

Minutes of the special joint meeting of the City Commission, Planning Commission, and Zoning Board of Appeals held Monday, August 8, 2011, at 6:02 p.m., in the City Commission Room.

Zoning Board Commission Chairman Jack White opened the meeting at 6:02 p.m.

City Commissioners Present: Mayor Kilmer and Vice Mayor Ling; Commissioners English, Holton, Joslin, Robinette and Tilmann

City Commissioners Absent: None

Planning Commissioners Present: Brockman, Holtgreive, Kostrzewa, Lux, Orlik, Quast and Shellady

Planning Commissioners Absent: Rautanen and Smith

Zoning Board of Appeals Members Present: White, Kulick, Brockman, Ellertson and Palm

Zoning Board of Appeals Members Absent: Rowley

Zoning Board of Appeals Chairman White, Planning Commission Chairperson Orlik and Mayor Kilmer all stated they had a quorum of their Board or Commission present.

Staff Present: City Manager Grinzinger, City Clerk Howard, Director of Planning & Community Development Gray, Building Official Kench and City Attorney Smith

Chairman White began the discussion on concerns regarding review and approval of redevelopment of student housing projects over the past year.

Discussion ensued.

There was general agreement that the outcome of the projects was very desirable. Several City Commissioners suggested that they were concerned about the process being followed and asked whether it was time to amend the Zoning Ordinance to better reflect the changing housing needs in that section of the City.

The meeting was adjourned at 6:50 p.m.

Respectfully Submitted,

Jeremy Howard, City Clerk

Minutes of the regular meeting of the City Commission held Monday, August 8, 2011, at 7:01 p.m., in the City Commission Room.

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

Commissioners Present: Mayor Kilmer and Vice Mayor Ling; Commissioners English, Holton, Joslin, Robinette and Tilmann

Commissioners Absent: None

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

Proclamations and Presentations

Mayor Kilmer presented a Neighborhood Mini Grant in the amount of \$500.00 to Riverview Residents Council Committee.

Additions to Agenda

Add to Item #13 "Consider closed session pursuant to subsection 8(h) of the Open Meetings Act to discuss a legal opinion from legal counsel."

Received the following petitions and communications:

1. Parks and Recreation Commission Minutes (May)
2. Mt. Pleasant Housing Commission Minutes (June)
3. Planning Commission Work Session Minutes (June)
4. Planning Commission Minutes (June)
5. Zoning Board of Appeals Minutes (June)

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

1. Minutes of the regular meeting of the City Commission held July 25, 2011.
2. Extend contract with Synagro Central, LLC of DeWitt, Michigan for three years for the removal, hauling, and land application of biosolids through July 31, 2014 in an amount not to exceed \$50,000.00 annually.
3. WHEREAS, Michigan Election Law, MCL 168.679a, provides that the legislative body of a city or township may, by resolution, approve the establishment of one or more "receiving boards" to administer any upcoming election scheduled in the jurisdiction within a calendar year,
WHEREAS, appointments to serve on a receiving board shall be made by the Local Election Commission. The receiving board shall consist of not less than 2 inspectors per board and shall have equal number from each major political party,
NOW, THEREFORE, BE IT RESOLVED, that the City Commission orders that a receiving board shall be established to administer elections scheduled to be held in 2011.
4. Payrolls dated 8/5/11 and warrants dated 7/27/11 and 8/4/11 all totaling \$871,209.37.

Motion unanimously adopted.

A public hearing was held on the necessity of Principal Shopping District Special Assessment District No. 1-12 and to consider Resolutions 3 and 4 to commence the proceedings for Special Assessment and set public hearing for August 22, 2011, regarding Special Assessment roll. There being no public comment or communications received, the Mayor closed the public hearing.

The following Resolution No. 3 was offered by Vice Mayor Ling and supported by Commissioner Robinette:

WHEREAS, the City Commission, after due and legal notice, has met and heard all interested persons to be affected by the proposed funding for the operations of the Principal Shopping District hereinafter described;

AND, WHEREAS, the City Commission deems it advisable and necessary to proceed with Special Assessment No. 1-12.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines to provide funding for the Principal Shopping District, in the City, Special Assessment District No. 1-12.

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

3. The Commission hereby approves the detailed estimates of the special assessment district's cost to be \$186,300. \$85,000 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. \$101,300 shall be paid by 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 are and the same hereby are rescinded.

Resolution unanimously adopted.

The following Resolution No. 4 was offered by Vice Mayor Ling and supported by Commissioner Robinette:

WHEREAS, the Assessor has prepared a revised special assessment roll for Special Assessment District No. 1-12 to special assess to provide funding for the operations of the Principal Shopping District, and the same has been presented to the City Commission by the City Clerk.

WHEREAS, the district is described as all the lots and parcels of land as follows: all lots in the Principal Shopping District, as established by the City Commission at the February 24, 2003 meeting, and amended at the November 14, 2005 meeting.

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, 320 W. Broadway Street, Mt. Pleasant, Michigan, at 7:00 p.m., Daylight Savings Time, on August 22, 2011, 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.

A public hearing was held on the application of Gingko Tree Inn for a Redevelopment Liquor License at 309 N. Main Street.

Ann and Peter Reale, 233 N. Main Street, spoke in opposition of granting the Redevelopment Liquor License to Gingko Tree Inn.

There being no other public comments or communications received, the Mayor closed the public hearing.

Moved by Commissioner Holton and supported by Commissioner English to approve the following Resolution in support of granting a Redevelopment Liquor License to Gingko Tree Inn at 309 N. Main Street, Mt. Pleasant, Michigan.

WHEREAS, the City Commission has established a Redevelopment Liquor License Development District pursuant to Act 501 of Public Acts 2006 436.1521a(1)(b), and;

WHEREAS, the City of Mt. Pleasant Central Business District Tax Finance Authority (CBD TIFA) and Mission/Pickard Street Downtown Development Authority (DDA) have realized considerable public and private investment within the past five years, and;

WHEREAS, the CBD TIFA and DDA districts were established under appropriate statutory provision, and;

WHEREAS, the City of Mt. Pleasant shall provide the Michigan Liquor Control Commission a map clearly outlining the boundaries of the Redevelopment Liquor License Development District, and;

WHEREAS, the City Commission finds that Jean Prout meets the local Redevelopment Liquor License policy, including:

- * A substantial investment of over \$400,000;
- * Creation of 3 FT and 15 PT jobs;
- * Adaptive reuse and architectural enhancement to a previously vacant building;
- * Development consistent with the City's adopted goals and objectives;
- * Use compatible with surrounding properties.

WHEREAS, the City of Mt. Pleasant shall provide to the Michigan Liquor Control Commission an affidavit from the City Assessor, as certified by the City Clerk, stating the total amount of public and private investment in real and personal property with the selected portion of CBD TIFA and DDA districts, which shall not be less than \$200,000 for each license requested, over the preceding time periods, and,

NOW BE IT THEREFORE RESOLVED, the City Commission hereby approves the request from Jean Prout, "ABOVE ALL OTHERS" for a new Class C license under 436.1521a(1)(b), to be permitted at 309 N. Main Street, Mt. Pleasant, Isabella County, Michigan.

Resolution unanimously adopted.

Moved by Commissioner Holton and supported by Commissioner Robinette to accept a \$99,743.00 Advanced Lighting Technology Demonstration Grant from the Michigan Energy Office and authorize Finance Director Nancy Ridley to execute necessary documents. Motion unanimously adopted.

Moved by Commissioner Holton and supported by Commissioner English to enter into closed session pursuant to subsection 8(e) of the Open Meetings Act to consult with counsel regarding pending litigation and subsection 8(h) of the Open Meetings Act to discuss a legal opinion from legal counsel.

AYES: Commissioners English, Holton, Joslin, Kilmer, Ling, Robinette and Tilmann
NAYS: None
ABSENT: None
Motion carried.

Announcements on City-Related Issues and Concerns

Commissioner Tilmann announced that the Isabella County Council of Governments will be holding their annual meeting at 7:00 p.m. on Wednesday, August 17, 2011, at Isabella Township Park. Tickets are still available for \$15.00 at the Isabella County Building Administrator's Office and at the park.

Commissioner Joslin announced that the Mardi Gras Committee is still looking for input from Commissioners on if they should continue discussing potentially getting Commission approval to apply for patio extensions that would allow bars to rope off to the center of the streets in front of their businesses. He also announced that Max and Emily's next downtown concert will be held August 20, 2011, and that Jeff Daniels and Brian Vander Ark will be performing. He also thanked Max and Emily's for continuing to put on the summer concerts.

Vice Mayor Ling announced that she contacted Senator Emmons recently about Revolving Loan Fund issues and wanted to let the Commission and public know that the Senator has been following up on the issue and it is appreciated.

Public Comment on Agenda and Non-Agenda Items

Ann and Peter Reale, 233 N. Main St., spoke in opposition of the granted Redevelopment Liquor License for Gingko Tree Inn.

WORK SESSION

A work session was held for the purpose of discussing County-wide Records Management System.

Public Safety Director Anthony Gomez and Lieutenant Paul Lauria gave a presentation on the proposed County-wide Records Management System.

Discussion ensued.

The Commission recessed at 8:02 p.m. and entered into closed session at 8:10 p.m. The Commission went back into regular session at 8:42 p.m. A separate set of minutes was taken for the closed session.

Mayor Kilmer adjourned the meeting at 8:43 p.m. without objection.

Bruce Kilmer, Mayor

Jeremy Howard, City Clerk