

COUNCIL PROCEEDINGS
Regular Meeting
June 22, 2020

CALL TO ORDER: By Mayor Ridge on Monday, June 22, 2020 at 7:00 p.m.

PRESENT: Councilmembers McRae, Weissenborn, Hoogstra, Mayor Ridge, City Clerk Terpstra and City Manager Guetschow.

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

Council member Dyer arrived at 7:02 p.m.

APPROVAL REGULAR SESSION MINUTES OF JUNE 8, 2020: Council member Weissenborn moved, supported by Dyer to approve the regular session meeting minutes of June 8, 2020 as amended to change page 11 last paragraph on left side motion; change amount to \$5,000.00 and add #6) to read “all spending contained in City Manager’s list of proposed budget reductions be sequestered subject to council review. Carried. 5 Yes. 0 No. 2 Absent. (Armitage, Baker)

APPROVAL OF MINUTES FOR SPECIAL SESSION MEETING OF JUNE 15, 2020: Council member Dyer moved, supported by Hoogstra to approve the special session meeting minutes of June 15, 2020 as presented. Carried. 5 Yes. 0 No. 2 Absent (Armitage, Baker)

ABSENT: Mayor Pro-Tem Armitage and Council member Baker.

Council member Hoogstra moved, supported by Dyer to excuse Mayor Pro-Tem Armitage due to illness and Council member Baker as he had an appointment. Carried. 5 Yes. 0 No.

PUBLIC HEARINGS: None.

PUBLIC COMMENTS: Nicole Christensen, 317 E. Shaw thanked council for considering to adopt a fireworks ordinance to enforce times when fireworks can be used. She also is concerned about getting an oak tree in front of her house looked at that has recently did some damage to both her house and vehicle.

Don Sovey, 106 Kensington Ct., stated that he appreciates the work on the budget. He reminded that if adopted as is it would have a deficit for three years in a row. He encouraged council to continue to work towards a balanced budget.

APPROVAL OF AGENDA: Council member Dyer moved, supported by Weissenborn to approve the agenda as presented. Carried. 5 Yes. 0 No.

SPECIAL PRESENTATIONS:

EATON COUNTY FAIR STATUS – MARTIN FABRIK:

Martin Fabrik, Fair Board President, stated that they would be cancelling all grandstand, carnival and vendor attractions for this years fair. They are however, moving toward planning for large and small animal one day shows. They will be having exhibitors trailer the animals in and out in the same day. Only the exhibitor and their family will be allowed. It will not be open to the general public. They plan to advertise this on social media and local papers.

PRESENTATION POLICE AND FIRE DEPARTMENT OVERTIME:

Police Chief Brentar provided documents to council and explained how overtime is requested, tracked, approved and put into the payroll system. He also explained the officers schedule and that scheduled overtime for events is given on a seniority basis. He explained that each overtime slip is then approved by command before turning in to payroll.

Fire Chief Fullerton explained that the fire department overtime is different than any other department. It is figured on a 28 day period and really confusing. Any time over 216 hours in a 28 day period falls under the FLSA and there is no way around it. He stated that the fire department overtime is a lot less. He explained that there is a calendar

in his office that the employee writes down what time they had. He checks off on the calendar when the time is paid. They keep this for a year at a time.

EXPEDITED RESOLUTIONS AND ORDINANCES

A. CONSIDER APPROVAL OF RESOLUTION NO. 2020-75 MAYORAL APPOINTMENTS:

RESOLUTION NO. 2020-75

A RESOLUTION TO APPROVE MAYORAL APPOINTMENT

WHEREAS, a need for a reappointment to the Library board exists;
and

WHEREAS, Mayor Ridge is recommending the following individual to be reappointed to this board:

Name	Board	Term Ending
Robert Monschein	Library Board	06/30/2023

and;

WHEREAS, City Council has established an ad hoc communications committee; and

WHEREAS, Mayor Ridge is recommending the following individuals be appointed to this committee:

Name	Committee	Representative
Michael Armitage	Communications	City Council
Liz Hoogstra	Communications	City Council
Tammy Weissenborn	Communications	City Council

Gregg Guetschow	Communications	City
Nate Lovaas	Communications	Citizen
Jo Vanderstelt	Communications	Citizen
Lisa Barna	Communications	CharlotteRising
Courtney Anderson	Communications	Chamber
Leah LaFave	Communications	CanDo!
Christina Campbell	Communications	Sparrow Eaton
Mandy Stewart	Communications	Charlotte Public Schools

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

Council member McRae moved, supported by Dyer to approve Resolution No. 2020-75 Mayoral appointments as presented. Carried. 5 Yes. 0 No.

B. CONSIDER APPROVAL OF RESOLUTION NO. 2020-76 TO REJECT BID FOR UTILITY POLE REPLACEMENT PROJECT:

RESOLUTION NO. 2020-76

A RESOLUTION TO REJECT BID FOR THE UTILITY POLE REPLACEMENT PROJECT

WHEREAS, one of the main utility poles at the well field has been determined to be in poor condition; and

WHEREAS, the Utility Pole Replacement Project was approved in the FY 19-20 City budget; and

WHEREAS, sealed bids for the replacement were received on Tuesday, June 16, 2020; and

WHEREAS, J. Ranck Electric, Inc. submitted the only bid in the amount of \$58,649.00 to complete the project per the specifications prepared; and

WHEREAS, the cost presented in the bid was double what was budgeted and prohibitive; and

WHEREAS, it has been determined that the current workload of contractors and backlog due to the pandemic may have increased prices statewide.

THEREFORE, BE IT RESOLVED that the bid from J. Ranck Electric, Inc. is hereby rejected and the project will be rebid in FY 20-21 with funds rolled over into the new budget to complete the project.

Council member McRae moved, supported by Hoogstra to approve Resolution 2020-76 to reject bid for utility pole replacement project as presented. Carried. 5 Yes. 0 No.

C. CONSIDER APPROVAL OF RESOLUTION NO. 2020-77 TO AUTHORIZE FILLING VACANT POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS:
RESOLUTION NO. 2020-77

A RESOLUTION TO AUTHORIZE FILLING VACANT POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the City Council implemented a hiring freeze at the council meeting on June 8, 2020; and

WHEREAS, the Department of Public Works has three positions recently vacated due to attrition; and

WHEREAS, the positions to be filled are charged mostly to funds other than the General Fund; and

WHEREAS, the Department has requested permission to fill the mechanic and two laborer positions to make the crew whole.

THEREFORE, BE IT RESOLVED That the City Council approve the hiring of the two laborers and one mechanic for the Department of Public Works.

Council member McRae moved, supported by Hoogstra to approve Resolution 2020-77 to authorize filling vacant positions in the Department of Public Works as presented. Carried. 5 Yes. 0 No.

D. CONSIDER APPROVAL OF RESOLUTION NO. 2020-81 AMENDMENT TO FY 19/20 BUDGET:

RESOLUTION NO. 2020-81

A RESOLUTION TO AMEND THE BUDGET FOR THE 2019-20 FISCAL YEAR

WHEREAS, the City Council has adopted a budget for the fiscal year that began July 1, 2019 and ends June 30, 2020; and

WHEREAS, it is necessary to amend the budget to recognize budget variances that have occurred during the course of the fiscal year as follows:

1. Pursuant to the provisions of the Charter, the Revolving Fund Special Account was established with \$800,000 of the proceeds of the Owens-Brockway settlement which amount was transferred from the reserves of the general fund;
2. A transfer was made from the general fund to the Downtown Development Authority fund in the amount of \$4373.46 to reimburse the DDA for DPW labor, benefits and equipment rental that should have been charged elsewhere.
3. An increase in the transfer from the general fund to the recycling fund in the amount of \$4710.75 is necessary to cover a payment to the Charlotte Area Recreation Authority that was improperly credited to the recycling fund in the prior fiscal year;
4. An increase in the transfer from the general fund to the airport fund and an increase in expenditures in the airport fund in the amount of \$10,000 to cover emergency expenditures incurred in making repairs to the administration building and its sewer lines; and
5. An increase in the expenditure budget for the Act 302 police training fund in the amount of \$2000 to cover additional training expenses incurred, which amount will be met by a reduction in fund balance;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve amendment to the budget for the various fund as outlined above for the fiscal year that ends June 30, 2020.

Council members questioned the purpose of this resolution.

City Manager Guetschow explained that this is end of year housekeeping to take care of auditor recommendations.

Council member Dyer moved, supported by Weissenborn to approve Resolution 2020-81 amendment to FY 19/20 Budget as presented. Carried. 5 Yes. 0 No.

E. CONSIDER APPROVAL OF RESOLUTION NO. 2020-78 REGARDING PAYMENT OF CLAIMS & ACCOUNTS:

RESOLUTION NO. 2020-78

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY

FOR JUNE 22, 2020

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

WHEREAS, the June 19, 2020 payroll totaled \$159,216.91;

WHEREAS, the June 22, 2020 claims total in the amount of \$405,425.56; EFT's in the amount of \$111,399.80; Feb-Mar

Credit Card in amount of \$1,385.37; Mar-Apr \$1,721.92 Credit Card; and Apr-May \$1,422.97 Credit Card.

WHEREAS, the June 8, 2020 insurance claims \$343.75; and June 15, 2020 insurance claims \$1,097.10;

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for June 22, 2020 in the amount of \$682,201.38.

Council member McRae asked for clarification on several bills to be paid. Bell Equipment, Consultants on Call, Quadiant, Team One and Williams Farm Machinery.

APPROVAL OF CLAIMS AND ACCOUNTS BY ROLL CALL

VOTE: Council member Dyer moved, supported by Hoogstra to approve Resolution 2020-78 regarding payment of claims & accounts as presented. Carried. 5 Yes. 0 No.

ACTION ITEMS – RESOLUTIONS AND ORDINANCES:

A. CONSIDER APPROVAL OF RESOLUTION NO. 2020-74 UTILITY RATE CHANGE:

RESOLUTION NO. 2020 –74

RESOLUTION TO SET WATER AND SEWER RATES

WHEREAS, the City of Charlotte completed a Water and Sewer Utility Rate Study to develop a schedule of rates which equitably reflect the cost of service to each customer class and

to recommend a rate adjustment necessary to fund operations, maintenance and improvements; and

WHEREAS, this Council has evaluated said report and concur that said rates are required; and

NOW, THEREFORE, BE IT RESOLVED, that the following schedule of water and sewer rates be adopted:

Mayor Pro-Tem Armitage questioned if the rate increase was 17%.

City Manager Guetschow stated that is based on the typical user but could be more or less depending on the usage.

Mayor Pro-Tem Armitage asked the impact on street projects and infrastructure.

City Manager Guetschow stated that the costs incurred are for lead and galvanized pipe replacement. This is a half million dollar project as there are approximately 2700 residents that may be subject to replacement.

Discussion was held on this being an unfunded mandate in which many communities are facing that have the same housing stock as Charlotte.

Council member Dyer moved, supported by McRae to approve Resolution 2020-74 Utility rate change as presented. Carried. 5 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

- A. CONSIDER FIRST READING OF REOLUTION NO. 2020-79 TO AUTHORIZE BRUSH GRINDING CONTRACT:**

RESOLUTION NO. 2020-79

City Council Minutes 06-22-2020

Page 6 of 11

Water Rates		
Quarterly		
<u>Meter Size</u>	<u>Base Charge</u>	<u>Rate per 1,000 gal.</u>
5/8 x 3/4	\$ 49.21	\$ 3.33
1"	80.00	3.33
1.5"	160.00	3.33
2"	260.00	3.33
3"	490.00	3.33
4"	760.00	3.33
6"	1,640.00	3.33

Sewer Rates		
Quarterly		
<u>Meter Size</u>	<u>Base Charge</u>	<u>Rate per 1,000 gal.</u>
5/8 x 3/4	\$ 88.38	\$ 5.81
1"	140.00	5.81
1.5"	290.00	5.81
2"	470.00	5.81
3"	880.00	5.81
4"	1,370.00	5.81
6"	2,940.00	5.81

BE IT FINALLY RESOLVED, that these rates be effective July 1, 2020 for bills sent in October, 2020.

A RESOLUTION TO AUTHORIZE BRUSH GRINDING CONTRACT

WHEREAS, the Department of Public Works collects leaves and brush throughout the year and contracts for its grinding a removal each Spring; and
WHEREAS, the Department issued a bid request to the few companies who own the equipment necessary to provide this service; and
WHEREAS, two bids were received ranging from \$10,650.00 and \$13,000; and
WHEREAS, the low bid from Hammond Farms, Inc. of Dimondale, MI in the amount of \$10,650.00; and
WHEREAS, Hammond Farms was the low bidder last few years and their work was timely and satisfactory.
THEREFORE, BE IT RESOLVED That the City Council approve the brush grinding service by Hammond Farms, Inc. and it be paid for from the General Fund Leaf Collection account as budgeted.

Council member Dyer moved, supported by Hoogstra to approve first reading of Resolution No. 2020-79 brush grinding contract as requested. 5 Yes. 0 No.

B. CONSIDER FIRST READING OF REOLUTION NO. 2020-80 FY 20/21 BUDGET ADJUSTMENTS:
RESOLUTION NO. 2020-80

A RESOLUTION TO AUTHORIZE EXPENDITURES PREVIOUSLY SEQUESTERED FOR THE 2020-21 FISCAL YEAR

WHEREAS, the City Council has adopted a budget for the fiscal year that began July 1, 2020 and ends June 30, 2021; and
WHEREAS, in adopting the resolution for the budget, the Council sequestered certain appropriations so that additional discussion could occur prior to authorizing the expenditure of funds for those purposes; and
WHEREAS, the Council has determined that expenditures for certain purposes are appropriate and a prudent use of the City's funds and wishes to authorize expenditures for those purposes;
NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize expenditures for the following purposes in accordance with the appropriations authorized by the budget resolution:

1. Retiree Health Care for spouses
2. Master Plan Development
3. CharlotteRising contribution \$25,000.00
4. LEAP contribution \$3,000.00

Chief Brentar explained that if outer vests are taken out this year they would need to be added back in next year. Same with the detective vehicle. This vehicle is driven all over the state for the purpose of

City Council Minutes 06-22-2020

collecting evidence, driving to crime lab etc. It was noted that the school liaison officer was added back into the budget. Discussion was held on the patrol vehicle replacements. Chief Brentar explained that the current body cams need replacement and the need to replace.

Council member McRae stated he would not want to mess with retiree health care and does not feel it is morally defensible.

City Manager Guetschow and Clerk Terpstra explained how the current retiree health plan works and how it is reimbursed.

Mayor Ridge suggested that the \$200,000 set aside for retiree health care years ago should be invested into the Retiree Health Funding Vehicle through MERS as had been discussed.

Mayor Ridge would like to add to council policy regarding retiree health care that it be mandatory that retirees also purchase prescription coverage. This would not only be a savings to the retiree but also to the City.

Training was mentioned and decided to discuss at another meeting.

Council member Weissenborn would like to understand more about the overlap with Community Development and CharlotteRising.

City Manager Guetschow will invite Director Myrkle back to another meeting.

Discussion was held on the 2% cost of living wage increase for non-union employees.

Discussion was held on the wage increase for the City Manager.

Council member Dyer moved, supported by McRae to approve first reading of Resolution No. 2020-80 FY 20/21 Budget as amended to include retiree spouse health care coverage, Master Plan update and funding for CharlotteRising \$25,000.00 and LEAP, \$3,000.00. 5 Yes. 0 No.

C. CONSIDER FIRST READING OF ORDINANCE NO. 2020-05 FIREWORKS AND SET PUBLIC HEARING FOR JULY 13, 2020:

**CITY OF CHARLOTTE
ORDINANCE NO. 2020-05**

AN ORDINANCE TO AMEND SECTION 34-293 OF ARTICLE VII - OFFENSES AGAINST PUBLIC SAFETY - OF CHAPTER 34 - OFFENSES OF THE CODE OF THE CITY OF CHARLOTTE BY PROHIBITING THE IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS AND PERMITTING LICENSED DISPLAYS AS PROVIDED BY STATE LAW.

City Council Minutes 06-22-2020

Page 8 of 11

THE CITY OF CHARLOTTE ORDAINS:

Section 34-293 of Article VII of Chapter 34 of the Code of the City of Charlotte is amended to read as follows:

Sec. 34-293 Use and Licensed Display of Fireworks:

(A) Definitions

(1) As used in the section, “consumer fireworks,” “articles pyrotechnic,” “display fireworks” and “special effects” have the same meaning as that term is defined in section 2 of the Michigan Fireworks Safety Act, being MCL 28.452.

(B) Use of Fireworks

(1) No person shall ignite, discharge or use consumer fireworks except after 11:00 a.m. on the following days:

(a) December 31 until 1 a.m. January 1.

(b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m.

(c) June 29 to July 4 until 11:45 p.m. on each of those days.

(d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.

(e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

(2) A violation of subsection B is a civil infraction with a fine of One Thousand Dollars (\$1,000.00) for each violation. Each consumer firework discharged in violation of this section shall constitute a separate offense. Five Hundred Dollars (\$500.00)

of each fine collected pursuant to this section shall be remitted to the Charlotte Police Department.

(C) Licensed Displays

(1) The City Council may, upon application in writing on forms provided by the Michigan Department of Licensing and Regulatory Affairs and payment of required fees set by the City, if any, grant a permit for the use of agricultural or wildlife fireworks, articles pyrotechnic, display fireworks, consumer fireworks, or special effects manufactured for outdoor pest control or agricultural purposes, or for public or private display within the City by other municipalities, fair associations, amusement parks, or other organizations or individuals approved by the City, if the applicable provisions of the Michigan Fireworks Safety Act, MCL 28.451, *et seq.*, are met. After a permit has been granted, a permit holder may sell, possess, or transport fireworks for only the purposes described in the permit. A permit granted under this subsection is not transferable and shall not be issued to a minor.

(2) Before a permit for articles pyrotechnic or a display fireworks ignition is issued, the person applying for the permit shall furnish proof of financial responsibility by a bond or insurance in an amount, character, and form deemed necessary by the City to protect the public and to satisfy claims for damages to property or personal injuries arising out

of an act or omission on the part of the person or an agent or employee of the person.

(3) A permit shall not be issued under this subsection to a nonresident person for ignition of articles pyrotechnic or display fireworks in this state until the person has appointed in writing a resident member of the bar of this state or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person may be served.

(4) Before granting of a permit under this subsection, the City shall rule on the competency and qualifications of an articles pyrotechnic and display fireworks operator, as furnished by the operator on the operator's application form, in accordance with the requirements provided under NFPA 1123, and on the time, place, and safety aspects of the display of articles pyrotechnic or display fireworks.

(5) The City may charge and collect a fee to issue a permit under this subsection and shall retain the collected fee.

Council member Dyer moved, supported by Hoogstra to approve first reading of Ordinance No. 2020-05 Fireworks as requested. 5 Yes. 0 No.

COMMUNICATIONS AND COMMITTEE REPORTS

CITY ATTORNEY REPORT: City Attorney report included in the packet.

CITY MANAGER REPORT: City Manager Guetschow stated that tonight's meeting was live streamed on Facebook. He stated in the event that social distancing continues this will be a way for people to still engage in the meetings. He reminded council that he will be on vacation next week.

COUNCILMEMBER COMMITTEE REPORTS:

- Council member McRae attended an EATRAN meeting and reported that they are still only running for essential business services.

PUBLIC COMMENT:

Michael Armitage, Mayor Pro-Tem, stated that he is recovering from a medical procedure and unable to attend tonight. He clarified that he was not challenging Chief Fullerton's integrity when asking for documentation of the overtime records for the Fire Department. He stated that he is concerned about having safe guards in place if the city was ever questioned. He congratulated Mayor Ridge on the next chapter of her career.

MAYOR AND COUNCIL COMMENTS:

- Council member Dyer asked if committee meetings would be returning to regular schedules. He congratulated Mayor Ridge on her new career.
- Council member McRae stated that he is encouraged with the communications aspect.

City Council Minutes 06-22-2020

Page 10 of 11

- Council member Hoogstra thanked everyone for their time.
- Mayor Ridge thanked Chief Brentar and Fullerton for their presentations. She thanked Martin Fabrik for his update on the fair. He thanked Ginger and Gregg and the council for their efforts in making the process easier.

Council member Dyer moved, seconded by Weissenborn to adjourn at 10:10 P.M. Carried. 5 Yes. 0 No

Mayor Yvonne Ridge

Ginger Terpstra, City Clerk, CMMC