

Minutes of the regular meeting of the City Commission held Monday, February 9, 2009, at 7:00 p.m., in the City Commission Room.

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

Commissioners Present: Mayor Holton and Vice Mayor Kilmer; Commissioners Joslin, McGuire and Palmer

Commissioners Absent: Commissioners Ling (excused) and Tilmann (excused)

Others Present: City Manager Grinzinger, City Clerk Howard and City Attorney Smith

Received the following petitions and communications:

1. Capital Projects Status Report (January)
2. Investment Report (Fourth Quarter 2008)
3. Mt. Pleasant Parks and Recreation Commission Minutes (December)
4. Mt. Pleasant Planning Commission Minutes (December)
5. Mt. Pleasant Zoning Board of Appeals Minutes (November)
6. Mt. Pleasant Parks and Recreation Commission recommendation regarding Spray Park
7. Water Activity Report (January).

Item #11 "Consider agreement with VSI to purchase software upgrades and hardware to allow for credit card payment for Parks and Recreation services" was removed from the consent calendar.

Moved by Commissioner Joslin and supported by Vice Mayor Kilmer to approve the following items on the Consent Calendar:

1. Minutes of the regular meeting and the closed meeting held January 26, 2009.
2. BE IT RESOLVED, that Isabella Bank, National City Bank, and First Bank, or their successors (herein called the "Depositories") be, and are hereby designated, depositories of this city and that funds so deposited may be withdrawn upon a check, draft, note or order of the city,
BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against said accounts, except as noted below, be signed and countersigned by any two of the following, with exception of the flexible spending and health care checking account, which do not require a countersignature:

Nancy J. Ridley, Finance Director
Mary Ann Kornexl, Treasurer
Jeremy Howard, City Clerk
Christopher Saladine, Financial and System Analyst

whose signatures have been duly certified to said Depositories and that no checks, drafts, notes or orders drawn against said Depositories shall be valid unless so signed.

BE IT FURTHER RESOLVED, that these designated individuals have authority to process the Automated Clearing House (ACH) transactions within bank accounts for electronic transfers.

BE IT FURTHER RESOLVED, that the athletic event account checks be signed and countersigned by any two of the following:

Chris Bundy, Director of Recreation & Sports
Eric VanHevel, Sports & Athletics Coordinator
Nancy J. Ridley, Finance Director
Mary Ann Kornexl, Treasurer

3. Amendments to Purchasing Policy. (See City Commission Exhibit 1-2009.)

4. WHEREAS, under the date of November 10, 2008, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 1-09. (Install "Stop" signs, northbound and southbound, on the south side of Hopkins Street at the pedestrian crossing.) Said temporary traffic control order was presented to the City Commission on February 9, 2009, for review and after reviewing said temporary control order and being fully advised in the premises,
BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 1-09 a permanent traffic control order.
5. WHEREAS, under the date of November 10, 2008, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 2-09. (Install "NO PARKING HERE TO DRIVE" signs on the west side of Washington Street for the driveway south of Sweeney Seed Company.) Said temporary traffic control order was presented to the City Commission on February 9, 2009, for review and after reviewing said temporary control order and being fully advised in the premises,
BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 2-09 a permanent traffic control order.
6. WHEREAS, under the date of November 10, 2008, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 3-09. (Install "NO PARKING HERE TO CORNER" signs on Wisconsin, immediately west of Arnold.) Said temporary traffic control order was presented to the City Commission on February 9, 2009, for review and after reviewing said temporary control order and being fully advised in the premises,
BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 3-09 a permanent traffic control order.
7. WHEREAS, under the date of November 10, 2008, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 4-09 (Install "NO PARKING SIGNS" on the west side of Douglas, from May to Clayton.) Said temporary traffic control order was presented to the City Commission on February 9, 2009, for review and after reviewing said temporary control order and being fully advised in the premises,
BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 4-09 a permanent traffic control order.
8. Payrolls dated 1/26/09 and 2/4/09 check nos. 3992-4043 and DD3680-DD3830 and warrants dated 1/29/09, 2/4/09 and 2/5/09, check numbers 5169-5321, all totaling \$852,282.11.

Motion unanimously adopted.

A public hearing was held on Central Business District (CBD) - Tax Increment Finance Authority (TIFA) Plan Amendment. There being no comments or correspondence, Mayor Holton closed the public hearing.

Moved by Commissioner McGuire and supported by Vice Mayor Kilmer to adopt the 4th Amendment to the Central Business District (CBD) - Tax Increment Finance Authority (TIFA) Plan by Resolution as follows:

A RESOLUTION TO APPROVE THE FOURTH AMENDMENT TO THE CENTRAL BUSINESS DISTRICT IMPROVEMENTS DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN PROPOSED BY THE CITY OF MT. PLEASANT TAX INCREMENT FINANCING AUTHORITY AND TO PROVIDE FOR THE COLLECTION OF TAX INCREMENT REVENUES

WHEREAS, pursuant to Act No. 450 of the Public Acts of 1981, as amended (the "Act"), the City of Mt. Pleasant (the "City") is authorized to establish a tax increment financing authority; and

WHEREAS, the City established the City of Mt. Pleasant Tax Increment Financing Authority ("TIF A") pursuant to a Resolution adopted on December 21, 1981; and

WHEREAS, the City adopted the Central Business District Improvements Development Plan and Tax Increment Financing Plan (the "Plan") and established the Central Business District Development Area of the TIFA (the "Development Area") by a Resolution adopted on April 15, 1985; and

WHEREAS, the Plan contains a Development Plan (the "Development Plan") and a Tax Increment Financing Plan (the "Tax Increment Financing Plan"); and

WHEREAS, pursuant to Section 18 of the Act, the Plan may be modified if the modification is approved by the City Commission after complying with such notice and public hearing requirements as were required for the approval of the original Plan; and

WHEREAS, the TIFA Board has prepared the Fourth Amendment to the Plan which is attached to this Resolution as Exhibit A, and incorporated by reference (the "Fourth Amendment"); and

WHEREAS, the City Commission has made certain findings and has determined that approval of the Fourth Amendment is in the best interest of the City and necessary to achieve the purposes of the Act.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Definitions. The terms used in this Resolution shall have the same meaning given them in the Act, unless the context clearly indicates to the contrary.

2. Public Purpose. The City Commission finds and confirms the continued necessity to halt property value deterioration, to eliminate the causes of such deterioration and to promote economic growth, and hereby determines that the Fourth Amendment adopted by the TIFA Board on December 19, 2008 constitutes a public purpose.

3. Considerations. In accordance with Section 18 of the Act, the City Commission has considered the factors enumerated in that section and herein stated, making the following determinations:

- (a) There being no zoning changes or taking of property by eminent domain required by the Fourth Amendment, a development area citizens council was not formed.
- (b) The Development Plan meets the requirements set forth in Section 16(2) of the Act.
- (c) The proposed method of financing the development is feasible and the TIF A has the ability to arrange the financing.
- (d) The development is reasonable and necessary to carry out the purposes of the Act.
- (e) The amount of captured assessed value estimated to result from adoption of the Fourth Amendment is reasonable.
- (f) Any land to be acquired within the Development Area is reasonably necessary to carry out the purposes of the Plan and of the Act.
- (g) The Development Plan is in reasonable accord with the City's master plan.
- (h) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.
- (i) Changes in zoning, streets, street levels, intersections and utilities are reasonably necessary for the project and for the municipality.

4. Meetings. Representatives of all taxing jurisdictions within which all or a portion of the Development Area lies have had reasonable opportunity to present their opinions and comments regarding the Fourth Amendment to the City Commission.

5. Public Hearing. The City Commission has held a public hearing on the Fourth Amendment with notice properly given in accordance with Section 17 of the Act, and the City Commission has provided an opportunity for all interested persons to be heard regarding the Fourth Amendment.

6. Approval. The Fourth Amendment is hereby approved in the form attached hereto as Exhibit A.

7. Development Area. The Development Area as set forth and described in the Plan as continued in the Fourth Amendment is ratified and confirmed.

8. Transmittal of Revenues. The City Treasurer shall transmit to the TIF A that portion of the tax levy of all taxing bodies paid each year on real and personal property in the Development Area on the captured assessed value as set forth in the Tax Increment Financing Plan.

9. Repeal. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

YEAS: Commissioners Holton, Joslin, Kilmer, McGuire and Palmer

NAYS: None

ABSTAIN: None

ABSENT: Commissioners Ling and Tilmann

Resolution unanimously adopted.

Moved by Commissioner McGuire and supported by Vice Mayor Kilmer to approve an agreement with VSI for the purchase and installation of software upgrades and hardware to allow for credit card payment for Parks and Recreation services and authorize the Mayor and City Clerk to sign same. Motion unanimously adopted.

Moved by Commissioner Palmer and supported by Commissioner Joslin to approve an easement through Chipp-A-Waters Park and direct staff to work with the City Attorney to draft appropriate easement language to be signed by the Mayor and City Clerk. Motion unanimously adopted.

Moved by Vice Mayor Kilmer and supported by Commissioner McGuire to enter into closed session pursuant to subsection 8(d) of the Open Meetings Act to discuss the possible purchase or lease of real property.

AYES: Commissioners Holton, Kilmer, Joslin, McGuire and Palmer

NAYS: None

ABSENT: Commissioners Ling and Tilmann

Motion carried.

Announcements on City-Related Issues and Concerns

Vice Mayor Kilmer announced that "A Good Man, Charlie Brown" will be playing at the Broadway Theatre February 13th, 14th and 15th.

City Manager Grinzinger announced Founders Day celebration February 11th and that the Council of Governments will be meeting at City Hall on February 18th.

Mayor Holton announced that the City was recently presented a Vision 20/20 award.

Public Comment on Agenda and Non-Agenda Items

Andrew Thibodeau, 1208 Harold Ave., commented that he thinks the City should initiate a policy for utilizing alternative and sustainable energy outlets.

The City Commission went into a closed session at 7:20 p.m. A separate set of minutes was taken for the closed session. The Commission went back into open session at 7:27 p.m.

Moved by Vice Mayor Kilmer and supported by Commissioner Joslin that the meeting adjourn at 7:28 p.m. Motion unanimously adopted.

James Holton, Mayor

Jeremy Howard, City Clerk