

COUNCIL PROCEEDINGS
Regular Meeting
January 14, 2019

CALL TO ORDER: By Mayor Lewis on Tuesday, January 14, 2019 at 7:00 p.m.

PRESENT: Councilmembers Dyer, Christian, Ridge, Russo, Mayor Pro-Tem Baker, Mayor Lewis, City Attorney Coscorelli, City Clerk Terpstra and City Manager Guetschow.

The invocation was offered by Pastor Dave Dickerson, Beginning Again Fellowship followed by the Pledge of Allegiance.

APPROVAL OF MINUTES FOR REGULAR MEETING OF DECEMBER 26, 2018: Mayor Pro-Tem Baker moved, supported by Ridge to approve the regular meeting minutes of December 26, 2018 as presented. Carried. 6 Yes. 0 No. 1 Absent (Mitchell)

ABSENT: Council member Mitchell.

Council member Ridge moved, supported by Baker to excuse Council member Mitchell due to illness. Carried. 6 Yes. 0 No.

PUBLIC HEARINGS: None.

PUBLIC COMMENTS: Mike Armitage, Director of Eaton County 911, presented to council the Eaton County 911 Annual

Report for 2018. He highlighted the specifics of the call volume along with the projects and advancements that took place in 2018.

Joe Pray, President of CharlotteRising, announced that they will be introducing their new director, Lisa Barna, on Thursday evening January 17th at 5:30. He stated the airport advisory committee will be meeting on Thursday, January 24th to discuss strategic planning from 6 p.m. to 9 p.m. He encouraged council to approve the AWOS Contract on their agenda for the airport.

APPROVAL OF AGENDA: Council member Ridge moved, supported by Dyer to approve the agenda with the correction to the amount of the claims as presented. Carried. 6 Yes. 0 No.

SPECIAL PRESENTATIONS:
PRESENTATION ON VAPING:

Council member Russo introduced Kim Thalison with Eaton RESA who is a Prevention Service Coordinator.

Ms. Thalison gave a presentation on vaping and the impact that it is having on our youth. Statistics show that 1 in 10 seventh graders, 1 in 5 ninth graders and 1 in 3 eleventh graders are using vaping devices. She stated that there are possibilities to help the problem by adopting local ordinances.

DISCUSSION REGARDING VAPING:

Police Chief Sherman stated that she had invited School Resource Officer Adam Carroll, Dr. Barnes and Sharee Burdick from the

Charlotte High School and Attorney Molly Coscarelli to discuss the problems that are being seen with vaping in the school system.

Dr. Barnes and Ms. Burdick discussed the impact that it is having in the school system.

Officer Carroll introduced vaping devices that have been confiscated off students and the problems that they are encountering with these devices.

Attorney Coscarelli stated that she has been working with Chief Sherman and researching the vaping problems in order to be able to best address the problem in an ordinance. She discussed the different aspects to the problem that would need to be addressed in the event that council wants to proceed with an ordinance.

Mayor Lewis stated that he would like to work together with the schools and the police department to develop an ordinance to address the health and safety of the community in regards to the vaping problems.

Discussion was held among council members and it was agreed that a group consisting of council members, police officials, school officials and Attorney Coscarelli get together to help with drafting an ordinance for consideration.

COUNCIL MEETING DATE DISCUSSION RESOLUTION NO. 2018-139:

Council member Dyer stated that he had introduced the previous schedule Resolution No. 2018-139, which was approved on December 10, 2018. This schedule was for the meetings to be held on the 2nd & 4th Monday's through April and then switch to the 1st & 3rd Monday's starting in May 2019.

Discussion was held among members on whether they wanted to stay with this schedule or move the schedule back to the original 2nd and 4th Monday's for the entire 2019 calendar year.

Council member Russo moved, supported by Baker to change the meeting dates for 2019 back to meeting on the 2nd and 4th Monday's of each month. Carried. 4 Yes. (Baker, Ridge, Russo, Lewis) 2 No. (Dyer, Christian)

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2019-01 MAYORAL APPOINTMENTS:

RESOLUTION NO. 2019-01

A RESOLUTION TO APPROVE MAYORAL APPOINTMENT

WHEREAS , a need for a Council appointments to the various Boards exists and a reappointment to the Board of Review; and

WHEREAS, Mayor Lewis is recommending the following individuals to be appointed to these boards:

Name	Board	Term Ending
Branden Dyer	Park Advisory Board	
Yvonne Ridge	Planning Commission	

Dan Christian	Recreation Co-op	
Robert Phillips	Board of Review	12/31/2023

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

Mayor Pro-Tem Baker moved, supported by Dyer to approve Resolution No. 2019-01 Mayoral Appointments as presented. Carried. 6 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2019-02 POVERTY EXEMPTION GUIDELINES 2019:

CITY OF CHARLOTTE

2019 FEDERAL POVERTY EXEMPTION CERTIFICATE

RESOLUTION NO. 2019-02

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 2019,

FEDERAL INCOME GUIDELINES FOR 2019 POVERTY EXEMPTION

1 person \$ 12,140

2 persons \$ 16,460
 3 persons..... \$ 20,780
 4 persons..... \$ 25,100
 5 persons..... \$ 29,420
 6 persons..... \$ 33,740
 7 persons..... \$ 38,060
 8 persons..... \$ 42,380
 For Each Additional Person add.....\$ 4,320

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 \$ 27,174
 2 persons \$ 33,558
 3 persons..... \$ 40,137
 4 persons..... \$ 46,592
 5 persons..... \$ 53,266
 6 persons..... \$ 59,826
 7 persons..... \$ 66,297
 8 persons..... \$ 72,851
 9 persons or more..... \$ 79,717

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 Russo to approve Resolution No. 2019-02 Poverty Exemption Guidelines 2019 as presented. Carried. 6 Yes. 0 No.

C. CONSIDER APPROVAL RESOLUTION NO. 2019-03 STATEMENT OF DOING BUSINESS 2019:
RESOLUTION NO. 2019-03
STATEMENT OF DOING BUSINESS WITH CITY OF CHARLOTTE 2019

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
Julie Meyer – Cable Operator
Mikayla Densmore – Cable Operator
Tyger Fullerton – Straw Sales
Tom Archer – Straw Sales
Brandon Youngs – Straw Sales
L. Daryl Baker – Insurance Sales

Council member Ridge moved, supported by Russo to approve Resolution No. 2019-03 Statement of Doing Business as presented. Carried. 5 Yes. 0 No. 1 Abstain (Baker)

D. CONSIDER APPROVAL OF RESOLUTION NO. 2019-04 TO AUTHORIZE BRANDEN DYER TO ATTEND NATIONAL COALITION FOR COMMUNITY CAPITAL CONFERENCE JUNE 11-13, 2019:
RESOLUTION NO. 2019-04

A RESOLUTION TO APPROVE COUNCIL MEMBER BRANDEN DYER’S ATTENDANCE AT THE 2019 NATIONAL COALITION FOR COMMUNITY CAPITAL CONFERENCE

BE IT RESOLVED that Council Member Branden Dyer is hereby authorized to attend the 2019 National Coalition for Community Capital Conference to be held in Detroit and to incur reasonable and customary expenses for registration, meals, lodging and transportation

Council member Russo moved, supported by Ridge to approve Resolution No. 2019-04 to attend National Coalition for Community Capital Conference as presented. Carried. 6 Yes. 0 No.

E. CONSIDER APPROVAL OF RESOLUTION NO. 2019-05 CREDIT CARD & AT&T AUTOPAY CHARGES NOVEMBER-DECEMBER 2018:

**RESOLUTION NO. 2019-05
A RESOLUTION TO APPROVE
CREDIT CARD AND AT&T AUTOPAY CHARGES
FOR NOVEMBER-DECEMBER 2018**

WHEREAS, the City has a credit card account and various employees incur charges for the purchase of goods and services for City business purposes through the use of credit cards issued to them; and

WHEREAS, expenses totaling \$3,426.67 have been incurred during the period between November 15, 2018 and December 13, 2018 and receipts for these expenses have been reviewed and the amounts approved by the City Manager or City Clerk and a list of those expenses has been provided to the City Council; and

WHEREAS, the City has enrolled in AT&T's AutoPay program for accounts 517543887412, 517543228812, and 517543839612 so as to insure prompt payment of invoices, thus avoiding late payment penalties; and

WHEREAS, charges for November 14, 2018 to December 13, 2018 in the total amount of \$760.99 for the three AT&T accounts were paid through the AutoPay program on January 4, 2019; and

WHEREAS, City Charter requires the Council to authorize expenditures of all City funds;

NOW, THEREFORE, BE IT RESOLVED that credit card charges totaling \$3,426.67 for the period November 15, 2018 through December 13, 2018 and AT&T AutoPay charges totaling \$760.99 for November 14, 2018 through December 13, 2018 are hereby approved.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE: Mayor Pro-Tem Baker moved, supported by Dyer to approve Resolution 2019-05 Credit Card & AT&T autopay charges for November-December as presented. Carried. 6 Yes. 0 No.

F. CONSIDER APPROVAL OF RESOLUTION NO. 2019-06 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:

RESOLUTION NO. 2019-06

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY

FOR JANUARY 14, 2019

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

WHEREAS, the January 4, 2019 payroll totaled \$170,388.27;

WHEREAS, the January 14, 2019 claims total \$136,064.02;

WHEREAS, the January 7, 2019 insurance claims total \$51.11;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for January 14 2019 in the amount of \$306,503.40

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL VOTE: Council member Ridge moved, supported by Baker to approve Resolution 2019-06 regarding payment of claims & accounts as presented. Carried. 6 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL OF 2018-145 TO AUTHORIZE THE REPLACEMENT OF TRICKLING FILTER ARMS WWTP:

RESOLUTION NO. 2018-145

A RESOLUTION TO AUTHORIZE THE REPLACEMENT OF TRICKLING FILTER ARMS AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the distribution arms of the trickling filters are an essential component for the proper distribution of water throughout the trickling filters allowing the plant to meet its permit requirements; and

WHEREAS, the two mast arms in the south trickling filter have now deteriorated to a point that they need to be replaced; and

WHEREAS, the arms have been ordered from WesTech prior to the installation bid due to long lead times for delivery; and

WHEREAS, sealed bids were received for the project ranged from \$10,663.00 to \$22,203.00; and

WHEREAS, the lowest responsible bidder was Allied Mechanical Services of Grand Rapids, MI in the amount of \$10,663.00.

THEREFORE, BE IT RESOLVED That the City Council approve the replacement of the trickling filter mast by Allied Mechanical Services and it be paid for from the Water and Sewer Fund.

Mayor Pro-Tem Baker moved, supported by Dyer to approve Resolution No. 2018-145 to authorize the replacement of trickling filter arms WWTP as presented. Carried. 6 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2018-146 TO APPROVE FERRIC ROOM DEMOLITION WWTP:

RESOLUTION NO. 2018-146

A RESOLUTION TO AUTHORIZE THE DEMOLITION IN THE FERRIC CHLORIDE ROOM AT THE WASTEWATER TREATMENT PLANT

WHEREAS, the ferric chloride equipment was corroded and replaced in a separate building at the wastewater treatment plant in 2017; and

WHEREAS, the demolition of the existing equipment was value engineered out of the contract to relocate the equipment; and

WHEREAS, the current year budget allowed for that demolition; and

WHEREAS, sealed bids were received for the project ranged from \$19,998.00 to \$48,890.00; and

WHEREAS, the lowest responsible bidder was Franklin Holwerda Company of Wyoming, MI in the amount of \$19,998.00.

THEREFORE, BE IT RESOLVED That the City Council approve the demolition of equipment in the ferric room by Franklin Holwerda Company and it be paid for from the Water and Sewer Fund.

Council member Ridge moved, supported by Baker to approve Resolution No. 2018-146 to approve ferric room demolition WWTP as presented. Carried. 6 Yes. 0 No.

C. CONSIDER APPROVAL OF RESOLUTION NO. 2018-148 TO APPROVE MDOT CONTRACT NO. 2019-0028

**FOR AUTOMATED WEATHER OBSERVATION
SYSTEM AT FITCH H. BEACH MUNICIPAL
AIRPORT:**

RESOLUTION NO. 2018 -148

**A RESOLUTION TO APPROVE MDOT CONTRACT NO.
2019-0028**

WHEREAS, the City of Charlotte wishes to maintain an Automated Weather Observation System at Fitch H. Beach Municipal Airport; and

WHEREAS, the ongoing operation and maintenance of this system is accomplished through a partnership between the City of Charlotte and the Michigan Department of Transportation; and

WHEREAS, MDOT Contract No. 2019-0028 is five year agreement between the City of Charlotte and the Michigan Department of Transportation specifying the terms of this partnership.

THEREFORE, BE IT RESOLVED that the City of Charlotte City Council hereby approves the agreement known as MDOT Contract No. 2019-0028 and authorizes its execution.

Council member Ridge moved, supported by Baker to approve Resolution No. 2018-148 to approve MDOT Contract No. 2019-0028 for Automated Weather Observation System at Fitch H. Beach Municipal Airport as presented. Carried. 6 Yes. 0 No.

**D. CONSIDER APPROVAL OF RESOLUTION NO. 2018-
149 TO AUTHORIZE SIGNATORIES FOR MDOT
CONTRACT NO. 2019-0028:**

A RESOLUTION TO AUTHORIZE SIGNATORIES

FOR MDOT CONTRACT NO. 2019-0028

WHEREAS, the City of Charlotte wishes to enter into an agreement with the Michigan Department of Transportation Bureau of Aeronautics; and

WHEREAS, this agreement is known as MDOT Contract No. 2019-0028; and

WHEREAS, the terms of this agreement require passage of a resolution authorizing official signatories.

THEREFORE, BE IT RESOLVED that the City of Charlotte herby authorizes Mayor Tim Lewis and City Clerk Ginger Terpstra to sign MDOT Contract No. 2019-0028, as well as any supporting documents that include necessary certifications and assurances.

Council member Ridge moved, supported by Dyer to approve Resolution No. 2018-149 to authorize signatories for MDOT Contract No. 2019-0028 as presented. Carried. 6 Yes. 0 No

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

**A. CONSIDER FIRST READING ORDINANCE NO. 2019-
01 TO AMEND THE ZONING MAP FOR
PROPERTIES IN THE 100 BLOCK OF E. HARRIS
STREET FROM :**

**CITY OF CHARLOTTE
ORDINANCE NO. 2019-01**

AN ORDINANCE TO AMEND CHAPTER 82 SECTION 82-81
ZONING
BY AMENDING THE ZONING MAP TO CHANGE A CERTAIN
DESCRIBED PARCEL

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FROM OS-1 OFFICE SERVICE DISTRICT TO B-1 LOCAL
BUSINESS DISTRICT

THE CITY OF CHARLOTTE ORDAINS:

Section 1. The Zoning District Map of the City of Charlotte, being part of Chapter 82-Zoning of the Code of the City of Charlotte is hereby amended as follows:

That property described as:

COM 34 FT E OF SW COR.LOT 21,N 100 FT, E 8 FT,N 40 FT TO N LINE LOT 21,E TO PT 50 FT W OF E LINE BLK .10,S 140 FT TO S LINE,W TO BEG;EX.W 8 FT OF S 100 FT(DRIVEWAY):BLK.10,OP,CITY CHARLOTTE and commonly referred to as 117 E. Harris Street, is hereby rezoned from OS-1 Office Service District to B-1 Local Business District.

Section 2. That the City Clerk is hereby directed to make the necessary corrections evidencing this zoning change.

Section 3. The attached map evidencing this change shall be marked and designated as Ordinance No. 2019-01 and the City Clerk shall enter on the zoning map this ordinance number and the date of the adoption thereof and shall maintain a file containing a copy of this ordinance and a map thereto attached.

Section 4. This ordinance shall become effective upon the date of its publication.

Mayor Pro-Tem Baker moved, supported by Ridge to approve first reading Ordinance No. 2019-01 to amend the zoning map for properties in the 100 block of E. Harris Street to B-1 and set

public hearing for March 5, 2019 at Planning Commission as presented. Carried. 6 Yes. 0 No.

B. CONSIDER FIRST READING RESOLUTION NO. 2019-07 AUTHORIZING MICHIGAN NORDIC FIRE FESTIVAL ACTIVITIES FEBRUARY 22-24, 2019:

RESOLUTION NO. 2019 – 07

A RESOLUTION AUTHORIZING MICHIGAN NORDIC FIRE FESTIVAL ACTIVITIES FEBRUARY 22-24, 2019

WHEREAS, the Michigan Nordic Fire Festival is a community-based, organized event that is to be held February 22 to 24, 2019; and,

WHEREAS, the Michigan Nordic Fire Festival organization is responsible for planning these events intended to contribute to community-wide fellowship, benevolence, and welfare; and

WHEREAS, the Michigan Nordic Fire Festival has, or will obtain prior to the festival, the appropriate insurance coverage, security and medical services, and licensing from the Michigan Liquor Control Commission; and

WHEREAS, the Committee in conjunction with City Administration, have planned events that require the use and closure of certain public facilities; and

WHEREAS, the Committee is asking that the Charlotte City Council approve the following requests and conditions:

1. Authorization for the use of the city Sledding Hill area for festival activities on February 22, February 23 and

February 24; these activities to include a historical Viking encampment, a community bonfire, entertainment, food vendors, games and contests, historic demonstrations, and related activities.

2. Authorization for the city Department of Public Works to provide supporting services at the sledding hill area, including snow plowing and picnic table placement.
3. Authorization for the Charlotte Police and Fire Department to provide public safety assistance as it deems necessary at the sledding hill throughout the weekend.

WHEREAS, the City Council of the City of Charlotte determines these requests and conditions are in the best interests of the community.

NOW, THEREFORE, BE IT RESOLVED, that the use of public facilities is authorized as outlined above; and

BE IT ALSO RESOLVED, that the city Department of Public Works, Police and Fire Department be authorized to provide the assistance as outlined above.

Council member Ridge moved, supported by Dyer to approve first reading Resolution No. 2019-07 authorizing Michigan Nordic Fire Festival Activities February 22-24 as presented. Carried. 6 Yes. 0 No.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: Not present. Report included in packet.

CITY MANAGER REPORT: City Manager Guetschow reported that the software conversion for payroll is nearing completion and we are moving forward with the implementation of the new BS&A software for utility billing, general ledger, accounts payable and cash receipts. AT&T auto charges are being approved now along with the credit card payments. He reported on the Act 202 and the city not being in compliance due to last year's data and that they will be seeing future correspondence as it relates to this matter.

COUNCILMEMBER COMMITTEE REPORTS:

- Council member Ridge reported that there was a Recreation Co-op meeting last week in which Amy Gilson attended regarding the softball field project. She thanked Amy for all the expertise that she has brought to the project. She stated that they had authorized a grant for Courthouse Square for the speaker system. She stated that they are looking at a project in the spring for Crandell Lake.

PUBLIC COMMENT: None.

MAYOR AND COUNCIL COMMENTS:

- Council member Russo no comment.
- Council member Dyer stated that he has been appointed to a MML Legislative Advisory Committee dealing with Energy and Environmental. He will be attending an orientation in the near future.
- Council member Ridge reminded everyone that CharlotteRising will be announcing their new director on

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Thursday, January 17th at 5:30 at Ameriprise Financial on S. Cochran and invited everyone to come and meet Lisa Barna. She stated that the cheerleaders have won their last two competitions. They took first place on Friday and broke two school records. She could not be more proud of them.

- Mayor Pro-Tem Baker no comment.
- Council member Christian thanked City Manager Guetschow for his orientation for Council. He stated that he looks forward to being a part of Council.
- Mayor Lewis stated that he attended the Fire Department Annual Christmas party. He highlighted the number of years several Fire Department volunteers had. He thanked them for their service and dedication to the community.

Mayor Pro-Tem Baker moved, seconded by Dyer to adjourn at 8:43 p.m. Carried. 6 Yes. 0 No.

Mayor Tim Lewis

Ginger Terpstra, City Clerk, CMMC