

Minutes of the regular meeting of the City Commission held Monday, October 14, 2013 at 7:00 p.m. in the City Commission Room.

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

Commissioners Present: Mayor Ling and Vice Mayor Tilmann; Commissioners English, Joslin, Rautanen and Sous

Commissioners Absent: Commissioner Holton

Others Present: Assistant City Manager Ridley, City Clerk Howard and City Attorney Smith

Proclamations and Presentations

Assistant City Manager/Director of Finance Ridley introduced John Zang as the new Division of Public Works Director.

Phil Baron from Walker Parking Consultants gave a presentation on the residential parking study that was recently conducted. Discussion ensued.

Additions to Agenda

Item #27, "Authorize the City Attorney firm of Clark Hill to consult with and share the City's legal files with the law firm of Dickinson Wright for the next 30 days." was added to the agenda.

Public Input on Agenda Items

Candy Tomlinson, 1 W. Mosher, asked that the Friends of the Dog Park be corrected in the proposed resolution to a "501(C)3 organization" rather than a committee.

Donald Nagler, Parks and Recreation Commission Commissioner and Ken Hoffmeister, Friends of the Dog Park, spoke in favor of the proposed Dog Park.

Mary Frietag, Union Township resident, spoke in opposition to the proposed Dog Park.

Receipt of Petitions and Communications

Received the following petitions and communications:

1. Mt. Pleasant Parks and Recreation Commission Minutes (July)
2. Mt. Pleasant Zoning Board of Appeals Minutes (August)
3. Mt. Pleasant Planning Commission work session Minutes (September)
4. Mt. Pleasant Planning Commission regular meeting Minutes (September)
5. Principal Shopping District Board Minutes (July)
6. Principal Shopping District Board Minutes (August)

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

1. Minutes of the regular meeting of the City Commission held September 23, 2013.
2. Minutes of the special meeting of the City Commission held September 30, 2013.
3. Minutes of the closed session of the City Commission held September 30, 2013.
4. Minutes of the special joint meeting of the City Commission and Union Township Board held September 30, 2013.
5. Bid for the purchase of an estimated 500 tons of road salt for ice control for the 2013-2014 winter season through the State's MiDeal Extended Purchasing Program at a cost of \$51.51 per ton for an estimated amount of \$25,750.00.

6. Bid of Shults Equipment, Inc. of Ithaca, Michigan in the amount of \$95,600 for the purchase of two chassis-mounted V-box spreaders, two underbody scrapers and two front plow hitches.
7. Acceptance of an Easement from PNC Bank to allow for the realignment of Fairfield Drive east of Mission Street.
8. Resolution in support of PlacePlans grant for downtown.

WHEREAS the City of Mt. pleasant has been invited to submit an application for PlacePlans, a joint project by the Michigan Municipal League, Michigan State Housing Development Authority, and Michigan State University's School of Planning, Design and Construction with \$6,000 in local match funds, and

WHEREAS the project is identified as the City of Mt. Pleasant Town Center Redesign project, and

WHEREAS the City of Mt. Pleasant will use the PlacePlans create a community-driven vision for a new design of Town Center and,

WHEREAS the project is consistent with the City's Master Plan, Capital Improvement Plan, and Downtown Blueprint and,

WHEREAS the Town Center project can assist the City in attracting and retaining talent by offering a unique placemaking asset, making Mt. Pleasant more attractive to millennials and those who are knowledge-based talent and,

WHEREAS redesigning Town Center will help nurture what is special about downtown Mt. Pleasant; the cultural events, public art, great views, and diversity of small businesses will all work to enhance Mt. Pleasant's reputation as a great place to live and an exciting place to visit and,

NOW THEREFORE IT BE RESOLVED that the Mt. Pleasant City Commission supports the application to the PlacePlans program and hereby authorizes the City Manager to sign and submit the necessary application documents.

9. Payrolls dated September 27 and October 11, 2013 and warrants dated September 25, October 3, 9 and 10, 2013 all totaling \$1,218,742.20.

Motion unanimously adopted.

A public hearing was held on the proposed Ordinance to Amend Chapter 110 GENERAL LICENSING, Sections 110.11, 110.27 and 110.99 and add a new Section 110.28 of the Code of Ordinances of the City of Mt. Pleasant to clarify language of the existing ordinance and add appropriate sections allowing Mobile Food Service Providers to operate in specific areas of the city under certain parameters. There being no public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Joslin and supported by Vice Mayor Tilmann that Ordinance 982, an Ordinance amending Chapter 110 GENERAL LICENSING, Sections 110.11, 110.27 and 110.99 and adding a new Section 110.28 of the City of Mt. Pleasant Code of Ordinances having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners English, Joslin, Ling, Rautanen, Sous and Tilmann

NAYS: None

ABSENT: Commissioner Holton

Motion carried.

A public hearing was held on the application of Dayco at 1799 Gover Parkway to create an Industrial Facility Tax Abatement. Brian Anderson, MMDC President, 200 E. Broadway St., spoke in favor of the Industrial Facilities Tax Abatement application for Dayco but indicated that it may be withdrawn this year and resubmitted next year. There being no additional public comment or communications, the Mayor closed the public hearing. No action was taken by the Commission.

A public hearing was held on the application of On The Mark at 801 Industrial Drive to create an Industrial Facility Tax Abatement. Brian Anderson, MMDC President, 200 E. Broadway, spoke in favor of the Industrial Facilities Tax Abatement application for On The Mark. There being no additional public comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Rautanen and supported by Vice Mayor Tilmann to approve the Application of On The Mark for Industrial Facilities Exemption Certificate for Personal Property in the amount of \$160,689.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on August 3, 1981, the City Commission of the City of Mount Pleasant by resolution established Industrial Park North as an Industrial Development District; and

WHEREAS, On The Mark, has filed an application for an Industrial Facilities Exemption Certificate with respect to new personal property to be installed within the Industrial Park North; and

WHEREAS, before acting on said application, the City Commission of the City of Mount Pleasant held a hearing on October 14, 2013, at Mount Pleasant City Hall, at 7:00 pm, at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment had not begun earlier than six (6) months before September 6, 2013, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Mount Pleasant; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad Valorem taxes within the City of Mount Pleasant, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Commission of the City of Mount Pleasant that:

1. The City Commission finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Mount Pleasant, or impairing the financial soundness of a taxing unit which levies ad Valorem property taxes in the City of Mount Pleasant
2. The application from On The Mark for an Industrial Facilities Exemption Certificate, with respect to a New Personal Property on the following described parcel of real property situated within Industrial Park North, to wit:

T14N, R4W, ISABELLA COUNTY, CITY OF MOUNT PLEASANT, MT PLEASANT INDUSTRIAL PARK-NORTH, LOT 1.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of six (6) years.

Motion unanimously adopted.

A public hearing was held on the proposed Ordinance to Amend the Zoning Ordinance of the City of Mt. Pleasant to create a U-University District. There being no public comment or communications, the Mayor closed the public hearing. No action was taken by the Commission.

Moved by Commissioner Sous and supported by Commissioner Rautanen to approve the bid of R & T Murphy Farms and Trucking, LLC of Mt. Pleasant, Michigan for the 2013 Yard Waste Removal Equipment and Operators project at a cost of \$84.49 per

hour, for a total not-to-exceed \$25,000. Street Superintendent Bob Murphy is a co-owner with a financial interest in R&T Murphy Trucking. No City staff and/or resources/facilities will be used in fulfilling the contract terms.

AYES: Commissioners English, Joslin, Rautanen, Sous and Tilmann
 NAYS: Commissioner Ling
 ABSENT: Commissioner Holton
 Motion carried

Moved by Commissioner English and supported by Vice Mayor Tilmann to approve the following Resolution setting annual fees for Vendor/Mobile Food Service Providers:

WHEREAS, Title 11, Chapter 110 of the Code of Ordinances of the City of Mt. Pleasant requires that the City Commission from time to time set by resolution the annual fees for the several businesses, activities or things requiring licenses under this chapter,
 NOW, THEREFORE, BE IT RESOLVED, that the annual fees for the several businesses, activities or things requiring licenses under Section 110.11 of the Code of Ordinances of the City of Mt. Pleasant are set as follows:

<u>LICENSE</u>	<u>FEE</u>
1. Auctioneers: Per calendar year	\$ 60.00
Per day	10.00
2. Circus, menagerie, carnival, exhibition, side show: First day	125.00
Each subsequent day	50.00
*\$1,000,000 liability insurance naming City as additional insured.	Yes
3. Junk/salvage yards: Per calendar year	50.00
*Bond in sum of \$500 required	Yes
4. Mobile Food Service Provider Per calendar year	1,000.00
*Fee waived if currently licensed and using truck/trailer as Transient Merchant	
5. Pawn brokers: Per calendar year	100.00
*Bond in sum of \$3,000 required	Yes
6. Peddlers: Per calendar year	100.00
7. Taxi-Cab - Company - Per calendar year	50.00
Taxi-Cab - Per Taxi - Per calendar year	25.00
Taxi-Cab Driver - Per calendar year	30.00
8. Transient Merchant Per calendar year	1,000.00
*Fee waived if currently licensed and using truck/trailer as Mobile Food Service Provider	
9. Look up fee - ICHAT system (Additional fee - applies to all licenses)	10.00

Motion unanimously adopted.

Moved by Vice Mayor Tilmann and supported by Commissioner Sous to approve a five year agreement with the Charter Township of Union for Fire Protection Services and authorize the Mayor and Clerk to sign the agreement. Motion unanimously adopted.

Moved by Vice Mayor Tilmann and supported by Commissioner Sous to approve the following resolution in support of a Dog Park.

WHEREAS, City and Township planning processes have both indicated an interest in a dog park

WHEREAS, the grass roots Friends of the Dog Park 501(C)3 organization (FDP) completed a survey of residents and an analysis of sites

WHEREAS, the City and Township agreed to share in the cost of obtaining a design and estimated costs of a dog park potentially constructed at Mission Creek Park in the City

WHEREAS, an RFP was issued for the design and Rowe, Inc. was the successful bidder and the City and Township each agreed to pay \$2,582 toward the costs for Rowe's design services

WHEREAS, Rowe, Inc. provided three designs for the park, the FDP offered a fourth lower cost design and the City provided an amended recommendation of the FDP design which has now been commonly been referred to as the Functional Design Option

WHEREAS, the Functional Design Option has an estimated construction cost of \$117,600 and estimated annual operating costs of approximately \$14,500

NOW THEREFORE BE IT RESOLVED THAT the City hereby agrees to the following:

1. Support for The Functional Design Option at Mission Creek Park
2. The costs for this option will be split three ways between the City, Township and the FDP at an estimated cost of no more than \$39,200 each
3. Both City and Township leaders will work with the FDP to pursue grants and donations to assist in the construction costs
4. Any grants or potential Saginaw Chippewa Tribal 2% allocations received will be used to equally reduce the expected contribution from the three entities
5. Once the funds are received from the FDP commitment, the City will issue bids for the construction of the Functional Design and both the City and Township will approve a formal agreement regarding the construction of the park, to equally share in the annual net maintenance costs of the park, and to address any other issues related to the joint project
6. Upon confirmation of all of the financial contributions for construction and maintenance, the City will award a bid and oversee the construction of the project

AYES: Commissioners Ling, Rautanen, Sous and Tilmann

NAYS: Commissioners English and Joslin

ABSENT: Commissioner Holton

Motion carried

Moved by Commissioner English and supported by Commissioner Rautanen to receive recommendation from Planning Commission on conditional rezoning for property located at 1701 Gover Parkway and set public hearing on same for Monday, November 11, 2013 at 7:00 p.m. in the City Commission Chambers, City Hall, 320 W. Broadway St., Mt. Pleasant. Motion unanimously adopted.

Moved by Vice Mayor Tilmann and supported by Commissioner Joslin to adopt the following resolution with regard to health care limits:

WHEREAS, the Publicly Funded Insurance Contribution Act 152 of 2011 establishes standards and a process with respect to medical plan costs, and

WHEREAS, the City of Mt. Pleasant believes it is in compliance with the law, but due to being self-funded believes that interpretations could result in non-compliance,

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Mt. Pleasant hereby exercises its option under the law to opt out of the caps for 2014.

Motion unanimously adopted.

Moved by Commissioner Rautanen and supported by Commissioner English to set a public hearing on proposed 2014 Operating Budget for Monday, November 11, 2013 at 7:00 p.m. in the City Commission Chambers, City Hall, 320 W. Broadway St., Mt. Pleasant. Motion unanimously adopted.

Moved by Commissioner Rautanen and supported by Commissioner Joslin to authorize the City Attorney firm of Clark Hill to consult with and share the City's legal files with the law firm of Dickinson Wright for the next 30 days. Motion unanimously adopted.

Announcements on City-Related Issues and Concerns

Commissioner Joslin questioned if the recently purchased automated HVAC equipment is working to control the building temperature. He also requested an update on licensed taxi cabs and the increase of limousines running in the City.

Commissioner Rautanen announced leaf pickup begins Monday, October 21 and runs through November 2.

Assistant City Manager Ridley announced that Trick or Treating will be observed on Thursday, October 31 from 6 until 8 p.m.

Mayor Ling announced the League of Women Voters will be holding a City Commission Candidate Debate on Thursday, October 24 at 7:00 p.m. in the City Commission Chambers, Mt. Pleasant City Hall, 320 W. Broadway St. and also that the SWAN Neighborhood Group will be conducting a City Commission Candidate Debate on October 29 at 7:00 p.m.

Public Comment on Agenda and Non-Agenda Items

Peter Reale, 233 N. Main St., shared concerns about the proposed Dog Park, taxi/limousine companies and CMU parking issues.

Candy Tomlinson, 1 W. Mosher, thanked the Commission for moving forward with the proposed Dog Park.

Brian Anderson, MMDC President, 200 E. Broadway, shared that he has received many favorable comments regarding conditional rezoning for property located at 1701 Gover Parkway.

Mary Barker, Democratic Party Chairperson, commented that she is thankful and excited to see five candidates running for City Commission seats and reminds everyone there is a Gratiot & Isabella RESD Vocational Education Millage Proposal on the ballot as well.

The Mayor adjourned the meeting without objection at 9:04 p.m.

Kathleen Ling, Mayor

Jeremy Howard, City Clerk