

Minutes of the regular meeting of the City Commission held Monday, May 10, 2010 at 7:00 p.m. in the City Commission Room.

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

Commissioners Present: Mayor Holton and Vice Mayor Kilmer; Commissioners Joslin, Ling, McGuire, Palmer and Tilmann

Commissioners Absent: None

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

Proclamations and Presentations

Doug Vredevald of Vredevald Haefner, LLC gave a presentation on the City of Mt. Pleasant 2009 Audit Report.

Jeff Gray gave a presentation on the 2010 Census Committee and its successes.

Additions to Agenda

Remove item #13 "Consider revocation of final year Industrial Facilities Tax Exemption Certificate for Hillsdale Automotive, LLC" from the agenda.

Correct item #19 to read "and set public hearing for June 14, 2010, regarding the necessity of Special Assessment District #1-10".

Public Input on Agenda Items

Cameron Lovett, 1337 Highland St. and Chris Cataldo, 1336 Highland St. spoke in opposition to "No Parking" signs on Highland Street.

Charles Cline, 1345 Highland St. spoke in support of "No Parking" signs on Highland Street.

Received the following petitions and communications:

1. Mt. Pleasant Housing Commission Minutes (March)
2. Mt. Pleasant Zoning Board of Appeals Minutes (March)
3. 2009 Audit Summary from Vredevald Haefner LLC
4. City Manager's 2009 Annual Report

Removed item #15 "Consider final approval on Traffic Control Order #4-10, #5-10, and #6-10"; and, item #17 "Consider approval of the Chippewa River District Library Agreement amendment" from the Consent Calendar.

Moved by Commissioner McGuire and supported by Commissioner Tilmann to approve the following items on the Consent Calendar:

1. Minutes of the regular meeting of the City Commission held April 26, 2010.
2. Minutes of the work session of the City Commission held April 29, 2010.
3. Bid of Petoskey Plastics of Petoskey, Michigan in the amount of \$12,210.00 for refuse bags.
4. MDOT American Reinvestment and Recovery Act (ARRA) grant in the amount of \$345,000 for the reconstruction of Michigan Street from Fancher Street to Mission Street and authorize the Mayor and City Clerk to sign the necessary contract documents.
5. Postpone action to transfer Economic Development Funds to the Downtown Development Authority for zero interest loans for purchase of distressed property until they are needed.

6. Payrolls dated 4/30/10 and warrants dated 4/28/10 and 5/06/10 all totaling \$633,896.13.

Motion unanimously adopted.

A public hearing was held on 2010 Millage Rate. There being no comments or communications the Mayor closed the public hearing.

Moved by Commissioner Joslin and supported by Commissioner McGuire to adopt resolution setting the 2010 Millage Rate as follows:

WHEREAS on December 14, 2009, the City Commission tentatively approved the 2010 millage rate with a plan to revisit the rate in Spring, 2010

WHEREAS a public hearing was set and properly published for May 10, 2010 to gather public input on the millage rate,

WHEREAS the public hearing was held in the City Commission Chambers on May 10, 2010,

NOW, THEREFORE, BE IT RESOLVED that the following tax millages be affirmed for the 2010 fiscal year:

Operating	12.125
Fire and Police Pension	1.240
Capital Improvements	1.400
Borden Building Bond	0.500
Solid Waste Fund - Recycling	<u>0.485</u>
Total Millage Rate	15.750

AYES: Commissioners Holton, Joslin, McGuire and Palmer

NAYS: Commissioners Kilmer, Ling and Tilmann

ABSENT: None

Resolution adopted.

Moved by Commissioner Ling and supported by Commissioner Tilmann to postpone consideration of City of Mt. Pleasant Ethics Policy and refer back to the ethics committee for final review and recommendation back to the City Commission. Motion unanimously adopted.

Moved by Commissioner Tilmann and supported by Vice Mayor Kilmer to accept the \$450,000.00 Community Development Block Grant from the Michigan Economic Development Corporation (MEDC) for upgrade of the Ranney Well and authorize the Mayor and City Clerk to execute any documents needed to procure said grant monies.

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

NAYS: Commissioner Palmer

ABSENT: None

Motion carried.

Moved by Commissioner Ling and supported by Commissioner Tilmann to set a special meeting to receive input from the public on the proposed 2011 Annual Operating Budget Plan to be held on June 1, 2010 at 6:30 p.m. in the City Commission Chambers, City of Mt. Pleasant City Hall, 320 W. Broadway Street. Motion unanimously adopted.

Moved by Vice Mayor Kilmer and supported by Commissioner Tilmann to postpone action on Temporary Traffic Control Orders #4-2010, #5-2010 and #6-2010 until clarification of the information can be brought to the Commission.

AYES: Commissioners Holton, Kilmer, Ling, McGuire, Palmer and Tilmann

NAYS: Commissioner Joslin

ABSENT: None

Motion carried.

Moved by Commissioner McGuire and supported by Commissioner Tilmann to approve the Chippewa River District Library Agreement amendment and authorize the Mayor and City Clerk to sign said document.

AYES: Commissioners Holton, Kilmer, Ling, McGuire and Tilmann
NAYS: Commissioners Joslin and Palmer
ABSENT: None
Motion carried.

Moved by Vice Mayor Kilmer and supported by Commissioner McGuire to adopt the following Resolutions:

RESOLUTION #1

WHEREAS, on June 22, 2009, pursuant to arrangements made by the lot's owner, a house was being moved from the lot commonly known as 304 East Gaylord Street/1001 S. Franklin Street (the "Lot");

WHEREAS, the house fell off the hauler trailer spilling partially onto private property and partially onto the public roadway creating an unsafe condition that was a public nuisance and required immediate action;

WHEREAS, the demolition and removal of the damaged house was necessary to protect the public health and safety;

WHEREAS, City officials assured another contractor that payment would be made for removing the house;

WHEREAS, the Lot at 304 East Gaylord Street/1001 South Franklin Street benefited from the demolition and removal of the house because (i) the public nuisance emanating from the Lot was abated; and (ii) the Lot is now clear of the structure making it available for the occupancy of the new structure;

WHEREAS, pursuant to provisions of the City Charter and Section 33.36 of the Code of Ordinances, the City Commission of the City of Mt. Pleasant may commence proceedings for improvements to a single lot within the City.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Commission tentatively finds that the demolition and removal of a house that had fallen off a hauler trailer spilling onto the public street was necessary, and in the public interest in the City, Special Assessment District No. 1-10;
2. The City Manager is directed to cause to be prepared a report which shall include information required by Section 33.20 "Survey and Report", of the Code of Ordinances,
3. When that report is completed, the City Manager shall file it with the City Clerk for presentation to the Commission.
3. All resolutions and parts of resolutions to the extent of any conflict with this resolution are rescinded.

RESOLUTION #2

WHEREAS, the City Manager has prepared a report concerning certain public improvements in Special Assessment District No. 1-10, which includes the information to be included by Section 33.20 "Survey and Report" of the City's Code of Ordinances;

AND, WHEREAS, the City Commission has reviewed said report;

AND, WHEREAS, the City Commission of the City of Mt. Pleasant determines that it is tentatively necessary to pay for the demolition and removal of the house that fell into the street in the City of Mt. Pleasant;

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Commission hereby tentatively determines that the public improvements described more particularly hereinafter provided for are necessary.
2. The direct cost of said improvements is \$15,070 which shall be assessed to a single lot as hereinafter described as a result of benefits to be received by the affected property.
3. Said special assessment district shall consist of one parcel of land as follows: 304 E. Gaylord/1001 S. Franklin, Special Assessment District No. 1-10;
4. Said estimated life of such public improvements is not less than fifteen (15) years.
5. The affected property in the special assessment district shall be assessed because of the benefit to the parcel of land.
6. The aforesaid report shall be placed on file in the office of the City Clerk where the same shall be available for public examination.
7. The City Commission shall meet on June 14, 2010, at 7:00 p.m., Eastern Standard Time, in the City Commission Room, City Hall, 320 W. Broadway Street, for the purpose of hearing objections to the making of said public improvements.
8. The City Clerk is hereby directed to cause notice of said hearing to be published and mailed in accordance with applicable statutory and ordinance provisions.
9. All resolutions and parts of resolutions conflicting with the provisions of this resolution are hereby rescinded.

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

NAYS: Commissioner Palmer

ABSENT: None

Resolutions adopted.

Moved by Commissioner Joslin and supported by Vice Mayor Kilmer to approve payment of invoice for demolition performed by McGuirk Sand and Gravel in the amount of \$14,390 with conditions and reasons as set forth by staff.

AYES: Commissioners Joslin, Kilmer, Ling, McGuire, Palmer and Tilmann

NAYS: Commissioner Holton

ABSENT: None

Motion carried.

Mayor Holton recused himself from consideration of approval of resolution creating an Industrial Facilities Tax Abatement District as requested by P&A Development, LLC due to a conflict of interest.

Vice Mayor Kilmer took control of the meeting.

MMDC President Brian Anderson and Community Development Director Rich Morrison gave a presentation on Industrial Facilities Development Districts.

Moved by Commissioner McGuire and supported by Commissioner Joslin to adopt the following Resolution Establishing Industrial Development District For P&A DEVELOPMENT, LLC.:

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, the City Commission has the authority to establish "Industrial Development Districts" within the City of Mount Pleasant; and

WHEREAS, P&A DEVELOPMENT, LLC has petitioned the City of Mount Pleasant to establish an Industrial Development District on its property located in the City of Mount Pleasant hereinafter described; and

WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on April 26, 2010 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Mount Pleasant were afforded an opportunity to be heard thereon; and

WHEREAS, the City Commission deems it to be in the public interest of the City of Mount Pleasant to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Mount Pleasant that the following described parcel of land situated in the City of Mount Pleasant, County of Isabella, and State of Michigan, to wit:

A PARCEL OF LAND IN THE SW 1/4 OF SEC 10, T14N, R4W, COMMENCING AT THE SW COR OF SEC 10, THENCE N 89D36M52S E, ON THE SOUTH LINE SEC, 1133.92 FT TO THE POB, THENCE N 00D16M32S W, PARALLEL WITH THE EAST ROW LINE OF AARR, 100 FT, THENCE S 89D36M52S W, PARALLEL WITH SAID SOUTH SEC LINE, 30 FT, THENCE N 00D16M32S W, PARALLEL WITH SAID EAST ROW LINE, 124.83 FT, THENCE N 89D36M52S E, PARALLEL WITH SAID SOUTH SEC LINE, 332.88 FT, THENCE S 00D16M32S E, PARALLEL WITH SAID EAST ROW LINE, 224.83 FT, THENCE S 89D36M52S W, ON SAID SOUTH SEC LINE, 302.88 FT BACK TO THE POB. ALSO A PARCEL BEING PART OF S 1/2 OF SW 1/4, COM AT INT OF E LINE AA RR TOW & S SEC LINE, TH E 125.65 FT, N 100 FT, W 30 FT, N 33 FT, W 95.95 FT, S 133 FT TO POB. ALSO A PARCEL COM AT S 1/4 COR SEC 10, TH N 88D13M14S W 1564.65 FT ALG S LINE OF SEC, TH N 01D58M56S E 133 FT TO THE POB, THENCE N 88D58M56S W 95.65 FT, TH N 01D58M56S E 76.83 FT, TH S 88D13M14SE 95.65 FT, TH SLY TO POB.

be and here is established as an Industrial Development District pursuant to the provision of Act No. 198 of the Public Acts of 1974 to be known as Industrial Development District No 5 (P&A Development).

AYES: Commissioners Joslin, Kilmer, Ling, McGuire, Palmer and Tilmann

NAYS: None

ABSENT: None

ABSTAINED: Commissioner Holton

Resolution adopted.

Mayor Holton returned to his position at the dais.

Moved by Commissioner McGuire and supported by Commissioner Ling to approve Working Capital Loan and authorize Mary Ann Kornexl, RLF staff liaison, to process the \$10,000 Downtown Working Capital/Façade Improvement loan to Sunny Meisel owner of Total Eclipse Design (110 East Broadway Street). Motion unanimously adopted.

Announcements on City Related Issues and Concerns

Commissioner Tilmann announced that the Isabella County Council of Governments will be meeting on May 12, 2010 at 7:00 p.m. at Wise Township. She also announced the Michigan Department of Energy, Labor & Economic Growth lighting grant in the amount of \$140,000 was awarded to the City due in part to Director Ellis' exemplary application and attachments. She would also like to make sure that the noise ordinance is enforced during Skate Wars if it takes place in Island Park.

Commissioner Joslin would like to know when the stoplights at the intersection of Broadway and Washington will be taken down. He thanked staff for their follow-up to special use applicants as well as announced MML Regional meeting being held May 19th and that the Budweiser Clydesdales will be downtown on May 20.

Commissioner Kilmer would like the noise ordinance to be enforced during Skate Wars if it takes place.

Commissioner Palmer announced that he will be moving out of the area. His resignation from the City Commission will be effective the end of May.

Commissioner McGuire questioned how to handle open seat on Commission due to resignation.

Public Comment on Agenda and Non-Agenda Items

Valerie Wolters, 4795 Broadway St. presented information about the 75th Anniversary Celebration of Ganiard Elementary School on Thursday, May 27 from 5 - 8 p.m.

Nicholas Brousseau, 210 E. Bennet Ave. and Darci Daul presented information regarding support for Inspire Michigan in their bid for \$250,000 grant from the Pepsi Refresh Project.

Mayor Holton adjourned the meeting without objection at 9:10p.m.

James Holton, Mayor

Jeremy Howard, City Clerk