

Minutes of the regular meeting of the City Commission held Monday, June 9, 2014 at 7:01 p.m. in the City Commission Room.

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

Commissioners Present: Mayor Tilmann and Vice Mayor Holton; Commissioners Joslin, Kulick, Ling and Sous

Commissioners Absent: Commissioner Rautanen

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

### Proclamations and Presentations

Mayor Tilmann read and presented a proclamation to Debb Leasher-Ross and Pat Onstott congratulating the Mt. Pleasant Area Technical Center (MPATC) students for their success at the Business Professionals of America (BPA) National Conference in Indianapolis, Indiana.

City Attorney Smith gave a presentation on Personal Property Tax Legislation.

### Additions to Agenda

Item #18: "Approve amendments to contracts with Robin Harsh Excavating and OHM to include the repair of two flood-damaged overlooks and authorize a budget amendment of \$7,200 from the Capital Improvement Fund." was added to the agenda.

### Receipt of Petitions and Communications

Received the following petitions and communications:

1. Recognize vacancies on the Historic District Commission and Airport Advisory Board
2. Minutes of the Mt. Pleasant Parks and Recreation Commission (April)
3. Minutes of the Airport Advisory Board (April)

Item #14 was removed from the Consent Calendar.

Moved by Vice Mayor Holton and supported by Commissioner Kulick to approve the following items on the Consent Calendar:

1. Minutes of the work session of the City Commission held May 27, 2014.
2. Minutes of the regular meeting of the City Commission held May 27, 2014.
3. Purchase of a GNSS Survey System from Michigan Surveyors Supply of Lansing, Michigan in an amount not-to-exceed \$28,388, which will be fully reimbursed by the SAW Grant.
4. WHEREAS, under the date of February 18, 2014, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 11-2014 (Install "STOP" sign on Carnahan at Fairfield). Said temporary traffic control order was presented to the City Commission on June 9, 2014, for review and after reviewing said temporary control order and being fully advised in the premises,  
BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 11-2014 a permanent traffic control order.
5. WHEREAS, under the date of February 18, 2014, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 12-2014 (Remove "NO PARKING" sign in front of the Broadway Theater, 216 E. Broadway. Provide portable signs "No Parking During Performance"). Said temporary traffic control order was presented to the City Commission on June 9, 2014, for review and after reviewing said temporary control order and being fully advised in the premises,

- BE IT RESOLVED, that the City Commission approves making temporary traffic control order No. 12-2014 a permanent traffic control order.
6. Resolution supporting Proposal 1 on the August 5, 2014 ballot as follows:
- WHEREAS, local governments in Michigan have struggled with unstable funding needed to provide services; and
- WHEREAS, Michigan businesses have struggled with an uncompetitive tax on business; and
- WHEREAS, small businesses and manufacturers power our economy and are the largest contributor to job growth in Michigan; and
- WHEREAS, no other state in our region taxes business equipment the way Michigan does - and most of those states don't tax it at all, which makes Michigan significantly less competitive when it comes to job creation and business investment; and
- WHEREAS, Michigan communities have struggled for years to pay for essential services like police, fire, ambulances, schools and jails; and
- WHEREAS, Michigan communities have relied on this shrinking source of Personal Property Tax revenue to provide other community services as well, including roads, transportation and libraries; and
- WHEREAS, with bipartisan support the Michigan Legislature has voted to reform the antiquated personal property tax to help increase Michigan's competitiveness with other states and remove an onerous tax that will allow more business investment and create more jobs while providing a stable revenue source for local communities; and
- WHEREAS, this is not a constitutional amendment but the state constitution requires Michigan voters to approve certain changes in local taxes; and
- WHEREAS, local governments have struggled with unstable funding needed to provide services and businesses have struggled with an uncompetitive tax on equipment for years; and
- WHEREAS, Proposal 1 on the August 5, 2014 ballot, will make Michigan more competitive, which will help local communities to attract more businesses and talent and create local jobs; and
- WHEREAS, Proposal 1 is supported by the Michigan Municipal League, the Michigan Townships Association, Michigan Association of Chiefs of Police, Michigan Association of Police Organizations, Michigan Community College Association, Michigan Farm Bureau, the Small Business Association of Michigan, Michigan Sheriffs Association, Michigan Chamber of Commerce, National Association of Independent Businesses and the Michigan Manufacturers Association, among others; and
- NOW, THEREFORE, BE IT RESOLVED, that the City of Mt. Pleasant City Commission hereby expresses its strong support for Proposal 1 to eliminate the unfair double tax and strengthen our communities. We urge our residents to vote YES on Proposal 1 on the August 5, 2014, ballot.
7. Payrolls dated May 23, 2014 and warrants dated May 21 and 29, 2014 all totaling \$660,729.82.
- Motion unanimously adopted.

A public hearing was held on Industrial Facilities Tax Abatement Application for Dayco at 1799 Gover Parkway. Kim Aiken, MMDC representative and Robert Crist, Dayco representative spoke in favor of the IFT Application for Dayco. There being no other public comments or communications received, the Mayor closed the public hearing.

Moved by Vice Mayor Holton and supported by Commissioner Kulick to approve the following Resolution in support of the Application of Dayco for an Industrial Facilities Exemption Certificate for Real Property in the amount of \$1,765,000 and Personal Property Costs in the amount of \$3,677,411.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on June 8, 1992, the City Commission of the City of Mount Pleasant by resolution established Industrial Park South as an Industrial Development District; and

WHEREAS, DAYCO, filed an original application in February, 2014 for an Industrial Facilities Exemption Certificate with respect to new real property to be constructed within the Industrial Park South; and

WHEREAS, the above referenced original application was approved by the City Commission on March 24, 2014 following a public hearing; and

WHEREAS, this amended application is filed to replace the original application as the applicant has determined that the original job creation data and personal property investment needed additional clarification; and

WHEREAS, the amended application is in the amount of \$5,442,411 which is comprised of \$1,765,000 in Real Property and \$3,677,411 in Personal Property; and

WHEREAS, before acting on the amended application, the City Commission of the City of Mount Pleasant held a hearing on June 9, 2014, 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, construction of the facility had not begun earlier than six (6) months before 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 original application of DAYCO, approved by the City Commission on March 24, 2014, is hereby rescinded and is replaced by this amended application.
2. 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
3. The amended application from DAYCO is for an Industrial Facilities Exemption Certificate, with respect to new Real and Personal Property on the following described parcel of real property situated within Industrial Park South , to wit:  
  
T14N, R4W, CITY OF MT. PLEASANT, MICHIGAN, PART OF THE SW1/4, SECTION 24, MT PLEASANT INDUSTRIAL PARK SOUTH, LOT 3.
4. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of ten (10) years for the real property. The personal property certificate shall be valid until December 31, 2015 unless the personal property would otherwise remain subject to taxation after that date due to the failure of Proposal 1 on the August 2014 election. If Proposal 1 fails, the personal property exemption certificate would be in force for six (6) years.

be and the same is hereby approved.  
Motion unanimously adopted.

Moved by Commissioner Joslin and supported by Commissioner Kulick to make the following appointments to various boards and commissions as recommended by the Appointments Committee.

**Audit Committee**

Philip Kintzele

**Term to Expire**

June 30, 2017

**Tax Increment Finance Authority/  
Downtown Development Authority**

Lisa Orlando

December 31, 2016

Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Ling to approve the 2015-2019 Capital Improvement Plan as amended.

AYES: Commissioners Joslin, Kulick, Ling, Sous and Tilmann

NAYS: Commissioner Holton

ABSENT: Commissioner Rautanen

Motion carried.

Moved by Commissioner Sous and supported by Commissioner Ling to postpone the introduction of proposed amendment to Section 93.08 of the Mt. Pleasant City Code, subsections (A) and (B) to include a reference to Public Safety Personnel and to add subsection (C) to prohibit persons from remaining within 300 feet of a fire except in limited circumstances and setting of a public hearing for June 23, 2014 on same until a work session can be held.

AYES: Commissioner Sous

NAYS: Commissioner Holton, Joslin, Kulick, Ling and Tilmann

ABSENT: Commissioner Rautanen

Motion failed.

Moved by Commissioner Kulick and supported by Vice Mayor Holton to receive proposed amendment to Section 93.08 of the Mt. Pleasant City Code, subsections (A) and (B) to include a reference to Public Safety Personnel and to add subsection (C) to prohibit persons from remaining within 300 feet of a fire except in limited circumstances and set a public hearing for June 23, 2014 on same.

AYES: Commissioners Holton, Joslin, Kulick, Ling and Tilmann

NAYS: Commissioner Sous

ABSENT: Commissioner Rautanen

Motion carried.

Moved by Vice Mayor Holton and supported by Commissioner Kulick to approve the following Resolution Supporting the Saginaw Chippewa Indian Tribe regarding ACD.net.

WHEREAS, the City of Mt. Pleasant and the Saginaw Chippewa Indian Tribe have worked together for a number of years to develop a healthy and vibrant community which is devoid of racism and discrimination, and

WHEREAS, the City believes as outlined in the Human Rights Ordinance in Chapter 39 of the Mt. Pleasant City Code of Ordinances that all individuals should be treated with dignity and respect regardless of their race, religion, color, national origin, gender, sex, age, marital status, physical or mental disability, family status, sexual orientation or gender identity, and

WHEREAS, a number of Native Americans reside in the City limits and a greater number on the City's eastern boundary, and

WHEREAS, the City values and respects the cultural diversity of our community, and

WHEREAS, The Saginaw Chippewa Indian Tribe recently released a voicemail recording that included offensive derogatory remarks allegedly made by representatives of ACD.net, a telecommunications firm, and

WHEREAS, the Tribal Chief and leadership of the Saginaw Chippewa Indian Tribe recently requested support in denouncing such disrespectful comments,

NOW THEREFORE BE IT RESOLVED that the Mt. Pleasant City Commission does hereby join with the Saginaw Chippewa Indian Tribe in denouncing the offensive remarks in the voicemail and the disregard for the value of diversity.

Motion unanimously adopted.

Moved by Vice Mayor Holton and supported by Commissioner Sous to enter into closed session pursuant to Section 8(f) of the Open Meetings Act to review and consider the contents of an application for employment or appointment to public office if the candidate requests that the application remain confidential.

AYES: Commissioners Holton, Joslin, Kulick, Ling, Sous and Tilmann

NAYS: None

ABSENT: Commissioner Rautanen

Motion carried.

Moved by Commissioner Ling and supported by Commissioner Kulick to approve amendments to contracts with Robin Harsh Excavating and OHM to include the repair of two flood-damaged overlooks and authorize a budget amendment of \$7,200 from the Capital Improvement Fund. Motion unanimously adopted.

#### Announcements on City-Related Issues and Concerns

City Clerk Howard announced that Nominating Petition packets for the Office of City Commissioner are available at the City Clerk's Office. Completed Nominating Petitions may be filed with the City Clerk starting Monday, July 7, 2014. The deadline is 4:00 p.m., Tuesday, August 5, 2014. The election will be held November 4, 2014. Two (2) full term positions are available for the term January 1, 2015 through December 31, 2017.

Commissioner Kulick thanked all the volunteers and staff who helped with the Le Tour de Mont Pleasant, Summer fest and the Craft Beer festival. Commissioner Kulick also announced that the Habitat for Humanity accepts electronic waste.

Mayor Tilmann announced that the Isabella County Council of Governments will be meeting at the Wise Township Hall on Wednesday, June 18 at 7:00 p.m. The Mayor extended her condolences to the Jo Palm family on his passing. She apologized to the Lions Club for not attending their Anniversary celebration and congratulated them on their 75<sup>th</sup> Anniversary and their contributions to the community. Mayor Tilmann also announced that the City and Union Township will be meeting to discuss issues including area mosquito problems.

#### Public Comment on Agenda and Non-Agenda Items

Phil Mikas, 2163 Cornerstone, thanked the Commission for the opportunity to meet and discuss local issues at a recent leadership luncheon and announced that Union Township will be holding their first ever Township clean-up date on June 21 at CMU Lot 23.

The Commission recessed at 8:21 p.m. and went into a closed session at 8:29 p.m. A separate set of minutes was taken for the closed session. The Commission went back into open session at 9:14 p.m.

Moved by Commissioner Kulick and supported by Commissioner Sous to approve three individuals for City Manager interviews. The three candidates that have been

selected and have accepted interviews are Nancy Ridley of Mt. Pleasant, Michigan; Robert Bruner of Mount Clemens, Michigan and Peter Olson of Yorktown, Indiana. Motion unanimously adopted.

The Mayor adjourned the meeting without objection at 9:15 p.m.

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Sharon Tilmann, Mayor

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Jeremy Howard, City Clerk