

Minutes of the regular meeting of the City Commission held Monday, July 8, 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, Holton, Rautanen and Sous

Commissioners Absent: Commissioner Joslin

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

Proclamations and Presentations

City Manager Grinzinger introduced the new Public Safety Records Supervisor Christy Dush.

Received the following petitions and communications:

1. Mt. Pleasant Zoning Board of Appeals Minutes (April)
2. Communication from Margaret Gaw relative to the rezoning request for property located at 1040, 1100 and 1102 E. Broomfield

Moved by Commissioner Holton 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 June 24, 2013.
2. Minutes of the closed session of the City Commission held June 24, 2013.
3. Bid of Coyne Oil Corporation of Mt. Pleasant, Michigan for a commercial fuel contract on an experimental basis in the amount of \$0.105/gallon over the rack price for unleaded gasoline and diesel fuel or \$0.065/gallon over the rack price if paid within 15 days of invoice.
4. Bid of Fisher Transportation Co., Inc. of Mt. Pleasant, Michigan in the amount of \$20,070 for the 2013 street cleanings disposal project.
5. Payrolls dated 7/5/13 and warrants dated 6/28/13; 7/2/13 and 7/3/13 all totaling \$729,613.81.

Motion unanimously adopted.

A public hearing was held on the proposed Ordinance to Amend Chapter 154: Zoning Ordinances of the City of Mt. Pleasant Code of Ordinances to rezone a portion of the property located at 1040, 1100, and 1102 E. Broomfield Street from C-3, General Business to M-2, Multiple Family Residential.

Margaret Gaw, Don Morse, Diane Misiak, Juanita Blanzky, Kristine White and Richard Boyce, 2001 Elva St., spoke in opposition to the rezoning request. There being no additional public comment or communications, the Mayor closed the public hearing.

Moved by Vice Mayor Tilmann and supported by Commissioner Rautanen to deny the rezoning request for the property located at 1040, 1100 and 1102 E. Broomfield Street.

Some of the reasons stated by Commissioners include:

- Despite the traffic study that the applicant provided, observations indicate that there are many problems with that intersection and area in general and, therefore, the results of the traffic study are being discounted.
- Feel that increased density will affect the traffic and further exacerbate other reported problems.
- Traffic issues are largely outside of the City's control and are under MDOT and Road Commission control.
- City's engineering firm OHM indicated that there were some shortcomings in the conclusions of the traffic study provided. OHM pointed out that the study

didn't consider the traffic at noon when it is busiest, and the comparison used in the study was not accurate as it compared it to Michigan State University. OHM also felt the study needed to use comparisons of other apartment complexes on Broomfield including some of the planned apartment complex growth in Union Township that will affect traffic and pedestrian density. Also, interconnectedness cannot be guaranteed in connecting back driveways and entrances and exits.

- New zoning would be inconsistent with the City's future land use plan. City is in the process of updating the Master Plan and would prefer to wait until its completion to see what is appropriate in that area.
- Rezoning and proposed development would be inconsistent with the abutting property.

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

NAYS: Commissioner Holton

ABSENT: Commissioner Joslin

Motion carried.

A public hearing was held for the consideration of Resolution No. 5 for approval of the roll and setting of payment terms for Special Assessment District No. 1-13: install pedestrian street lighting on the west side of South Washington Street from West Bellows St. on the south to West High St. on the north.

Chuck and Wendy Allan (C&W Investments), 804 S. Washington, spoke in opposition of the Special Assessment. There being no other public comment or communications received the Mayor closed the public hearing.

Moved by Commissioner Holton and supported by Commissioner English to direct staff to create revised resolutions to only include the 900 and 1000 blocks of South Washington and respread the assessment roll accordingly.

AYES: Commissioners English, Holton, Ling, Rautanen and Tilmann

NAYS: Commissioner Sous

ABSENT: Commissioner Joslin

Motion carried.

Moved by Commissioner Holton and supported by Vice Mayor Tilmann to receive proposed amendment to Ordinance 96.04 NUISANCE GATHERING of the Code of Ordinances of the City of Mt. Pleasant to provide more concise and enforceable language and set a public hearing on same for Monday, July 22, 2013 at 7:00 p.m. in the City Commission Chambers. Motion unanimously adopted.

Moved by Commissioner English and supported by Commissioner Sous to accept the Clean Michigan Initiative Brownfield Redevelopment Loan for \$1,000,000 from the Department of Environmental Quality (DEQ) and authorize the City Manager to sign appropriate documentation. Motion unanimously adopted.

Moved by Commissioner Holton and supported by Vice Mayor Tilmann to enter into closed session pursuant to Section 8(e) of the Open Meetings Act to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.

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

NAYS: None

ABSENT: Commissioner Joslin

Motion unanimously adopted.

Announcements on City-Related Issues and Concerns

Commissioner English thanked Parks and Recreation for the excellent job they did with the recent softball tournament.

Mayor Ling commented that the new signs in the cemetery look great and she really appreciates the staffs work on them.

The Commission recessed at 8:20 p.m. and went into a closed session at 8:25 p.m. A separate set of minutes was taken for the closed session. The Commission went back into open session at 8:27 p.m.

Moved by Commissioner Rautanen and supported by Vice Mayor Tilmann to approve the settlement of the lawsuit as discussed in closed session. Motion unanimously adopted.

The Mayor adjourned the meeting without objection at 8:28 p.m.

Kathleen Ling, Mayor

Jeremy Howard, City Clerk