

Minutes of the regular meeting of the City Commission held Monday, February 8, 2016, 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 Lents; Commissioners Gillis, Kulick, Madaj and Verleger

Commissioners Absent: Commissioner Holton

Others Present: City Manager Ridley and City Clerk Howard

Proclamations and Presentations

Dr. Claudia Douglass of Central Michigan University gave a presentation regarding the reaffirmation process for accreditation by the Higher Learning Commission at CMU.

Discussion ensued.

Public Input on Agenda Items

Deborah Porter, 1855 Beech St.; Andrea Gauthier, 204 N. Maxwell; Sam Staples, 300 N. Russell St.; Steven Cohoon, 705 S. University; Mike LaValley, Isabella County Conservation District; Laura Gourlay, 615 E. Wisconsin; Gary Kramer, 1497 W. Blue Grass, all spoke in opposition to the contract with APM Mosquito Control for mosquito control services.

Jim Moreno, 610 E. Wisconsin; Jeff Smith, 1630 E. Gaylord; and Tammy Seago, Owner of APM Mosquito Control, spoke in support of the contract with APM Mosquito Control for mosquito control services.

Kana Degen, 801 Oakland, spoke of concerns with the contract with APM Mosquito Control for mosquito control services.

Kathleen Mumford, 304 S. Washington St., spoke about looking at light pollution and its effects on bats and educating public on getting rid of mosquitos before starting a spraying program.

Damian Fisher, 1441 Meadow St., asked the Commission to make an informed decision on the contract with APM Mosquito Control for mosquito control services.

Receipt of Petitions and Presentations

Received the following petitions and communications:

1. City Manager report on pending items.
2. Principal Shopping District (DDB) Minutes (October).
3. Mt. Pleasant Parks and Recreation Commission Minutes (December).
4. Airport Advisory Board Minutes (December).
5. Resignation of Matt Weaver from the Parks and Recreation Commission.
6. Communication from Downtown Development Board regarding referral of city-wide garage sales request letter.
7. Correspondence regarding contract for mosquito control.

Moved by Commissioner Madaj and supported by Commissioner Kulick to approve the following items on the Consent Calendar:

1. Minutes of the regular meeting of the City Commission held January 25, 2016.
2. Minutes of the closed session of the City Commission held January 25, 2016.
3. Minutes of the special meeting of the City Commission held January 26, 2016.
4. Payrolls dated January 29, 2016 and warrants dated January 27, February 2 and 4, 2016 all totaling \$684,287.36.

Motion unanimously adopted.

A public hearing was held on the necessity of public improvements; consider resolution #3 to proceed with improvements; consider resolution #4 to accept the special assessment roll and set a public hearing for February 22, 2016 regarding said roll for Special Assessment District #2-16.

Brandon Labelle, Rentwood Management, LLC, 405 S. Mission St. and Kathleen Mumford, 304 S. Washington Street, spoke in opposition to lighting in S.A. District #2-16.

Deborah Porter, 1855 Beech St., would like to see research done on rolling lights in the proposed area similar to Bamber Woods.

Ian Elliot, SGA Liaison, spoke in support of lighting in S.A. District #2-16 and asked what portion CMU is paying on the project.

Correspondence received from Tim Driessnack and Barry DeLau, II regarding objections to S.A. #2-16.

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

Moved by Commissioner Kulick and supported by Vice Mayor Lents to approve Resolutions 3 and 4 to commence proceedings for Special Assessment District 2-16.

SPECIAL ASSESSMENT DISTRICT 2-16
RESOLUTION NO. 3

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. 2-16;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines to install pedestrian street lights on the East side of Douglas between Bellows and High Street and West side of University between Bellows and May Street and East side of Franklin between Bellows and May Street and West side of Lansing between Bellows and Gaylord Street.

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 \$270,340. The amount of \$189,240 shall be paid by special assessments upon the properties specially benefited, and the amount of \$81,100 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.

SPECIAL ASSESSMENT DISTRICT 2-16
RESOLUTION NO. 4

WHEREAS, the Assessor has prepared the special assessment roll for Special Assessment District No. 2-16 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 Special Assessment District No. 2-16 is described as: install pedestrian street lights on the East side of Douglas between Bellows and High Street and West side of University between Bellows and May Street and East side of Franklin between Bellows and May Street and West side of Lansing between Bellows and Gaylord Street.

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., Eastern Standard Time, on February 22, 2016 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.

Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Gillis to approve the following appointments to various boards and commissions as recommended by the Appointments Committee:

| | <u>Term Expires:</u> |
|---|----------------------|
| <u>Parks and Recreation Commission</u> | |
| Steve Stressman | 12-31-2017 |
| Damian Fisher | 12-31-2017 |
| <u>Building, Fire & Sanitary Sewer Board of Appeals</u> | |
| Larry Sommer | 12-31-2018 |

Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Madaj to approve the following Resolution In Opposition Of House Bill 5232 and Senate Bill 720 regarding proposed changes to Historic Preservation laws:

WHEREAS, historic preservation is declared to be a "public purpose" under 154.086 of the City of Mt. Pleasant City Code, which further seeks to "safeguard the heritage of the city by preserving areas in the city which reflect elements of its cultural, social, spiritual, economic, political, engineering, or architectural history or its archeology";

WHEREAS, Public Act 179 of 1970, the Michigan Local Historic Districts Act (hereinafter, "the Act"), enables local units of government to establish historic districts; and

WHEREAS, the positive benefits of historic districts on the economic development, quality of life, and general welfare of the people of the City of Mt. Pleasant are well established; and

WHEREAS, the City of Mt. Pleasant contains 2 historic districts, established since 2005 and under a democratic process which is initiated by citizen petition, and includes, in accordance with section 154.086 City of Mt. Pleasant Code, substantial outreach to members of the affected areas, statutory public hearings, and final consideration and enactment by the City Commission; and

WHEREAS, House Bill 5232 of 2016, and the identical legislation Senate Bill 0720 of 2016, introduced to the legislature of the State of Michigan on January 26, 2016, propose to amend the Act to place additional and significant restrictions on the ability of a local unit of government to designate and regulate historic districts; and

WHEREAS, House Bill 5232 of 2016, and the identical legislation Senate Bill 0720 of 2016, would additionally amend the Act such that existing historic districts will expire unless "renewed" every ten years; and

WHEREAS, a report from the House Fiscal Agency suggests that the legislation as written would "increase the costs of local units of government attempting to set up new or modify existing historic districts";

NOW, THEREFORE BE IT RESOLVED, that the Mt. Pleasant City Commission hereby urges the House Committee on Local Government, the Senate Committee on Local Government, and the entire state legislature to reject House Bill 5232 of 2016, and Senate Bill 0720 of 2016, as written,

AND BE IT FINALLY RESOLVED, that a copy of this resolution shall be transmitted to the House Committee on Local Government, the Senate Committee on Local Government, Senator Emmons, Representative Cotter and the Governor of the State of Michigan.

Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Vice Mayor Lents to approve the Tobacco-Free Park Zone Policy as recommended by the Parks and Recreation Commission. (CC Ex. 1-2016) Motion unanimously adopted.

Moved by Vice Mayor Lents and supported by Commissioner Gillis to adopt the Resolution to Terminate 2016 Mosquito Control Program.

Moved by Commissioner Madaj and supported by Vice Mayor Lents to amend the Resolution to Terminate 2016 Mosquito Control Program by adding the following section 3. a) b) and c):

3. The City Manager is directed to work with APM on a proposed contract that would:
 - a) Answer the first four questions that the State Department of Health says a community needs to address before considering a community spray program. This would include surveillance and monitoring to establish a baseline of presence of mosquitos.
 - b) Develop and implement a strategy for community education and engagement.
 - c) Work with City staff on any possible recommendation for further steps to be included in the 2017 budget.

Motion unanimously adopted.

The Commission considered the original motion with amendment.

WHEREAS, the City of Mount Pleasant and the Charter Township of Union issued a joint request for proposals for a mosquito control program for 2016 (the "RFP") and only one proposal was submitted by the September 1, 2015 deadline for submission; and

WHEREAS, the Township decided not to participate in the program; and

WHEREAS, the City Commission initially decided at its meeting of November 23, 2015, to approve the proposal for a 2016 mosquito control program pursuant to which the Mayor and City Clerk signed the acceptance of the proposal; and

WHEREAS, on further consideration, the City Commission has now determined that "immediate termination is in the best public health, safety and welfare interest of the City and . . . [its] residents" as expressly permitted by paragraph 12 of the RFP, due to concerns raised by residents and property owners about the possible effects of the spraying on their health and on other organisms in the ecosystems affected by the planned mosquito control efforts, and due to concerns about the costs of the mosquito control program when balanced against several other budget priorities that might directly affect public health and safety.

NOW, THEREFORE, it is resolved as follows:

1. The City's mosquito control program for 2016 is immediately and completely terminated.
2. The City Manager is directed to communicate to Advanced Outdoor Spraying, Inc. the City Commission's appreciation for its responsiveness to inquiries of the City and its professionalism in addressing those inquiries, as well as notification in writing of the City Commission's decision to terminate the 2016 mosquito control program.
3. The City Manager is directed to work with APM on a proposed contract that would:
 - a) Answer the first four questions that the State Department of Health says a community needs to address before considering a community spray program. This would include surveillance and monitoring to establish a baseline of presence of mosquitos.
 - b) Develop and implement a strategy for community education and engagement.
 - c) Work with City staff on any possible recommendation for further steps to be included in the 2017 budget.

Motion unanimously adopted.

Announcements on City-Related Issues and New Business

New Business

Vice Mayor Lents would like to add striping of streets for bike lanes and narrowing of lanes as described in the Non-Motorized Transportation Plan, Pages 56 and 98 to the 2016 priorities.

Commissioner Kulick feels traffic has been slowed on Fancher due to the striping of the street lanes and would like to see the City do a traffic speed study on South Fancher and North Fancher to see if lane striping slowed traffic.

Announcements

Commissioner Kulick announced that he received a solicitation for an insurance policy in the mail for replacing bad water lines and wants citizens to know that it's not traditionally a large problem in the City of Mt. Pleasant. He also mentioned the court injunction issued recently on the "gag order" law concerning sharing election information 60 days before an election.

Commissioner Verleger commented that the Daddy Daughter Date Night was a great event and thanked staff for putting it on.

Mayor Ling announced that the attorney is still looking at pan handler ordinance and requested that Commissioners pass on comments to the City Manager to forward to the City Attorney.

Public Comment on Agenda and Non-Agenda Items

Tammy Seago, owner of APM Mosquito Control, thanked the Commission for the opportunity to work with the City on a future proposed contract for education and mosquito surveying information.

The Commission recessed at 8:53 p.m. and went into a work session at 9:05 p.m.

WORK SESSION – Chapter 30 “Commission – Regular Meetings and Work Sessions”, follow-up from January 26, 2016 meeting.

Mayor Ling led a discussion on Commission Work Sessions.

Discussion ensued.

Based on general agreement and discussion, the Commission would like to:

- Starting with the next meeting, for a trial period, have a work session after each regular meeting.
- Set time limit for 1 hour after each Monday meeting, longer if majority is in general agreement.
- Agreed to the expectations that were summarized from the January 26th meeting.

WORK SESSION – Discussion of 2016 Objectives and tactics in Operating Budget.

Discussion ensued.

Based on discussion, staff will follow-up on the two questions raised regarding park projects and will then report back to the City Commission.

Mayor Ling adjourned the meeting at 10:08 p.m. without objection.

Kathleen Ling, Mayor

Jeremy Howard, City Clerk