

Minutes of the regular meeting of the City Commission held Thursday, March 24, 2011, at 6:31 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 and Tilmann

Commissioners Absent: None

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

Proclamations and Presentations

Mayor Kilmer read and presented a Proclamation in support of Peacemaking Recognition Day, April 11, 2011 to Laura Gorlay representing the Peacemaking Committee.

AKT Peerless representative Ryan Londrigan gave a summary of the Environmental Investigation conducted on the Mt. Pleasant Center property.

Discussion ensued.

Additions to Agenda

Item #12 "Consider closed session pursuant to subsection 8(h) of the Open Meetings Act to discuss a legal opinion from legal counsel" was added to the agenda.

Public Input on Agenda Items

Ronald Douglas, 999 S. Leaton Rd., spoke in favor of the City purchasing the Mt. Pleasant Center property and would like to see the City respectfully work close with the Tribe to develop the property.

Mark Marshall, 622 S. Franklin, would like to see the Commission put off the vote on purchasing the Mt. Pleasant Center property for a time until more information can be gathered.

Peter Reale, 233 N. Main St., spoke in favor of keeping the Tribe's interest at the forefront of the decision on purchasing the Mt. Pleasant Center property and work closely with them.

Received the following petitions and communications:

1. Communication from the Airport Advisory Board

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

1. Minutes of the joint meeting of the Mt. Pleasant Planning Commission and the City Commission held March 14, 2011.
2. Minutes of the regular meeting of the City Commission held March 14, 2011.
3. Minutes of the closed session of the City Commission held March 14, 2011.
4. Bid of Carleton Equipment of Saginaw, Michigan for the purchase of a skid steer loader in the amount of \$24,940.00.
5. WHEREAS, a Cost Agreement, Number 11-5033, has been submitted by the Michigan Department of Transportation, which requires the City of Mt. Pleasant to adopt a resolution indicating its willingness to participate in the installation of striped crosswalks as requested by the City of Mt. Pleasant at the intersections of Broadway Street, Michigan Street, and Pickard Street (Highway M-20 East) with Highway US-127BR (Mission Street); together with

necessary related work, located within the corporate limits of the City of Mt. Pleasant; and

WHEREAS, these intersection improvements will improve safety for both motoring and pedestrian traffic; and

WHEREAS, the Agreement has been approved by the City Manager as to substance.

NOW, THEREFORE, BE IT RESOLVED, that City officials be authorized to execute said Cost Agreement on behalf of the City of Mt. Pleasant.

Motion unanimously adopted.

A public hearing was held on proposed Ordinance to Amend Chapter 10 "General Provisions", Sections 10.05 Definitions and 10.99 General Penalty; Chapter 36 "Municipal Civil Infractions", Sections 36.01 Definitions, 36.04 Contents of Citations and 36.05 Municipal Ordinance Violations Bureau; Chapter 151 "Flood Plain Management", Section 151.99 Penalty; Chapter 152 "Housing Licensing Code", Section 152.999 Penalty and Chapter 153 "Subdivision Regulations", Section 153.99 Penalty of the Code of Ordinances of the City of Mt. Pleasant. There being no public comment or communications the Mayor closed the public hearing.

Moved by Commissioner Holton and supported by Commissioner Tilmann that Ordinance No. 963, an Ordinance to Amend Chapter 10 "General Provisions", Sections 10.05 Definitions and 10.99 General Penalty; Chapter 36 "Municipal Civil Infractions", Sections 36.01 Definitions, 36.04 Contents of Citations and 36.05 Municipal Ordinance Violations Bureau; Chapter 151 "Flood Plain Management", Section 151.99 Penalty; Chapter 152 "Housing Licensing Code", Section 152.999 Penalty and Chapter 153 "Subdivision Regulations", Section 153.99 Penalty of the Code of Ordinances of the City of Mt. Pleasant., having been introduced and read, now be passed, ordained and ordered published. Motion unanimously adopted.

Received Commissioners' recommendations and rankings for Saginaw Chippewa Indian Tribe two percent allocations.

Moved by Commissioner Joslin and supported by Commissioner Tilmann to add to recommendations and rankings for Saginaw Chippewa Indian Tribe two percent allocations a request for remainder of PEAK funding requested but not previously awarded in fall of 2010. Motion unanimously adopted.

The City Manager will forward all the requests and rankings to the Tribe.

Moved by Commissioner Ling and supported by Commissioner English to adopt the following Resolution to Set a Special Election to be held on November 8, 2011 for the purpose of filling the vacancy for the office of City Commissioner.

WHEREAS, a vacancy has occurred for the office of City Commissioner for a term expiring December 31, 2012; and

WHEREAS, Article II, Section 6, of the City Charter, directs the City Commission to schedule a special election to fill this office for the unexpired term as soon as practicable;

WHEREAS, the City Commission believes the November 2011 general city election is as soon as practicable to hold the special election due to (i) the difficulties in providing sufficient practicable notice to potential candidates who would need to circulate and file nominating petitions by early May in order to meet the deadlines for an August 2011 special election, (ii) the cost of holding a special election in August 2011 when there are no other elections to be held on that date would be approximately \$10,000, and (iii) a single item special election generally results in low voter turnout with much greater voter turnout expected at the City's general election in November and greater voter turnout is generally considered to better reflect the views of the electorate.

NOW, THEREFORE, BE IT RESOLVED, that a special election be held in the City of Mt. Pleasant on Tuesday, November 8, 2011, for the purpose of filling the vacancy for the office of City Commissioner for the term expiring December 31, 2012;

BE IT FURTHER RESOLVED, that nominating petitions can be picked up at the Clerk's office and may be filed no earlier than Monday, July 18, 2011 and no later than 4:00 p.m., Tuesday, August 16, 2011;

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to conduct said election in the manner prescribed by law.

Resolution unanimously adopted.

Moved by Commissioner Ling and supported by Commissioner Tilmann to enter into closed session pursuant to subsection 8(h) of the Open Meetings Act to discuss a legal opinion from legal counsel.

AYES: Commissioners English, Holton, Joslin, Kilmer, Ling and Tilmann

NAYS: None

Motion carried.

The City Commission entered into closed session at 7:35 p.m. and went back into regular session at 8:46 p.m. A separate set of minutes was taken for the closed session.

Moved by Commissioner Joslin and supported by Commissioner English to authorize the Mayor and City Clerk to execute any necessary documents, as approved by the City Attorney, to complete the purchase of the parcel of land known as the "Mt. Pleasant Center Main Campus" in Public Act 208 of 2010 prior to the 180 day deadline prescribed in the Act. Motion unanimously adopted.

Announcements on City-Related Issues and Concerns

Commissioner Ling stated that she appreciates the Airport Advisory Board's concerns and would like staff to follow-up. She also asked staff to follow-up on the Fancher Street issues that were brought up at the last City Commission meeting.

Commissioners Joslin and Kilmer congratulated staff on census count, it is a huge accomplishment for the City.

Public Comment on Agenda and Non-Agenda Items

James Moreno, 1015 Andre St. said that he is happy with the vote on the Mt. Pleasant Center property. Mr. Moreno asked if the City could put an entrance to the cemetery near the northwest corner of the cemetery for bikers to get through.

Mayor Kilmer adjourned the meeting at 9:07 p.m. without objection.

Bruce Kilmer, Mayor

Jeremy Howard, City Clerk