

COUNCIL PROCEEDINGS
Regular Meeting
December 14, 2015

CALL TO ORDER: By Mayor Lewis on Monday, December 14, 2015 at 7:00 p.m.

PRESENT: Councilmembers Bahmer, Johnston, Mitchell, Ridge, Russo, Mayor Pro-Tem Sanders, Mayor Lewis, City Clerk Terpstra, City Manager Guetschow and City Attorney Hitch.

The invocation was offered by City Manager Guetschow followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR SPECIAL MEETING OF NOVEMBER 23, 2015: Mayor Pro-Tem Sanders moved, supported by Johnston to approve the special minutes of November 23, 2015 as presented. Carried. 7 Yes. 0 No.

APPROVAL OF MINUTES FOR REGULAR MEETING OF NOVEMBER 23, 2015: Councilmember Ridge moved, supported by Sanders to approve the minutes of November 23, 2015 as presented. Carried. 7 Yes. 0 No.

ABSENT: None.

PUBLIC HEARINGS: None.

PUBLIC COMMENT: Bob Robinson, Eaton County Treasurer, 1045 Independence Blvd., Charlotte, MI, was present to explain to council what his office does and furnish some fliers for the public. He invited all council members and the public to visit his office.

Don Sovey, CPA, 106 Kensington Ct., Charlotte, spoke in favor of extending the City Manager contract.

Jason Vanderstelt, 114 E. Lawrence Ave., Charlotte, spoke in favor of extending the City Manager contract.

Adrian Bass, 2441 N. Stine, Charlotte, spoke in favor of extending the City Manager contract.

Jeff Wildern, 951 N. Sheldon, Charlotte, spoke in favor of extending the City Manager contract.

Daryl Baker, 406 E. Third St., Charlotte, spoke in favor of extending the City Manager contract.

Lloyd Conway, 313 W. Lovett, Charlotte, spoke in favor of extending the City Manager contract.

Cindy Miller, 407 Warren, Charlotte, spoke in favor of extending the City Manager contract.

Curt Scott, 649 N. Cochran, Charlotte, spoke in favor of extending the City Manager contract.

Mary Jean Baker, 406 E. Third, Charlotte, spoke in favor of extending the City Manager contract. She gave the Eatran report and stated that drivers and dispatchers are still needed. Anyone interested should apply at the Eatran office.

Tim Jewell, Eaton Township, President Eaton Federal Savings & Loan, spoke in favor of extending the City Manager contract.

Ben Phlegar, 425 Horatio, Charlotte, MI spoke in favor of extending the City Manager contract.

CHARLOTTE HIGH SCHOOL LIAISON: Madelynn Hull was not present.

APPROVAL OF AGENDA: Councilmember Ridge moved, supported by Sanders to approve the agenda as presented. Carried. 7 Yes. 0 No.

SPECIAL PRESENTATIONS:

A. PRESENTATION BY COURTHOUSE SQUARE ASSOCIATION REGARDING NATIONAL REGISTER OF HISTORIC PLACES:

Julie Kimmer, Courthouse Square Association manager, spoke about being included in the National Historic Register in 2016. She explained how the process would work and that community support would be needed by the end of the year.

B. DISCUSSION ON PLAN FOR SPRING ROAD REPAIR (COUNCILMEMBER RUSSO):

City Manager Guetschow stated that there are two different projects scheduled for 2016. One is a section of N. Sheldon from Lawrence to Foote Street. The second project includes sections of Beech, S. Oliver, Cherry and Bonnie Streets.

C. STATUS OF THE STORM SIREN REPAIR/UPGRADE (COUNCILMEMBER RUSSO):

City Manager Guetschow stated that the Fire Chief has been in contact with the company providing the sirens and they plan to have the upgrade completed in time for the spring severe weather season.

EXPEDITED RESOLUTIONS AND ORDINANCES

A.RESOLUTION 2015-30 MAYORAL APPOINTMENTS:

WHEREAS, vacancies exist on the Planning Commission and in positions to which City Council members are appointed as Council representatives; and

WHEREAS, Mayor Lewis is recommending the following individuals to fill these vacancies:

Name	Board	Term Ending
Brenda Hampton	Planning Commission	March 31, 2016
William Mitchell	Charlotte Area Recycling (Council Representative)	
Corey Sanders	Airport Advisory (Council Representative)	

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

Councilmember Bahmer moved, supported by Ridge to approve Resolution No. 2015-30 Mayoral appointments. Carried. 7 Yes 0 No.

A. RESOLUTION 2015-33 PAYMENT OF CLAIMS & ACCOUNTS:

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

WHEREAS, the November 27, 2015 payroll totaled \$197,365.26; and

WHEREAS, the December 11, 2015 payroll totaled \$148,772.57; and
WHEREAS, the December 14, 2015 claims total \$179,885.88;
THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for December 14, 2015 in the amount of \$526,023.71.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE: Mayor Pro-Tem Sanders moved, supported by Ridge to approve Resolution 2015-33 for expenditures of the City for December 14, 2015 as presented. 7 Yes. 0 No.

ACTION ITEMS– RESOLUTIONS AND ORDINANCES:

A. RESOLUTION 2015-29 TO EXTEND THE TERM OF THE CITY MANAGER’S EMPLOYMENT CONTRACT:

WHEREAS, the City Council employs Gregg Guetschow as city manager pursuant to the terms of the First Restated Employment Contract between Gregg Guetschow and the City Council of the City of Charlotte; and
WHEREAS, said employment contract has a term that concludes on January 31, 2016; and
WHEREAS, the City Council wishes to extend the term of the contract so as to provide time for a more thoughtful process of assessing Mr. Guetschow’s performance and negotiating the terms of a renewal of the contract, if desired;
THEREFORE, BE IT RESOLVED that the term of the First Restated Employment Contract between Gregg Guetschow and the City Council of the City of Charlotte shall be extended until June 30, 2016; and
BE IT FURTHER RESOLVED the City Attorney is hereby directed to prepare an amendment to the First Restated Employment Contract between Gregg Guetschow and the

City Council of the City of Charlotte extending its term until June 30, 2016 and the Mayor and Clerk are hereby authorized to sign said amendment on the behalf of the City.

Discussion was held among councilmembers on extending the city manager’s contract through June 30, 2016.

Councilmember Ridge moved, supported by Mitchell to approve Resolution No. 2015-29 to extend the term of the City Manager’s Employment Contract to June 30, 2016. Denied. 3 Yes. (Mitchell, Lewis, Ridge) 4 No. (Russo, Sanders, Bahmer, Johnston)

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. CONSIDER FIRST READING OF RESOLUTION NO. 2015-31 AUTHORIZING STATE HISTORIC OFFICE TO NOMINATE DOWNTOWN CHARLOTTE AND NEARBY HISTORIC AREAS TO THE NATIONAL REGISTER OF HISTORIC PLACES:

WHEREAS, the Michigan State Historic Preservation Office has funding available that can be used to prepare a nomination to the National Register of Historic Places, a special historic designation from the National Parks Service; and

WHEREAS, the Michigan State Historic Preservation Office has offered to use these funds to nominate Downtown Charlotte and other nearby historic areas within the City; and

WHEREAS, being listed on the National Register will benefit Charlotte through enhanced access to Federal Income Tax Credits and certain grant programs, and by the historical research and documentation the process requires, and by providing the community a unique marketing and promotional opportunity; and

WHEREAS, this nomination process will be provided without expense to the City of Charlotte; and

WHEREAS, listing on the National Register does not restrict, nor otherwise regulate, private property owners and the use of their properties.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby authorizes the Michigan State Historic Preservation Office to prepare a nomination to the National Register of Historic Places for Downtown Charlotte, Michigan and nearby historic neighborhoods.

Councilmember Ridge moved, supported by Sanders to approve the first reading of Resolution No. 2015-31 to authorize the State Historic Office to nominate downtown Charlotte and nearby historic areas to the National Register of historic places.

A. CONSIDER FIRST READING OF RESOLUTION 2015-32 TO SET MEETING DATES FOR 2016:

Resolution No. 2015-32 was introduced, reading as follows:

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 and other Boards and Commissions be as follows for the year 2016.

CHARLOTTE BOARD OR COMMISSION	DATE OF MEETING	PLACE OF MEETING
CHARLOTTE CITY COUNCIL		COUNCIL CHAMBERS 2 ND Floor, City Complex

CHARLOTTE BOARD OR COMMISSION	DATE OF MEETING	PLACE OF MEETING
		111 E. Lawrence Ave Charlotte MI 48813 Phone: 543-2750 7:00 P.M.
	Monday, January 11	
	Monday, January 25	
	Monday, February 8	
	Monday, February 22	
	Monday, March 14	
	Monday, March 28	
	Monday, April 11	
	Monday, April 25	
	Monday, May 9	
	Monday, May 23	
	Monday, June 13	
	Monday, June 27	
	Monday, July 11	
	Monday, July 25	
	Monday, August 8	
	Monday, August 22	
	Monday, September 12	
	Monday, September 26	
	Monday, October 10	
	Monday, October 24	
	Monday, November 14	
	Monday, November 28	
	Monday, December 12	
	*Tuesday, December 27	

AIRPORT ADVISORY	4 th Tuesday of January, April, July, and October	FITCH BEACH AIRPORT 1325 Island Highway Charlotte MI 48813 8:00 A.M.
	Tuesday, January 26	
	Tuesday, April 26	
	Tuesday, July 26	
	Tuesday, October 25	
BOARD OF REVIEW	Tuesday, March 8;	COMMUNITY ROOM

	Monday, March 14; Tuesday, March 15 Tuesday, July 19; Tuesday, Dec 13	Basement, City Complex Hours to be published
BUILDING AUTHORITY	(Special Meetings to be called as necessary)	CITY HALL 111 E. Lawrence Ave Charlotte MI 48813
CABLE ACCESS COMMITTEE	(Special Meetings to be called as necessary)	CITY HALL 111 E. Lawrence Ave Charlotte MI 48813
CAMP FRANCES BOARD meets the last Wednesday of January, April, and July, October	Wednesday, January 27 Wednesday, April 27 Wednesday, July 27 Wednesday, October 26	CAMP FRANCES 1307 S. Cochran Ave Charlotte MI 48813 7:00 P.M.
CHARLOTTE AREA RECYCLING AUTHORITY	Last Tues of Jan, Apr, Jul and Oct	COUNCIL CHAMBERS 2 nd Floor City Complex 111 E. Lawrence Ave Charlotte MI 48813
	Tuesday, January 26	5:30 P.M.
	Tuesday, April 26	
	Tuesday, July 26	
	Tuesday, October 25	

CHARLOTTE PLANNING COMMISSION	1 st Tues monthly except for *Election Days or Holidays.	COUNCIL CHAMBERS 2 nd Floor City Complex 111 E. Lawrence Ave Charlotte MI 48813
	Tuesday, January 5	7:00 P.M.
	Tuesday, February 2	
	Tuesday, March 1	
	Tuesday, April 5	
	Tuesday, May 3	
	Tuesday, June 7	
	Tuesday, July 5	
	*Tuesday, August 9	
	Tuesday, September 6	
	Tuesday, October 4	
	Tuesday, November 1	
	Tuesday, December 6	

LOCAL COMPENSATION COMMISSION	JANUARY ODD YEARS	COUNCIL CHAMBERS City Complex 111 E. Lawrence Ave Charlotte MI 48813 9:00 A.M.
DOWNTOWN DEVELOPMENT AUTHORITY	2 nd Thursday monthly	COUNCIL CHAMBERS 2 nd Floor City Complex 111 E. Lawrence Ave Charlotte MI 48813
	Thursday, January 14	7:30 A.M.
	Thursday, February 11	
	Thursday, March 10	
	Thursday, April 14	
	Thursday, May 12	
	Thursday, June 9	
	Thursday, July 14	
	Thursday, August 11	
	Thursday, September 8	
	Thursday, October 13	
	Thursday, November 10	
	Thursday, December 8	

LDFA & BROWNFIELD DEVELOPMENT	February - 2 nd Thursday Special meetings as necessary	COUNCIL CHAMBERS 2 ND Floor, City Complex 111 E. Lawrence Ave Charlotte MI 48813
	Thursday, February 11	7:00 P.M.
PARK ADVISORY BOARD	1 st Tuesday of the months of Jan, Feb, April, May, Sept, Oct.	COMMUNITY ROOM Basement, City Complex 111 E. Lawrence Ave Charlotte MI 48813
	Tuesday, January 5	7:00 P.M.
	Tuesday, February 2	
	Tuesday, April 5	
	Tuesday, May 3	
	Tuesday, September 6	
	Tuesday, October 4	
SUSTAINABILITY COMMITTEE	(Special meetings to be called as necessary)	CITY HALL 111 E. Lawrence Ave Charlotte MI 48813

UTILITY BOARD OF APPEALS	At least one meeting in July 2 nd Thursday. Others as necessary	COUNCIL CHAMBERS 2 ND Floor, City Complex 111 E. Lawrence Ave Charlotte MI 48813
	Thursday, July 14	7:30 P.M.

Special Meetings Shall Be Posted 18 Hours Before Such Meeting Is Held

Discussion was held on meeting dates for City Council and what it would require if the meeting date was to be changed.

Councilmember Ridge moved, supported by Sanders to approve the first reading of Resolution No. 2015-32 to set meeting dates for 2016. Carried 7 Yes. 0 No.

B. CONSIDER FIRST READING OF RESOLUTION 2015-34 TO APPROVE PURCHASE OF EQUIPMENT FOR DISINFECTION OF DRINKING WATER:

WHEREAS, the water wells use chlorine gas continually as a critical process chemical for the disinfection of the drinking water in accordance with the Safe Drinking Water Act, and

WHEREAS, the chlorine gas, polyphosphate and fluoride are currently located in a common room at each of the well houses as has been the case for more than 30 years, and

WHEREAS, in June, 2014 the Michigan Department of Environmental Quality noticed the violation of Part 5 of the Recommended Standards for Water Works and Part 10 of the Suggested Practices for Water Works and required compliance with these standards, and

WHEREAS, the DPW further investigated and confirmed the incompatible chemical status with the EPA and worked with the MDEQ to defer the project to the next budget year, and

WHEREAS, the cost benefit analysis determined that it would be more cost effective to change the method of disinfection and make a capital investment in new chlorination equipment than making building renovations and expansions to meet the separation criteria, and

WHEREAS, the operational staff has researched technologies for chlorination and have determined that the Accu-Tab system will be the safest and easiest to operate system available, and

WHEREAS, Elhorn Engineering is the local representative for the Accu-Tab system and has given a proposal in the amount of \$26,488.74 plus freight to provide and install the systems.

THEREFORE BE IT RESOLVED that the city council authorizes the purchase of the Accu-Tab chlorination system from Elhor Engineering to a meet the current regulations and agrees to waive the bidding requirements as this a proprietary technology for which there is a sole vendor.

Mayor Pro-Tem Sanders moved, supported by Bahmer to approve the first reading of Resolution No. 2015-34 to approve the purchase of equipment for disinfection of drinking water. Carried 7 Yes. 0 No.

C. CONSIDER FIRST READING OF RESOLUTION 2015-35 TO APPROVE THE TECHNOLOGY FOR GRIT REMOVAL AT THE WASTEWATER TREATMENT PLANT:

WHEREAS, on September 28, 2015 the city council approved the engineering required for the Grit Chamber Renovation Project at the wastewater treatment plant, and

WHEREAS, the technology for grit removal must be determined to complete the engineering plans, and

WHEREAS, the operations staff and engineers evaluated the technology choices based on visits to other treatment plants and other research, and

WHEREAS, a Present Value Analysis of Alternatives was performed to determine the most economically feasible technology to use based on capital cost, required maintenance, estimated life of the equipment and other factors, and

WHEREAS, the cost benefit analysis determined that it would be more cost effective to purchase and install the mechanical vortex system, and

WHEREAS, the bid documents will allow for competitive bid of different mechanical vortex systems.

THEREFORE BE IT RESOLVED that the city council approves the use of the mechanical vortex technology in the grit removal project.

Councilmember Ridge moved, supported by Russo to approve the first reading of Resolution No. 2015-35 to approve the technology for grit removal at the Wastewater Treatment Plant. Carried 7 Yes. 0 No.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: City Attorney Hitch was present and gave an update on the Carrie Bowerman embezzlement case and the Jared Rockafellow claim. He gave a brief overview of the Open Meetings Act.

CITY MANAGER REPORT: City Manager Guetschow reported that the Dash Board had been uploaded to the website. He reported on the new board members at Camp Frances and upcoming projects that they would be working on. He has been contacting area pastors to invite to each meeting to deliver the invocation. The agenda will

be closing on Wednesday, December 23rd at noon for the meeting on Monday, December 28th due to the holiday closing on December 24th and 25th.

COUNCILMEMBER COMMITTEE REPORTS:

- Councilmember Ridge reported that Charlotte Recreation Co-op met on December 10th. The softball field project plans are 95% complete. The lighting project at the sledding hill will be starting soon. The \$150,000 Land and Water grant is currently under review.
- Councilmember Bahmer reported that he attended the Planning Commission meeting on December 1st, new members were introduced and Lloyd Conway was elected as chairman for the meeting. A site plan for Spartan Motors was approved and they expect to see more site plans from Spartan in the near future.
- Mayor Lewis reported that the DDA met on Thursday, December 10th and that the City of Charlotte was eligible to be put on the National Historic Register.

PUBLIC COMMENT: Eric Crandall, 319 N. Wheaton, Charlotte, MI owner Emerald Properties, voiced his disappointment in the decision of not extending the City Manager contract.

Joe E. Pray, 316 W. Seminary, Charlotte, MI, voiced his disappointment in the decision of not extending the City Manager contract.

Leila Klaiss, 416 W. Lawrence Ave., Charlotte, MI, voiced her disappointment in the decision of not extending the City Manager contract.

Don Sovey, 106 Kensington Ct., Charlotte, MI, voiced his disappointment in the decision of not extending the contract and concern in the cost to hire another manager.

Tom Potter, 221 E. Lovett, Charlotte, MI, voiced his disappointment in the decision of not extending the City Manager contract.

Cindy Miller, 407 Warren, Charlotte, MI, voiced her disappointment in the decision of not extending the City Manager contract.

Barbara Fulton, Hayes Green Beach Hospital, 321 E. Harris, Charlotte, MI, voiced her disappointment of not extending the City Manager contract.

Quinn Underwood, 2092 Haley Way, Charlotte, MI, voiced her disappointment of not extending the City Manager contract.

Brian Stults, Charlotte, MI, thanked the four councilmembers who voted to not extend the contract.

Brett McAtee, 613 Mikesell, Charlotte, MI, encouraged councilmembers to not be stampeded into guilt. He was in favor of the decision to not extend the City Manager contract.

Travis Silvas, 517 N. Clinton, Charlotte, MI, voiced his disappointment of not extending the City Manager contract.

Mike Lahr, 422 Pearl, Charlotte, MI, spoke in favor of the decision to not extend the City Manager contract.

Ben Phlegar, 425 Horatio, Charlotte, MI, voiced his disappointment in the decision of not extending the City Manager contract.

MAYOR AND COUNCIL COMMENTS:

- Councilmember Johnston thanked everyone for coming out. He believes that a change is needed.
- Councilmember Russo thanked everyone. He stated that this is a democratic process and that he will stand by his decision. He stated that Manager Guetschow is very intelligent and that it is nothing personal.
- Councilmember Ridge thanked everyone for coming out. She stated that Manager Guetschow attends many meetings, is making changes to our community and working to grow the community. She does not understand why this has been done as he has done everything that has been asked of him. She stated that there will be a Rising Tide meeting on December 22nd. She is excited about the National Register and feels it is a great opportunity. She thanked the City Manager for the updates on the street projects and weather sirens.
- Mayor Pro-Tem Sanders stated that both sides were heard from tonight. He stated that he would like to come to their own terms on a contract and renegotiate the terms of the contract. He wished everyone a Merry Christmas.
- Councilmember Mitchell thanked everyone and wished them a happy weekend.
- Councilmember Bahmer stated that this was a tough decision. He stated that there needs to be some changes and some small things that need to be corrected.
- Mayor Lewis thanked each and every one. He stated that this is a super charged issue and that he was surprised and shocked. There are a lot of things happening in town and the movement needs to continue.

Mayor Pro-Tem Sanders moved, second by Russo to adjourn at 9:18 p.m. Carried. 7 Yes. 0 No

Mayor Tim Lewis

Ginger Terpstra, City Clerk