

Minutes of the regular meeting of the City Commission held Monday, June 28, 2010 at 7:01 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; Commissioners English, Joslin, Ling, McGuire and Tilmann

Commissioners Absent: Vice Mayor Kilmer (excused)

Others Present: City Manager Grinzinger and City Clerk Howard

### Proclamations and Presentations

Mayor Holton presented a Neighborhood Mini Grant to Riverview Resident's Council Committee representative.

Mayor Holton presented a Neighborhood Mini Grant to Downtown Gardens' representative.

### Additions to Agenda

Add item #16 "Consider revised resolution to approve and submit language to amend Article XIV, Section 5 of the City Charter."

### Public Input on Agenda Items

Jim Engler spoke on request of City Commission to waive fees and penalty on 2009 personal property tax bill.

Received the following petitions and communications:

1. Communication from Susan Deming, Fluoridation Coordinator, Michigan Department of Community Health
2. Mt. Pleasant Housing Commission Minutes (May)
3. Mt. Pleasant Parks and Recreation Commission Minutes (May)
4. Mt. Pleasant Planning Commission Minutes (May)

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

1. Minutes of the special meeting and the closed session of the City Commission held June 7, 2010.
2. Minutes of the regular meeting and the closed session of the City Commission held June 14, 2010.
3. Bid of Etna Supply Co. of Grand Rapids, Michigan, in the amount of \$33,000 to supply water meters for the City's water meter replacement program, and allow the Water Department to purchase up to the budgeted amount.
4. Payrolls dated 6/25/10 and warrants dated 6/14/10; 6/17/10 and 6/24/10 all totaling \$1,156,182.31.

Motion unanimously adopted.

Moved by Commissioner Tilmann and supported by Commissioner McGuire to receive proposed Ordinance to Amend the Zoning Map and set a public hearing for July 26, 2010 at 7:00 p.m. to consider the conditional rezoning of the Wesley Foundation Property. Motion unanimously adopted.

Moved by Commissioner Joslin and supported by Commissioner Tilmann to approve Revolving Loan Fund requests for the Off-Broadway Studio of Performing Arts in the amount of \$13,000 and for Emma's Boutique in the amount of \$3,250 and authorize Mary Ann Kornexl, Revolving Loan Fund liaison, to process the requests. Motion unanimously adopted.

Commissioner Joslin requested information on the status of the State reclaiming the Revolving Loan Fund monies. The City Manager suggested the City Commission consider a resolution at the next meeting to urge the State to not reclaim the City's funds.

Moved by Commissioner Ling and supported by Commissioner McGuire to postpone action on request from Mr. Jim Engler to waive fees and penalty on 2009 personal property tax bill until staff can recommend a policy to address situations where the City could potentially waive fees and/or penalties.

AYES: Commissioners English, Joslin, Ling, McGuire and Tilmann  
NAYS: Mayor Holton  
ABSENT: Vice Mayor Kilmer  
Motion carried.

Moved by Commissioner Tilmann and supported by Commissioner Ling to adopt the following resolutions making Temporary Traffic Control Orders #04-2010, #5-2010 and #6-2010 permanent.

WHEREAS, under the date of December 18, 2009, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 4-2010 ("**NO PARKING 8:00 a.m. to 3:00 p.m. SCHOOL DAYS**") signs at 506 Crescent Dr. west to the intersection with Highland Street). Said temporary traffic control order was presented to the City Commission on June 28, 2010, 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. 4-2010 a permanent traffic control order.

WHEREAS, under the date of December 18, 2009, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 5-2010 (remove existing "NO PARKING" signs and replace them with "**NO PARKING 8:00 a.m. to 3:00 p.m. SCHOOL DAYS**") signs on the west side of Highland from Stockman to Crescent). Said temporary traffic control order was presented to the City Commission on June 28, 2010, 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. 5-2010 a permanent traffic control order.

WHEREAS, under the date of December 18, 2009, the Traffic Engineer of the City of Mt. Pleasant issued temporary traffic control order No. 6-2010 (install "**STOP**" signs on **Michigan at University Streets**, both east and westbound to create a four-way stop intersection at this location). Said temporary traffic control order was presented to the City Commission on June 28, 2010, 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. 6-2010 a permanent traffic control order.

Resolutions unanimously adopted.

Moved by Commissioner McGuire and supported by Commissioner Tilmann to enter into closed session pursuant to subsection 8(c) of the Open Meetings Act for a discussion of strategy connected with the negotiation of a collective bargaining agreement.

AYES: Commissioners English, Holton, Joslin, Ling, McGuire and Tilmann  
NAYS: None  
ABSENT: Commissioner Kilmer  
Motion unanimously adopted.

Moved by Commissioner McGuire and supported by Commissioner Tilmann to adopt the following revised Resolution to place proposed amendments to Article XIV, Section 5, of the Charter of the City of Mt. Pleasant on the November ballot.

WHEREAS, Act No. 279 of the Public Acts of 1909, as amended (“Act 279”), provides that a home rule city may amend its charter in accordance with the provisions of Act 279; and

WHEREAS, the City Commission believes that it is in the best interests of the City to amend the City Charter to eliminate the requirement that members of the Principal Shopping District Board be qualified electors of the City; and

WHEREAS, it is necessary for the qualified electors of the City to vote on the proposed amendment to City Charter Article XIV, Section 5 and

WHEREAS, Section 21 of Act 279 requires that the form in which proposed amendments to the City Charter shall be submitted on the ballot shall be determined by resolution of the City Commission.

NOW THEREFORE it is resolved that:

1. The City Commission, by a 3/5 vote of its members, proposes that Article XIV, Section 5 of the City Charter be amended to read as follows:

**Article XIV**

**Sec. 5 Members of Various Boards; Qualification; Notices.**

The appointed members of any City agency, board, or committee, other than the Principal Shopping District Board (also known as the “Downtown Development Board”), shall be qualified electors of the City and shall, insofar as is possible, be representative of the entire City. The appointed members of the Principal Shopping District Board (also known as the “Downtown Development Board”) shall meet the requirements of the applicable state law including that one member of the board shall be from the adjacent residential area, one member shall be a representative of the local governmental unit, and a majority of the members shall be nominees of individual businesses located within the principal shopping district. Before an appointed position is filled, notice of the vacancy shall be published at least two (2) times in a local newspaper of general circulation in the City. This notice shall state the nature of the vacancy, the term of office, the function of the agency, board, or committee for which the vacancy exists, and that any qualified elector of the City may submit names, including his or her own name, for consideration in the filling of the vacancy. No appointed member of any City agency, board or committee shall serve on the same body for more than two (2) consecutive terms.

2. The proposed Charter amendment referenced in this Resolution shall be placed on the ballot in the following form, with a provision for voting “yes” or “no” for its adoption:

MOUNT PLEASANT CITY CHARTER AMENDMENT SETTING REQUIREMENTS  
FOR CITY AGENCIES, BOARDS AND COMMITTEES

Shall Article XIV, Section 5 of the City Charter be amended to provide that appointed members of the Principal Shopping District Board need not be qualified electors of the City, but shall be, as state law requires, either from adjacent residential areas (one member), a representative of the City (one member), or the owners of an individual business located within the Principal Shopping District (a majority of the members)?

The amendment is proposed for the purpose of eliminating the City Charter requirement that appointed members of the Principal Shopping District Board be qualified electors of the City.

3. The foregoing ballot language and proposed Charter Amendment referenced in this Resolution shall be submitted to the electors, the Governor of the state of Michigan and the Attorney General of the state of Michigan as required by law.

4. A certified copy of this resolution shall be submitted to the Governor of the state of Michigan for her approval or disapproval of this amendment, and to the Attorney General, for his review of the proposed ballot language.
5. The foregoing Charter amendment shall be submitted to the electors for their adoption or rejection at an election to be held on November 2, 2010, or such date to which this election may be rescheduled.
6. The City Clerk shall give notice of such election as required by law. The notice shall include the proposed amendment to the City Charter in full with the existing Charter provisions which would be altered or abrogated. The clerk shall also post the amendment as required by law.
7. The City Manager, City Clerk, and City attorneys are authorized and directed to take any and all actions needed to seek voter approval of this Charter amendment.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Commission.

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

NAYS: None

ABSENT: Commissioner Kilmer

Resolution adopted.

#### Announcements on City Related Issues and Concerns

Commissioner Ling thanked those involved in Access Recreation Trail and bridge opening. She also thanked those involved in working on the Oak Street Bridge refurbishment and opening.

Commissioner Tilmann thanked Summerfest organizers for a job well done.

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

Francis Bailey, 901 Eastwood Dr. spoke of his concerns with the City's decision to not allow Skate Wars at Island Park.

The City Commission recessed at 7:49 p.m. and entered into closed session at 7:55 p.m. The Commission went back into regular session at 8:30 p.m. A separate set of minutes was taken for the closed session.

Mayor Holton adjourned the meeting without objection at 8:31p.m.

James Holton, Mayor

Jeremy Howard, City Clerk