

Minutes of the regular meeting of the City Commission held Monday, February 26, 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

1. Mayor Joslin read a Proclamation in support of Multiple Sclerosis Awareness Week - March 5 through 11, 2007.

2. Downtown Development Director Sponseller gave a presentation on proposed Town Center redesign and pavilion.

Received the following communications and petitions:

1. Letter of resignation from Airport Advisory Board member Matthew P. Schantz.
2. Letter of resignation from Diane K. Thomas, City representative on Chippewa River District Library Board of Trustees.
3. Charter Township of Union Board of Trustees Minutes (January)
4. Street Department and Motor Pool (January)
5. Wastewater Treatment Plant (January)
- 5(b). 2006 City Manager's Annual Report

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

1. WHEREAS, under the date of December 1, 2006, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 8-06 (Remove "Taxi Parking" signs and install Three-Hour parking signs on the east side of Court Street, north of Broadway.) Said temporary traffic control order was presented to the City Commission on February 26, 2007, for review and after reviewing said Temporary Traffic Control Order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 8-06 a permanent traffic control order.

2. WHEREAS, under the date of December 1, 2006, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 9-06 (Change the parking on the North side of Broadway Street, from Pine Street to Washington Street, to THREE HOUR PARKING.) Said temporary traffic control order was presented to the City Commission on February 26, 2007, for review and after reviewing said Temporary Traffic Control Order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 9-06 a permanent traffic control order.

3. WHEREAS, under the date of December 1, 2006, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 10-06 (Change parking signs in downtown parking lot 10 from Permit Parking to Ten-Hour Parking.) Said temporary traffic control order was presented to the City Commission on February 26, 2007, for review and after reviewing said Temporary Traffic Control Order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 10-06 a permanent traffic control order.

4. WHEREAS, under the date of December 1, 2006, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 11-06 (Change parking signage in downtown parking lots 3, 4, 5, and 6 from Three Hour Parking to Ten Hour Parking.) Said temporary traffic control order was presented to the City Commission on February 26, 2007, for review and after reviewing said Temporary Traffic Control Order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 11-06 a permanent traffic control order.

5. WHEREAS, under the date of December 1, 2006, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 12-06 (Install "NO PARKING 4 a.m. to 6 a.m." signs on streets within the boundary of Mosher to Illinois - Lansing to Pine, around Main Street to Broadway West Pine Street.) Said temporary traffic control order was presented to the City Commission on February 26, 2007, for review and after reviewing said Temporary Traffic Control Order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 12-06 a permanent traffic control order.

6. Received City requests for Saginaw Chippewa Indian Tribe two percent allocations.
7. Payrolls dated 2/23/2007, check numbers 059825-060044, and warrants dated 2/15/2007, check numbers 056081-056242, all totaling \$755,233.99.

**Motion unanimously adopted.**

Moved by Commissioner Holton and supported by Commissioner Kilmer to approve the minutes of the regular meeting held February 12, 2007, and the closed meeting held February 12, 2007. Motion unanimously adopted.

A public hearing was held on request from Antler Development Co., LLC for an Industrial Facilities Tax Exemption Certificate (PA 198) for property at 1790 Gover Parkway. There being no public comment or correspondence the Mayor closed the public hearing.

Moved by Commissioner Moreno and supported by Commissioner Spycher to grant Antler Development Co., LLC an Industrial Facilities Tax Exemption Certificate for property at 1790 Gover Parkway for twelve (12) years.

AYES: Commissioners Kilmer, McGuire, Moreno and Spycher

NAYS: Commissioners Bissell, Holton and Joslin

ABSENT: None

Motion carried.

A public hearing was held on the necessity of Special Assessment District No. 2-07; reline sewer leads on Broadway Street from Main to Lansing. There being no public comment or correspondence received the Mayor closed the public hearing.

The following Resolution No. 3 was offered by Commissioner Holton and supported by Commissioner McGuire:

WHEREAS, the City Commission, after due and legal notice, has met and heard all interested persons to be affected by the proposed public improvements hereinafter described;

AND, WHEREAS, the City Commission deems it advisable and necessary to proceed with Special Assessment No. 2-07;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines to reline sewer leads on Broadway Street from Main to Lansing that have not been reconstructed since 1997, in the City, Special Assessment District No. 2-07.

2. The plans, profiles and specifications previously prepared by the City Manager are hereby approved.

3. The Commission hereby approves the detailed estimates of cost and determines that of said total estimated cost of \$106,000, \$53,000 shall be paid by special assessments upon the properties specially benefited, and that \$53,000 shall be the obligation of the city-at-large because of the benefit to the city-at-large.

4. The City Assessor is directed to prepare a special assessment roll in accordance with the Commission's determination.

5. When the Assessor has completed the assessment roll he shall file the roll with the City Clerk for presentation to the Commission.

6. All resolutions and parts of resolutions conflicting with the provisions of this resolution be and the same hereby are rescinded.  
Resolution unanimously adopted.

The following Resolution No. 4 was offered by Commissioner Holton and supported by Commissioner McGuire:

WHEREAS, the Assessor has prepared the special assessment roll for Special Assessment District No. 2-07 to special assess that portion of the cost of the public improvements to the properties specially benefited by said public improvements, and the same has been presented to the City Commission by the City Clerk.

WHEREAS, the district is described as: reline sewer leads that have not been reconstructed since 1997 on Broadway Street from Main to Lansing in the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is accepted and will be on file in the office of the City Clerk for public examination.

2. The City Commission shall meet at City Hall, 401 N. Main Street, Mt. Pleasant, Michigan, at 7:00 p.m., Eastern Standard Time, on March 12, 2007, to hear all persons interested in reviewing the special assessment roll, and shall be afforded an opportunity to be heard, and the City Clerk is directed to publish and mail, in accordance with applicable statutory and ordinance provisions, the notice of hearing.

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.

Moved by Commissioner Holton and supported by Commissioner Moreno to adopt an Ordinance to amend § 154.172 "AMENDMENTS AND MAP CHANGES", of the Zoning Ordinance of the Code of Ordinances of the City of Mt. Pleasant to permit conditional rezoning. Planning Director Kulick and Attorney Eric Williams presented an overview and answered questions. Motion unanimously carried.

Moved by Commissioner Holton and supported by Commissioner Kilmer to set a public hearing for March 12, 2007 at 7:00 p.m. to consider adoption of an ordinance to amend Title IX, Chapter 98, Streets And Sidewalks, of the Code of Ordinances, to prohibit soliciting on streets and impeding traffic. Received a letter from Mr. Steve A. Redder of Mt. Pleasant. Motion unanimously adopted.

Moved by Commissioner McGuire and supported by Commissioner Holton to set a public hearing on Michigan Natural Resources Trust Fund grant application for March 12, 2007 at 7:00 p.m. Motion unanimously adopted.

Moved by Commissioner Holton and supported by Commissioner Spycher to set a public hearing on Access Recreation grant application for March 12, 2007 at 7:00 p.m. Motion unanimously adopted.

Moved by Commissioner Holton and supported by Vice Mayor Bissell to set a public hearing on the City's request to vacate a portion of Broadway Street right-of-way west of Bradley Street for March 26, 2007 at 7:00 p.m. Motion unanimously adopted.

Moved by Commissioner Moreno and supported by Commissioner Spycher to remit payment in the amount of \$15,000 to Mr. James Tischler for preparation of Brownfield district.

AYES: Commissioners Joslin, Kilmer, McGuire, Moreno and Spycher  
NAYS: Commissioners Bissell and Holton  
ABSENT: None

Motion carried

Moved by Commissioner Holton and supported by Vice Mayor Bissell to enter into closed session to consult with the City Attorney regarding trial strategy in connection with pending litigation, as an open meeting would have a detrimental financial effect on the litigation position of the City. Motion unanimously adopted.

Announcements on City-related Issues and Concerns

Commissioner Moreno discussed the possibility of adding additional members to the Diversity Committee.

The meeting recessed at 7:50 p.m. and reconvened at 7:57 p.m.

The City Commission went into closed session at 7:57 p.m. and back into regular session at 8:41 p.m. for adjournment. A separate set of minutes was taken for the closed session.

Moved by Commissioner Holton and supported by Commissioner McGuire that the meeting be adjourned at 8:42 p.m.

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Jon Joslin, Mayor

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Robert J. Flynn, City Clerk