILMEMBER CONWAY:

Councilmember Conway stated that he would like to separate rumor from fact with the recent postings regarding crime in the city. He stated that the neighborhood watch program is an excellent way for neighbors to get involved and be the eyes and

ears for the police department. He is starting a program in his neighborhood called the “Greater Oak Park Neighborhood Watch”. If citizens are interested in forming one he encourages them to call Police Chief Sherman. They can also contact him at 543-0672 to get involved.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. RESOLUTION 2015-23 TO APPROVE CLAIMS AND ACCOUNTS:

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY FOR OCTOBER 26, 2015

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

WHEREAS, the October 16, 2015 payroll totaled \$174,322.33; and

WHEREAS, the October 26, 2015 Bank of America credit card charges totaled \$4,662.22; and

WHEREAS, the October 26, 2015 claims total \$146,333.67;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for October 26, 2015 in the amount of \$325,318.20.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL

VOTE: Mayor Pro-Tem Sanders moved, supported by Baker to approve Resolution 2015-23 for expenditures of the City for October 26, 2015 as presented. 7 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL OR RESOLUTION 2015-17 REGARDING CONTRACT FOR ENGINEERING SERVICES FOR THE WWTP CHEMICAL FEED BUILDING PROJECT:

Resolution No. 2015-17 was introduced for second reading as follows:

WHEREAS, this project was identified for construction within three years in the 2012 Capital Improvement Plan prepared by Fishbeck, Thompson, Carr, and Huber; and

WHEREAS, the WWTP uses ferric chloride (Fe Cl_3) continually as a critical process chemical for the removal of phosphorus; and

WHEREAS, the Fe Cl_3 is currently located in the main control building and is corroding equipment in its vicinity including the main electrical feed to the plant, electrical switchgear for critical operations in the plant, HVAC equipment, doors, lighting, and the generator; and

WHEREAS, the two 5,000 gallon tanks and the required pumps for the FeCl_3 have previously experienced failures and have served beyond their useful life; and

WHEREAS, the building was built around the tanks and replacement of the tanks in the same location would require removal of the roof or a masonry wall; and

WHEREAS, the current location of the Fe Cl_3 requires pumping the chemical over 500 feet which leads to periodic plugging of the piping; and

WHEREAS, operational staff along with the engineers agree that it would be in the best interest of the operations to move the Fe Cl_3 to a location approximately 100 feet from the application point; removing the tank from a building where it is causing corrosion; that proper containment and ventilation be provided for safety; and that the existing tank area would be retrofit to increase efficiency of the operations in the main control building; and

WHEREAS, Moore & Bruggink has submitted a proposal in the amount of \$64,000 to prepare plans and specifications.

THEREFORE, BE IT RESOLVED That the City enter into a contract with Moore & Bruggink to provide the above mentioned services, including alternative building configurations, designs and construction materials and methods, and that the mayor or clerk be directed to sign said contract on behalf of the City.

Councilmember Conway moved, supported by Ridge to approve Resolution No. 2015-17 as presented. Carried. 7 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2015-19 REGARDING DISPOSITION OF OWENS-BROCKWAY JUDGEMENT FUNDS:

Resolution No. 2015-19 was introduced for second reading as follows:

WHEREAS, subsequent to the closure of Owens-Brockway's plant in 2010, the City commenced legal action to enforce contract provisions related to damages owed to the City and other taxing jurisdictions and was successful in this action; and

WHEREAS, the City's share of the judgment equaled \$883,000, which funds are being accounted for as a designated reserve in the City's General Fund; and

WHEREAS, the City Council acknowledges that this judgment is unprecedented and unlikely to be repeated and that these funds should be managed in a manner that can best meet the needs of current and future residents;

THEREFORE, BE IT RESOLVED that the sum of \$600,000, hereinafter referred to as the principal amount, shall remain

as a designated reserve in the General Fund and shall be invested in accordance with provisions of Public Act 20 of 1943 and such investment policies consistent with Public Act 20 as Council shall from time to time adopt; and

BE IT FURTHER RESOLVED that the sum of \$200,000 shall be designated as a reserve for a future downtown revolving loan program, the interest proceeds of which shall accrue to the general fund and be appropriated for such purposes as Council shall direct; provided, however, should Council fail to establish such revolving loan program, the funds shall be added to and become a part of the principal amount established hereby; and

BE IT FURTHER RESOLVED that up to \$83,000 shall be appropriated in the 2015-16 fiscal year for the purpose of replacing two weather warning sirens and upgrading two other weather warning sirens. Any portion of the \$83,000 remaining after the completion of this project shall be added to and become a part of the principal amount established hereby; and

BE IT FURTHER RESOLVED that 90% of the net investment earnings on the principle amount in a fiscal year shall be appropriated in the budget for the subsequent fiscal year for such purposes as Council shall direct. The remaining 10% of net investment earnings shall be added to and become a part of the principal amount and retained as part of the designated reserve. "Net investment earnings" shall mean the amount earned through investing the funds less fees and commissions, if any; and

BE IT FURTHER RESOLVED that the Finance Director shall solicit proposals for investing the principal amount and the reserve designated for a future downtown revolving

loan program from financial institutions with offices in Charlotte that meet the City's standards for depositories of City funds, which proposals shall be submitted to City Council for review and action.

Mayor Pro-Tem Sanders moved, supported by Dyer to approve Resolution No. 2015-19 as presented. Carried. 7 Yes. 0 No.

C. CONSIDER APPROVAL OF RESOLUTION NO. 2015-20 REGARDING ALLOWING SUNDAY MORNING LIQUOR SALES:

Resolution No. 2015-20 was introduced for second reading as follows:

WHEREAS, Public Act 231 of 2010 permitted the sale of alcoholic beverages between 7:00 a.m. and 12:00 noon on Sunday but also allowed the legislative body of a city, by resolution, to prohibit such sales; and

WHEREAS, during its meeting held on December 13, 2010, the City Council passed a resolution that continued the practice in Charlotte of prohibiting the sale of alcoholic beverages between 7:00 a.m. and 12:00 noon on Sunday; and

WHEREAS, the prohibition against the sale of alcoholic beverages between 7:00 a.m. and 12:00 noon on Sunday is found to be an inconvenience to members of the public and to put some merchants at a competitive disadvantage as compared to merchants in communities that permit such sales; and

WHEREAS, the City Council finds that the public welfare is better served by permitting the sale of alcoholic beverages between 7:00 a.m. and noon on Sunday and desires to rescind its December 13, 2010 resolution prohibiting such sales;

THEREFORE, BE IT RESOLVED that the resolution adopted by the City Council during its meeting held on December 13, 2010 that continued the prohibition against the sale of alcoholic beverages shall be and the same is hereby rescinded; and

BE IT FURTHER RESOLVED that the City Clerk shall submit a true copy of this resolution to the Michigan Liquor Control Commission together with such other documentation as the Commission shall require so as to permit the issuance of licenses to Charlotte merchants for the sale of alcoholic beverages between 7:00 a.m. and noon on Sunday.

Motion by Mayor Pro-Tem Sanders, second by Dyer to approve Resolution No. 2015-20 as presented. Carried. 6 Yes. (Dyer, Johnston, Ridge, Sanders, Baker, Burch) 1 No. (Conway)

D. CONSIDER APPROVAL OF RESOLUTION NO. 2015-21 REGARDING FBO CONTRACT:

Resolution No. 2015-21 was introduced for consideration of approval reading as follows:

WHEREAS, Charlotte Air Services and its owner, Todd Cotter, has provided Fixed Base Operator services at Fitch H. Beach Municipal Airport since 2009; and

WHEREAS, the contract for these services is in need of renewal; and

WHEREAS, Charlotte Air Services has satisfactorily met the obligations required under the contract; and

WHEREAS, the contract arrangements now in place have served the best interests of both parties throughout the duration of the contract.

THEREFORE, BE IT RESOLVED that the contract between the City of Charlotte and Charlotte Air Services for the provision of Fixed Base Operator services at Fitch H. Beach Municipal Airport be renewed for an additional three years.

City Manager Guetschow stated that Todd Cotter is the current Fixed Base Operator at the airport and that the city has been very satisfied with his work.

Motion by Councilmember Baker, second by Conway to approve Resolution No. 2015-21 as presented. Carried. 7 Yes. 0 No.

E. CONSIDER APPROVAL OF RESOLUTION NO. 2015-22 REGARDING AIRPORT MANAGER CONTRACT:

Resolution No. 2015-22 was introduced for consideration of approval reading as follows:

WHEREAS, Charlotte Air Services and its owner, Todd Cotter, has served as Airport Manager at Fitch H. Beach Municipal Airport since 2009; and

WHEREAS, the contract for these services is in need of renewal; and

WHEREAS, Charlotte Air Services has satisfactorily met the obligations required under the contract; and

WHEREAS, the contract arrangements now in place have served the best interests of both parties throughout the duration of the contract.

THEREFORE, BE IT RESOLVED that the contract between the City of Charlotte and Charlotte Air Services for the

provision of 'Airport Manager' services at Fitch H. Beach Municipal Airport be renewed for an additional three years.

Motion by Mayor Pro-Tem Sanders, second by Baker to approve Resolution No. 2015-22 as presented. Carried. 7 Yes. 0 No.

F. CONSIDER APPROVAL OF ORDINANCE NO. 2015-03 REGARDING BUILDING BOARD OF APPEALS:

Ordinance No. 2015-03 was introduced for second reading as follows:

AN ORDINANCE TO AMEND CHAPTER 14 - BUILDINGS AND BUILDING REGULATIONS - OF THE CODE OF THE CITY OF CHARLOTTE BY REPEALING SECTION 14-30 AND ADDING ARTICLE VI, SECTIONS 14-120 THROUGH SECTION 14-127 TO ESTABLISH A BUILDING BOARD OF APPEALS FOR THE CITY OF CHARLOTTE.

THE CITY OF CHARLOTTE ORDAINS:

SECTION 1. PURPOSE. The purpose of this ordinance is to establish a board of appeals for the purpose of hearing and deciding appeals related to the City's enforcement of the building code. The board of appeals established hereby replaces the zoning board of appeals that had formerly been assigned responsibilities for hearing such appeals. The building board of appeals will be constituted as a board whose members possess knowledge and experience in the building trades so as to more

effectively decide matters brought before it.

SECTION 2. REPEAL. Section 14-30 of Chapter 14 - Building and Building Restrictions - of the Code of the City of Charlotte is hereby repealed.

SECTION 3. Article VI of Chapter 14 - Buildings and Building Restrictions - of the Code of the City of Charlotte is hereby added to read as follows:

Section 14-120. Creation; membership; rules.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, there shall be, and is hereby created, a board of appeals, consisting of three members who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an ex officio nonvoting member and shall act as secretary of the board. The board of appeals shall be appointed by the mayor at or before the first council meeting of December of each year to serve from and after January 1 of each year. With the first appointments made prior to December, 2015, one member shall be appointed every year thereafter and each member appointed shall serve for a term of three years. A person may not serve on the board of appeals if he or she serves on a board of appeals of another governmental subdivision. The board shall adopt reasonable rules and regulations for conducting its investigations and may recommend to the city council such new legislation as is consistent therewith. Two members of the board shall constitute a quorum for conducting the business of the board.

Sec. 14-121. Hearings.

The business which the board of appeals may perform shall be conducted at a public meeting of the board of appeals held in compliance with Act No. 267 of the Public Acts of 1976. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. A record of decisions made by the board of appeals, properly indexed, and any other writing prepared, owned, used, in the possession of, or retained by the board of appeals in the performance of an official function shall be made available to the public, in compliance with Act No. 442 of the Public Acts of 1976.

Sec. 14-122. Decisions.

The board of appeals shall hear the appeal within 60 days after submission, and upon the concurring vote of two members, render and file its decision with a written statement of its finding of relevant fact and reasons therefor with the building official not later than 30 days after the hearing of the appeal. Failure of the board to hear an appeal and file its decision within the time limit is deemed a denial. A copy of the decision and statement of the facts and reasons shall be delivered or mailed to the appellant on or before the date of filing.

Sec. 14-123. Specific variance requirements.

The board of appeals may grant a specific variance to a substantive requirement of this chapter if the literal application of the substantive requirement would result in an exceptional, practical difficulty to the applicant, and if both of the following

requirements are satisfied:

- (1) The performance of the particular item or part of the building or structure with respect to which the variance is granted shall not substantially deviate from intended use and shall not substantially deviate from performance required by the code of that particular item or part for the health, safety, and welfare of the people of this state.
- (2) The specific conditions justifying the variance shall be neither so general nor recurrent in nature so as to make an amendment of the code with respect to the conditions reasonable, practical, or desirable.

The board of appeals may attach in writing any condition in connection with the granting of a variance that in its judgment is necessary to protect the health, safety, and welfare of the people of the state of Michigan. The breach of a condition shall automatically invalidate the variance and any permit, license, and certificate granted on the basis of it. In no case shall more than a minimum variance from the code be granted than is necessary to alleviate the exceptional, practical difficulty.

Sec. 14-124 Fees.

A fee established by the City Council by resolution shall be paid at the time of filing each appeal.

Sec. 14-125. Effect of appeal on orders, determinations, decisions and action.

An appeal to a board of appeals or to a court of competent

jurisdiction pursuant to Act No. 306 of the Public Acts of 1969, as amended, does not stay a stop construction order issued by an enforcing agency or prevent an enforcing agency from seeking an order in a court of competent jurisdiction enjoining the violation of the stop construction order. In other cases, an appeal to a board of appeals to a court of competent jurisdiction pursuant to Act No. 306 of the Public Acts of 1969, as amended, shall act as a stay upon an order, determination, decision, or action appealed from, unless the enforcing agency establishes that immediate enforcement of the order, determination, decision, or action is necessary to avoid substantial peril to life or property.

Sec. 14-126. Violations of the construction code as civil infractions.

(a) Pursuant to the authority given to governmental subdivisions that have the responsibility of administering and enforcing the Stille-DeRossett-Hale single state construction code act by MCL 125.1523, violations described in subsection (1) or (2) thereof are hereby designated as civil infractions and shall be subject to the penalties as set forth in section 1-17 of the Code of the City of Charlotte.

(b) The chief code official as designated by the city manager to direct and supervise code officials and any city employees or agents of the city that are registered under the building officials and inspectors registration act, 1986 PA 54, MCL 338.2301 to 338.2313, or any subsequent version of that act, are authorized to issue and serve municipal civil infraction citations for violations of the

Stille-DeRossett-Hale single state construction code act and the code as defined by Section 4 of the act, being MCL 125.1504.

Sec. 14-127. Sunset. The ordinance codified herein will sunset after four years.

Sec. 14-128 through 14-140 Reserved.

SECTION 4. OUTCOMES. The effectiveness of this ordinance shall be assessed prior to its sunset dates based on the following objectives: 1) Maintenance over the entire period of a fully-constituted board whose members meet the qualifications established herein; 2) All decisions or orders of the board are rendered within the time limits established herein; and 3) A significant majority of decisions or orders of the board are affirmed by a court of competent jurisdiction if appealed.

Motion by Councilmember Dyer, second by Johnston to approve adoption of Ordinance No. 2015-03 regarding Building Board of Appeals as presented. Carried. 7 Yes. 0 No.

G. CONSIDER APPROVAL OF ORDINANCE NO. 2015-04 REGARDING FIRE PROTECTION:

Ordinance No. 2015-04 was introduced for second reading as follows:

AN ORDINANCE TO AMEND CHAPTER 30 - FIRE PREVENTION AND PROTECTION - OF THE CODE OF THE CITY OF CHARLOTTE BY AMENDING SECTION 30-27 TO PROVIDE THAT THE BUILDING BOARD OF APPEALS

SHALL BE CONSTITUTED AS THE BOARD OF APPEALS UNDER THE FIRE PREVENTION CODE FOR THE CITY OF CHARLOTTE.

THE CITY OF CHARLOTTE ORDAINS:

SECTION 1. PURPOSE. The purpose of this ordinance is to designate the building board of appeals in lieu of the zoning board of appeals as the board that considers appeals under the International Fire Code so as to have those appeals considered and decided by a board constituted of members with knowledge and experience in the building trades so as to more effectively decide matters brought before it.

SECTION 2. Section 30-27 of Chapter 30 - Fire Prevention and Protection - of the Code of the City of Charlotte is hereby amended to read as follows:

§ 30-27 CHANGES IN INTERNATIONAL FIRE CODE.

The following articles or sections of the International Fire Code are hereby added, amended, or deleted as hereinafter set forth. Subsequent article, division and section numbers used in this § 30-27 shall refer to the like numbered articles, divisions, and sections of the International Fire Code, unless specified otherwise.

Sec. 101.1: Insert: City of Charlotte.

Section 102.10 is hereby added to read as follows:

Sec. 102.10. Inspection of Structures. The code official shall inspect all structures and premises except single-family dwellings, and dwelling units in two-family dwellings as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the

spread of fire, interfere with firefighting operations, endanger life or any violations of the provisions or intent of this code or any other ordinance affecting fire safety.

Section 108.1 shall be amended to read as follows:

Sec. 108.1. Board of Appeals. The Building Board of Appeals of the City of Charlotte is hereby constituted the Board of Appeals under this Fire Prevention Code.

Section 109.3 shall be amended to read as follows:

Sec. 109.3. Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directions of the code official, or of a permit or certificate used under provisions of this code, shall be responsible for a municipal civil infraction, and sanctioned by a civil fine, plus costs, including reasonable attorneys fees, as provided by law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4 shall be amended to read as follows:

Sec. 111.4. Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than One Hundred Dollars (\$100) or more than Five Hundred Dollars (\$500).

Section 302 shall be amended to read as follows:

Sec. 302. Definitions.

Add to definition of "Recreational Fire": "Fuel used for a recreational fire shall only be untreated wood or charcoal."

Add definition of "Contained Outdoor Fireplace:"

Contained Outdoor Fireplace shall mean a fireplace no larger than three (3) feet wide, three (3) feet deep, and three (3) feet high (exclusive of legs and chimneys) which is capable of fully enclosing

the fire by means of screening or other non-combustible materials with sufficiently small openings to contain embers.

Add definition of "Freestanding Wood Burning Furnace:"

Freestanding Wood Burning Furnace shall mean any device or structure that is:

- (a) Designed, intended, or used to provide heat and/or hot water to any residence or any structure; and
- (b) Operated by the burning of wood or other solid fuel; and
- (c) Not located within the structure for which it is providing the heat or hot water.

Excluded from the definition of a freestanding wood burning furnace is any device which is not designed or used to heat a structure other than the structure in which it is located.

Section 304.4 shall be added to read as follows:

Sec. 304.4. Special Permit. Under certain conditions, the fire chief or his designee may allow the burning of brush by permit.

Section 307.2 shall be amended to read as follows:

Sec. 307.2. Permit Required. A permit shall be obtained from the code official prior to kindling a fire for recognized silvicultural or range or wildlife management or practices, prevention or control of disease or pests, a bonfire or a recreational fire. Applications for such approval shall only be presented by and permits issued to the owner of the lands upon which the fire is to be kindled.

Section 307.6 shall be added to read as follows:

Sec. 307.6. Outdoor Fireplace: Permit Required. No person shall kindle or maintain any fire or authorize any such fire to be kindled or maintained in a contained outdoor fireplace unless an annual contained outdoor fireplace permit is first obtained and in effect authorizing the owner of the property to maintain a fire in a contained outdoor fireplace and the fire is maintained in accordance with the regulations proposed by the Fire Marshall

and adopted by resolution of the City Council for such fires.

Section 316 is hereby added to read as follows:

Sec. 316. Freestanding Wood Burning Furnace.

Sec. 316.1. Prohibition. Except as provided below, it shall be unlawful to install, use, maintain, or operate a freestanding wood burning furnace, and to cause or permit the installation or operation of a freestanding wood burning furnace, within the city of Charlotte.

Sec. 316.2. Separation Requirements and Permit. A freestanding wood burning furnace shall be permitted under the following circumstances:

(a) Where it is located no closer than 660 feet from any adjoining residential or commercial structure (excluding in this calculation the structure for which it is used to provide heat and/or hot water);

(b) That the unit be inspected and a boiler permit be obtained, as required under the applicable mechanical code;

(c) That a permit be obtained pursuant to section 105 of this code.

Sec. 316.3 Existing Uses. This ordinance shall apply to any freestanding wood burning furnace that was installed, connected, and operating as of the effective date of this ordinance and, unless the conditions are met pursuant to section 316.2 above, such use, maintenance, and operation of the freestanding wood burning furnace is hereby prohibited.

Section 3204.3.1.1 is amended to provide that the geographic limits shall be the city limits of the city of Charlotte.

Section 3301.1.3 Fireworks is amended to add a new subsection (5) under exceptions which shall read as follows:

(5) The possessions, storage, sale, handling and use of sparklers.

Section 3404.2.9.5.1 is amended so that the geographic limits shall be the city limits of the city of Charlotte.

Section 3406.2.4.4 is amended so that the geographic limits shall

be the city limits of the city of Charlotte.

Section 3804.2 is amended so that the geographic limits shall be the city limits of the city of Charlotte.

The ordinance codified herein will sunset after four years.
(1993 Code, § 30-27) (Am. Ord. passed 9-22-2003)

Motion by Councilmember Ridge, second by Dyer to approve adoption of Ordinance No. 2015-04 regarding Fire Protection as presented. Carried. 7 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

None.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: None.

CITY MANAGER REPORT: City Manager Guetschow highlighted his written report and stated that these would be an ongoing issue for the new council.

COUNCILMEMBER COMMITTEE REPORTS:

- Councilmember Dyer reported that the Recycling Committee will be meeting on Tuesday, October 27th.
- Councilmember Ridge reported that the Charlotte Recreation Co-op met on October 21st and 22nd. They are discussing survey and engineering for the softball fields.

PUBLIC COMMENT: Alex Morris, Field Representative for Congressman Tim Walberg, introduced himself and gave an overview of what is happening at present in Congress. He announced that Congressman Walberg will be holding a Senior Fair on November 13th from 9 am -12 pm at the Charlotte Community Library.

MAYOR AND COUNCIL COMMENTS:

- Councilmember Johnston stated that it had been an honor and privilege working with this council and he sincerely thanked everyone for their service.
- Councilmember Dyer thanked council for their service. He thanked Councilmember Baker and Mayor Burch for their service to the City of Charlotte.
- Councilmember Ridge thanked everyone for coming. She stated that she believes the civic policy will get more citizens involved in the community. She thanked Mayor Burch and Councilmembers Baker and Conway for serving. She stated that she hopes that they will remain involved and share their knowledge with the new council. She encouraged everyone to vote on November 3rd.
- Mayor Pro-Tem Sanders thanked everyone for their service and stated that it had been a pleasure working with them. He encouraged everyone to vote on November 3rd. He wished everyone a Happy Halloween and urged everyone to watch for kids.
- Councilmember Conway thanked his fellow councilmembers for their service. He wished all the candidates the best of luck in the election. He thanked his family and friends for their support during his time on council. He urged anyone interested to start a neighborhood watch program.

- Councilmember Baker thanked Mayor Burch for her time spent as Mayor. She thanked Councilmember Conway and wished him the best of luck. She highlighted the many issues that the City had faced during her tenure on council. She wished the best to the new incoming council members.
- Mayor Burch presented Councilmember Baker with a clock and thanked her for her many years of service to the City. Mayor Burch thanked her fellow councilmembers, family, friends for all of the support given her while serving as Mayor. She wished the new Mayor and councilmembers well and asked that they continue to move the City forward in a positive manner. She asked that everyone shop local, support your local merchants and get out and enjoy Charlotte. It's a beautiful place to live!

Councilmember Conway moved, second by Sanders to adjourn at 7:35 p.m. Carried. 7 Yes. 0 No.

Mayor Burch

Ginger Terpstra, City Clerk