

Minutes of the regular meeting of the City Commission held Monday, February 12, 2007, at 7:00 p.m., in the City Commission Room.

Mayor Joslin called the meeting to order and the Pledge of Allegiance was recited.

Commissioners Present: Mayor Joslin and Vice Mayor Bissell; Commissioners Holton, Kilmer, McGuire, Moreno and Spycher

Commissioners Absent: None

Others Present: City Manager Grinzinger, City Clerk Flynn and City Attorney Romashko

### Proclamations and Presentations

Mayor Joslin presented certificates and pins to Mike Harter and Janelle Joslin and recognized the following additional appointed board and commission members whose terms of service ended on December 31 or January 31:

<u>Member</u>	<u>Board or Commission</u>	<u>Years of Service</u>
Wyn Derry	Zoning Board of Appeals	2001 - 2007
Kim Ellertson	Board of Review	2005 - 2006
Brad Fahr	Fire and Police Retirement Board	1999 - 2007
Mike Harter	Planning Commission	2001 - 2007
Janelle Joslin	Downtown Development Board	2003 - 2007
William Kelley	Airport Advisory Board	2001 - 2007
Joe Simons	Building, Fire and Sanitary Sewer Board of Appeals	2001 - 2007
Gerri Wright	Board of Review	2003 - 2006

Finance Director Ridley presented cost summary and Buildings and Grounds Director Baderschneider presented construction time line for the West Broadway Revitalization Project.

### Public Input on Agenda Items

Mr. Mark Ranzenberger spoke and presented a written document to the Commission on the Open Meetings Act.

Received the following communications and petitions:

1. Commissioner Moreno received and read a letter of appreciation from Bob Walton, Chair Isabella County Farmland Preservation Board.
2. Letter from David Kerr regarding Mt. Pleasant city water and fluoride.
3. Building Safety and Code Enforcement (2006 Year-End Report)
4. Capital Projects Status Report (February)
5. Downtown Development Board (January)
6. Investment Report (Fourth quarter 2006)
7. Mt. Pleasant Housing Commission Minutes (December)
8. Parks and Recreation Commission Minutes (November)
9. Planning Commission Minutes (December, January)
- 9b. Division of Public Works (2006 Annual Report)

**Moved by Commissioner Holton and supported by Commissioner Kilmer to approve the following items on the Consent Calendar:**

1. Minutes of the regular meeting held January 22, 2007.
2. Exercise option to extend custodial contract for one year commencing March 1, 2007 thru February 29, 2008 with Royal Cleaning Services, Hemlock, MI, in the amount of \$84,767.84.
3. Consumers Energy electrical service agreements for the wastewater treatment plant and the Ranney Well pumping station.
4. Set special meeting date for February 26, 2007 at 5:30 p.m. for joint session with Planning Commission to review their 2006 Annual Report.

5. Reschedule public hearing on proposed revisions to the Housing Licensing Code from February 26, 2007 to March 26, 2007.
6. Reschedule special meeting of the City Commission previously set for February 20, 2007 to March 1, 2007 at 10:30 a.m. to discuss 2008 goals. Location unknown at this time.
7. Payrolls dated 1/5/2007 and 1/26/2007, check numbers 059319-059824, and warrants dated 01/18/07, check numbers 055926-056080, all totaling \$1,200,197.88.

**Motion unanimously adopted.**

A public hearing was held on revised Special Assessment Roll for Principal Shopping District S.A. #1-07.

The Commission received three (3) pieces of correspondence from Grace Church regarding special assessment.

The following individuals spoke to the Commission: Mr. Jason Tubbs, 1107 Watson Rd. spoke in opposition to lifting the CAP for non-profits. Ms. Janelle Joslin, 320 E. Illinois St. explained the history of the assessment. Mr. Rick Swindlehurst, 110 W. Michigan and Mr. Jeff Jakeway, 620 Cherry St. spoke in favor of the assessment. There being no further communications Mayor Joslin closed the hearing.

City Assessor Rowley addressed the Commission on corrections to the roll regarding 119 S. University and 214 S. Washington.

Moved by Commissioner Moreno and supported by Commissioner Spycher to approve the special assessment roll with the exception of 119 S. University to be reduced by \$7.00 and 214 S. Washington to be reduced by \$33.00.

AYES: Commissioners Bissell, Joslin, Holton, McGuire, Moreno and Spycher

NAYS: Commissioner Kilmer

ABSENT: None

Motion carried.

Mayor Joslin, without objection, suggested combining the scheduled two (2) public hearings into one (1) regarding the property at Broomfield and Crawford.

A public hearing was held regarding the property at Broomfield and Crawford Streets. Ms. Susan Griffith, 1338 S. Crawford phoned in her opposition to the development. Mr. Thompson Moffit, 1101 Watson Rd., Mr. Felix Famoye, 4472 Crawford and Mr. Donald Nagler, 1360 Tomah Dr. spoke in favor of leaving the property as PRD.

Mr. Rick McGuirk, 4117 E. Bluegrass and Mr. Tim Beebe, Central Michigan Surveying and Development, represented the landowners of the property and presented proposed development of the property to the Commissioners.

Moved by Commissioner Holton and supported by Vice Mayor Bissell to postpone making a decision on the Future Land Use Plan and Map contained in the 2006 Master Plan until additional information is available.

AYES: Commissioners Bissell, Joslin, Holton, Kilmer, McGuire and Moreno

NAYS: Commissioner Spycher

ABSENT: None

Motion carried.

Moved by Commissioner Holton and supported by Vice Mayor Bissell to postpone until March 26, 2007 the rezoning of property at the southwest corner of Broomfield and Crawford Roads until there is additional information prepared on conditional re-zoning and a rendering of the building is available. Motion unanimously adopted.

Moved by Commissioner Holton and supported by Commissioner Moreno to set a public hearing for March 26, 2007 at 7:00 p.m. on the Planning Commission's recommendation on

request to amend Planning Residential Development (PRD) Agreement for property at the southwest corner of Broomfield and Crawford Roads. Motion unanimously adopted.

Commissioners recessed at 9:02 p.m. and re-convened at 9:10 p.m.

Moved by Commissioner Holton and supported by Commissioner Kilmer to set a public hearing for February 26, 2007 at 7:00 p.m. on Antler Development Co., LLC's request for an Industrial Facilities Tax Exemption Certificate (PA 198) for property at 1790 Gover Parkway. Motion unanimously adopted.

The following Resolution 1 was offered by Commissioner Moreno and supported by Commissioner Holton:

WHEREAS, pursuant to provisions of the City Charter of the City of Mt. Pleasant and Chapter 33: TAXATION, Section 33.17 "Authority to Assess", of the Code of Ordinances, the City Commission of the City of Mt. Pleasant may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof,

AND, WHEREAS, the City Commission has tentatively deemed it to be in the public interest, health and welfare to reline sewer leads on Broadway Street from Main to Lansing prior to reconstructing the road in the City, Special Assessment District No. 2-07;

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Manager is directed to cause to be prepared a report which shall include all analysis and information required by Section 33.20 "Survey and Report", of the Code of Ordinances,
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the Commission.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Resolution unanimously adopted.

The following Resolution 2 was offered by Commissioner Moreno and supported by Commissioner Holton:

WHEREAS, the City Manager has prepared a report concerning certain public improvements in Special Assessment District No. 2-07, which includes all of the information to be included by Section 33.20 "Survey and Report" of the City's Code of Ordinances;

AND, WHEREAS, the City Commission has reviewed said report;

AND, WHEREAS, the City Commission of the City of Mt. Pleasant determines that it is tentatively necessary to acquire and construct the public improvements in the City of Mt. Pleasant more particularly hereinafter described in this resolution;

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Commission hereby tentatively determines that the public improvements described more particularly hereinafter provided for are necessary.
2. The total cost of said improvements is estimated to be \$106,000.00. \$53,000.00 shall be spread over the special assessment district as hereinafter described as a result of benefits to be received by the affected properties in the special assessment district. \$53,000.00 shall be paid by the City-at-large.
3. Said special assessment district shall consist of all the lots and parcels of land with a sewer lead that has not been reconstructed since 1997 as follows: reline sewer leads on Broadway Street from Main to Lansing. Special Assessment District No. 2-07;

4. Said estimated life of such public improvements is not less than fifteen (15) years.

5. The affected properties in the special assessment district shall be assessed in accordance with the relative portion of the sum to be levied in the district, as the benefit to the parcel of land bears to the total benefit to all parcels.

6. The aforesaid report shall be placed on file in the office of the City Clerk where the same shall be available for public examination.

7. The City Commission shall meet on February 26, 2007, at 7:00 p.m., Eastern Standard Time, in the City Commission Room, City Hall, 401 N. Main Street, for the purpose of hearing objections to the making of said public improvements.

8. The City Clerk is hereby directed to cause notice of said hearing to be published and mailed in accordance with applicable statutory and ordinance provisions.

9. All resolutions and parts of resolutions conflicting with the provisions of this resolution are hereby rescinded.

Resolution unanimously adopted.

Moved by Commissioner Moreno and supported by Commissioner Kilmer to authorize the Mayor and Clerk to execute an amendment of the City's original Brownfield Redevelopment Grant agreement with the Michigan Department of Environmental Quality for an additional \$812,110 for the West Broadway Revitalization Project. Motion unanimously adopted.

Vice Mayor Bissell read the following recommendations from the Appointments Committee for appointments to boards and commissions:

	<u>Term To Expire</u>
<b><u>Board of Review</u></b>	
Mary Cook, 206 East Drive	December 31, 2008
<b><u>Downtown Development Board</u></b>	
(Business Owner representatives)	
William Cain, 210 Court Street	January 31, 2010
Kriss Roethlisberger, 128 E. Broadway	January 31, 2011

Moved by Vice Mayor Bissell and supported by Commissioner Holton to approve the Appointments Committee's recommendations as presented. Motion unanimously adopted.

Moved by Commissioner McGuire and supported by Commissioner Moreno to enter into closed session to consult with the City Attorney regarding settlement strategy in connection with the pending litigation of City of Mt. Pleasant vs. MKC Group, L.L.C. and the Private Bank, Isabella County Trial Court, Case No. 06-1633B-GC, as an open meeting would have a detrimental financial effect on the settlement position of the City.

AYES: Commissioners Bissell, Joslin, Kilmer, McGuire, Moreno and Spycher  
NAYS: Commissioner Holton  
ABSENT: None  
Motion carried.

Announcements on City-related Issues and Concerns

1. Commissioner Moreno inquired regarding residential sidewalk snow removal.
2. Mayor Joslin would like to have discussions with Union Township on joint operations, such as the Wastewater Treatment Plant.
3. City Manager Grinzinger announced the appointment of Nancy Ridley as Assistant City Manager and Karen Humm as Human Resources Director.

The City Commission went into closed session at 9:22 p.m. and back into regular session at 9:37 p.m. A separate set of minutes was taken for the closed session.

Moved by Commissioner McGuire and supported by Commissioner Moreno to authorize the City Clerk and Mayor to execute a settlement agreement and release as approved by the City Attorney in the matter of the City of Mt. Pleasant vs. MKC Group, L.L.C. and the Private Bank, Isabella County Trial Court, Case No. 06-1633B-GC. Motion unanimously adopted.

Mayor Joslin announced that an informational meeting for the Commissioners to meet with Michigan Municipal League staff regarding State Shared Revenue lobbying is set for Tuesday, March 6, 2007 at 12:00 noon in the City Commission Chambers.

Mayor Joslin adjourned the meeting without objection at 9:40 p.m.

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Jon Joslin, Mayor

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Robert J. Flynn, City Clerk