

Minutes of the regular meeting of the City Commission held Monday, March 27, 2017, 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, Holton, Kulick, Madaj and Verleger

Commissioners Absent: None

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

### Public Input on Agenda Items

Mitchell Wagoner spoke in favor of the creation of an ad-hoc committee on Michigan Medical Marihuana Facilities Licensing Act (MMMFLA) and offered his help if needed.

### Receipt of Petitions and Communications

Received the following petitions and communications:

1. City Manager report on pending items:
  - a. Work Session Topics
2. Receipt of 2016 Annual Report
3. Airport Advisory Board Minutes (February)
4. Tax Increment Finance Authority (TIFA) and Principal Shopping District (PSD) joint meeting Minutes (February)
5. Receive information and response from Principal Shopping District (PSD) and the Tax Increment Finance Authority for downtown barrier-free parking spaces.
6. Correspondence from City resident Eliana Daum regarding bike lanes.
7. Three letters received regarding medical marijuana legislation.
8. Six letters received regarding rental housing licensing rates and fines.

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

1. Minutes of the special meeting of the City Commission and Planning Commission held March 13, 2017.
2. Minutes of the regular meeting of the City Commission held March 13, 2017.
3. Minutes of the closed session of the City Commission held March 13, 2017.
4. Bid of Central Asphalt of Mt. Pleasant, Michigan for 2017 Street Overlay project in the amount of \$142,771.45.
5. Bid of Michigan CAT of Grand Rapids, Michigan for 2017 4WD Tractor Backhoe in the amount of \$105,500 less \$18,000 trade-in for a net cost of \$87,500.00.
6. Authorize the Mayor and Clerk to sign the Farm Lease Agreement with MAK Enterprises of Shepherd, Michigan for farming at the airport.
7. Authorize the award of a revised bid to Yeo and Yeo Consulting of Saginaw, Michigan for two servers and components at a cost of \$58,725.
8. Rescind April 27, 2015 Sidewalk Displays and Food/Beverage Consumption Policy and approve Outdoor Dining Policy as recommended by the Tax Increment Finance Authority (TIFA) and Principal Shopping District Board (PSD).
9. Outdoor Merchandise Display Policy as recommended by the Tax Increment Finance Authority (TIFA) and Principal Shopping District Board (PSD).
10. Set a public hearing for Monday, April 24, 2017 at 7:00 p.m. on the proposed ordinance amendment for the Mission/Pickard Downtown Development Authority financing and development plans.
11. Payrolls dated March 10, 2017 and warrants dated March 7, 8, 13 and 15, 2017 all totaling \$832,709.44.

Motion unanimously adopted.

A public hearing was held on rental housing licensing rates.

Correspondence in opposition to the rental housing rates was received from Karen Rau, Central Michigan Mental Health Facilities Board; Kurt Norcross, 3883 W. Millbrook; and Nancy McGuirk, Quality Apartments.

Kim Johnson, Director of Mt. Pleasant Housing Commission; Patty Sandel, 9310 E. Pleasant Valley; Rick Arlt, 4530 Blue Cedar; David Kerr, 245 E. Broomfield; Steve Pastal, 4243 W. Blue Grass; Norm Curtis, 118 N. Main St.; Kurt Norcross, 3883 W. Millbrook; and Doug Janes, 5630 Lakeshore Dr., Weidman spoke in opposition to the recommended rental housing licensing rates.

Correspondence in support of the rental housing rates was received from Linda and Jon Darrow, 232 N. Cooley St.; Edward Clayton, 302 E. High St.; Xantha Karp and Eric Chercover, 318 E. Cherry St.

Kristen Lalonde, 120 S. Arnold, spoke in support of the recommended rental housing licensing rates.

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

Moved by Vice Mayor Lents and supported by Commissioner Madaj to approve the resolution as drafted implementing new rental housing licensing rates effective July 1, 2017.

Moved by Commissioner Holton and supported by Commissioner Kulick to postpone the matter of new rental housing licensing rates until further discussion can take place.

AYES: Commissioners Holton, Kulick and Verleger  
NAYS: Commissioners Gillis, Lents, Ling and Madaj  
ABSENT: None  
Motion failed.

The Commission considered the original motion to approve the resolution as drafted implementing new rental housing licensing rates effective July 1, 2017.

WHEREAS, Section 152.008(D) of the City Code authorizes the City Commission to set housing license application fees;

WHEREAS, the City Commission wishes to set new housing license fees based on a recent staff review of the costs incurred by the City in administering the rental housing program.

NOW THEREFORE BE IT RESOLVED THAT:

A. Based upon City staff's analysis of costs incurred, the City Commission establishes the following fees for housing licenses:

Property Type License Fee

Single-family dwelling \$84

Two-family dwelling \$94

Condominium unit in multi-family dwelling \$102

Rooming dwelling \$102

Hotel or Motel \$173 base + \$10 per guest room

Multi-family dwelling \$66 base + \$19 per dwelling unit

B. The terms in the fee-schedule above shall be read in accordance with the definitions in Section 152.004 of the City Code. The term "condominium unit" shall mean a condominium unit as defined in the Michigan Condominium Act, 1978 PA 59, as amended MCL 559.101 *et seq.*

C. The license fees in the fee-schedule above include an initial inspection and up to 1 re-inspection per property. If additional re-inspections are needed, the applicant shall pay a re-inspection fee equal to one-half the base license fee, plus (for hotels, motels, and multi-family dwellings) one-half the per-room or per-unit fee for any hotel/motel room or dwelling unit that needs to be re-inspected.

D. If an applicant for a renewal license submits the application after the deadline established in Section § 152.008 of the City Code, the applicant shall pay a per-month late fee of \$25 or 9% the applicable license fee for the application, whichever is greater.

E. All resolutions and parts of resolutions, to the extent of any conflict with this resolution, are rescinded.

AYES: Commissioners Gillis, Lents, Ling and Madaj  
NAYS: Commissioners Holton, Kulick and Verleger  
ABSENT: None  
Motion carried.

A public hearing was held on an ordinance amendment to sections 152.008 and 152.999 of the Code of Ordinances for the City of Mt. Pleasant to provide fines for owners and property managers who fail to obtain housing licenses.

Correspondence in opposition to the ordinance amendment was received from Karen Rau, Central Michigan Mental Health Facilities Board; Kurt Norcross, 3883 W. Millbrook; and Nancy McGuirk, Quality Apartments.

David Kerr, 245 E. Broomfield; Rick Arlt, 4530 Blue Cedar; and Steve Stressman, 215 E. Chippewa, spoke in opposition to an ordinance amendment to provide fines for owners and property managers who fail to obtain housing licenses.

Kim Johnson, Director of Mt. Pleasant Housing Commission; and Doug Janes, 5396 Lakeshore Dr., Weidman; spoke in opposition to the low cost of the 1<sup>st</sup> level fine for owners and property managers who fail to obtain housing licenses.

Correspondence in support of the ordinance amendment was received from Linda and Jon Darrow, 232 N. Cooley St.; Edward Clayton, 302 E. High St.; Xantha Karp and Eric Chercover, 318 E. Cherry St.

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

Moved by Vice Mayor Lents and supported by Commissioner Madaj that Ordinance 1022 an Ordinance to amend Sections 152.008 and 152.999 of the Code of Ordinances for the City of Mt. Pleasant to provide fines for owners and property managers who fail to obtain housing licenses having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Holton, Kulick, Lents, Madaj and Verleger  
NAYS: Commissioner Ling  
ABSENT: None  
Motion carried.

A public hearing was held on the Michigan Department of Natural Resources Trust Fund Grant application. Kristen Lalonde, 120 S. Arnold spoke in favor of the Grant application. There being no other comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Commissioner Gillis to approve the resolution as presented supporting submittal of the Michigan Department of Natural Resources Trust Fund Grant application for the fitness trail and bridge projects.

WHEREAS, the City of Mount Pleasant working with community partners wishes to construct the Fitness Trail & Bridge Project near downtown to serve the community's recreational needs for years to come, and

WHEREAS, the proposed Fitness Trial & Bridge Project is specifically outlined in and consistent with the goals and objectives of the City's current 2016-2020 Parks and Recreation Master Plan, and

WHEREAS, these improvements are additionally listed in the City's Proposed 2018-2022 Capital Improvement Plan, and

WHEREAS, the proposed project and grant application were discussed at a public meeting of the Mount Pleasant City Commission held March 27, 2017 at 7:00 p.m. at Mt. Pleasant City Hall to provide an opportunity for additional public comment on the proposed Fitness Trail and Bridge Project, and

WHEREAS, The City of Mount Pleasant has committed to providing \$165,000 or 52% of the total \$318,000 project cost from City matching funds;

BE IT THEREFORE RESOLVED that the Mount Pleasant City Commission hereby approves submittal of a 2017 Michigan Department of Natural Resources Trust Fund Grant application for the Fitness Trail & Bridge Project.  
Motion unanimously adopted.

A public hearing was held on the Michigan Department of Natural Resources Recreation Passport Grant application. There being no comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Holton and supported by Commissioner Kulick to approve the resolution as presented supporting submittal of the Michigan Department of Natural Resources Recreation Passport Grant application for the Community Amphitheater project.

WHEREAS, the City of Mount Pleasant wishes to construct a Community Amphitheater with partners at Island Park near downtown to serve the community's recreational needs for years to come, and

WHEREAS, those improvements are specifically outlined in and consistent with the goals and objectives of the City's current 2016-2020 Parks and Recreation Master Plan, and

WHEREAS, these improvements are additionally listed in the City's Proposed 2018-2022 Capital Improvement Plan, and

WHEREAS, the proposed project and grant application were discussed at a public meeting of the Mount Pleasant City Commission held March 27, 2017 at 7:00 p.m. at Mt. Pleasant City Hall to provide an opportunity for additional public comment on the proposed Community Amphitheater Project, and

WHEREAS, The City of Mount Pleasant has committed providing \$5,000 in parks partnership funds towards the project and assisting with partner fundraising efforts to raise 50% of the total \$150,000 project cost from community grants and donations;

BE IT THEREFORE RESOLVED, that the Mount Pleasant City Commission hereby approves submittal of a 2017 Michigan Department of Natural Resources Passport Grant application for the Community Amphitheater Project.  
Motion unanimously adopted.

A public hearing was held on the Infrastructure Capacity Enhancement (ICE) Grant application. There being no comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Holton and supported by Commissioner Kulick to approve the resolution, community development plan and anti-displacement and relocation assistance plan related to the Infrastructure Capacity Enhancement (ICE) grant application for water tower as presented.

**WHEREAS**, the Michigan Strategic Fund has invited Units of General Local Government to apply for its CDBG-Infrastructure Capacity Enhancement (ICE) Competitive Funding Round; and

**WHEREAS**, the City of Mt. Pleasant desires to request \$2,000,000 dollars in CDBG funds to erect and add a one half million gallon elevated storage tank to the water system in order to eliminate low pressure issues in the City of Mt. Pleasant water distribution system; and

**WHEREAS**, the City of Mt. Pleasant commits local funds from its water fund in the amount of \$200,000; and

**WHEREAS**, the proposed project is consistent with the local Community Development Plan as described in the Application; and

**WHEREAS**, the proposed project will benefit all residents of the project area and 61.8 percent of the residents of the City of Mt. Pleasant are low and moderate income persons as determined by an income survey approved by the Michigan Economic Development Corporation; and

**WHEREAS**, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Mt. Pleasant hereby designates the City Manager as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.  
Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Gillis to authorize the award of the City Hall security camera project to CMS Internet of Mt. Pleasant, Michigan at a not-to-exceed cost of \$6,820. Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Holton to authorize the allocation of \$53,800 of donated funds to the proposed items for Timber Town 2.0 as presented plus a contingency of \$7,600 and related budget amendments.  
Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Holton to authorize the purchase of a Rock-N-Raft wheelchair accessible play feature from GameTime as a sole source purchase at a not-to-exceed cost of \$26,000 if additional in-kind donations are received for the Timber Town 2.0 project. Motion unanimously adopted.

Moved by Commissioner Madaj and supported by Commissioner Gillis to approve the resolution as drafted extending the temporary moratorium on new Brownfields.

WHEREAS, the City in conjunction with the BRA Board agreed to develop, consider, and approve an updated policy for brownfield financing, and

WHEREAS, the City Commission and the BRA Board held a joint meeting on February 27, 2017 to discuss parameters and next steps for updating the policy, and

WHEREAS, the temporary moratorium on the approval of new brownfield plans, brownfield plan amendments and related brownfield reimbursement agreements passed by the City Commission on January 23, 2017 is set to expire April 1, 2017, and

WHEREAS, the City Commission and the BRA Board require additional time to complete the next steps in the process of updating the policy and desire an extension of the temporary moratorium.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. Beginning on the date of this resolution, the City shall not process any new requests for brownfield plans, brownfield plan amendments, reimbursement agreements, or amendments to reimbursement agreements, until the City Commission approves a new policy establishing criteria for brownfield financing or until May 31, 2017, whichever occurs first.

2. All resolutions and parts of resolutions, to the extent of any conflict with this resolution, are rescinded.

AYES: Commissioners Gillis, Lents, Ling, Madaj and Verleger

NAYS: Commissioners Holton and Kulick

ABSENT: None

Motion carried.

Moved by Commissioner Madaj and supported by Commissioner Kulick to approve the Ad-Hoc Committee on Michigan Medical Marijuana Facilities Licensing Act (MMMFLA) membership, charge and timeline as presented except for changing the number of residents on the committee from two to three and determining that staff members will not have a vote on the committee. Motion unanimously adopted. (CC Ex. 5-2017)

Approve submission of City requests for Saginaw Chippewa Indian Tribe two percent allocations with a summary of the Commission's top priorities.

Announcements on City-Related Issues and New Business

Commissioner Holton would like to see the Commission reconsider the motion on rental housing licensing rates and would like the Commission to look again at the issue of rezoning the former SBX property now that Kaya Coffee has moved.

Commissioner Gillis thanked Don Nagler for his service to the City and the community.

Mayor Ling announced that the Student Government Association invited all Commissioners to the SGA State of the Student Body address being held Monday, April 3<sup>rd</sup>.

The Commission recessed at 8:46 p.m. and went into a work session at 8:55 p.m.

#### WORK SESSION

1. Discussion on proposed burning ordinance.

City Manager Ridley and Mayor Ling lead a discussion on proposed burning ordinance.

Discussion ensued.

Recommendation will be on the agenda for the next meeting.

2. 2018 Goals.

City Manager Ridley and Mayor Ling lead a discussion on 2018 goals.

Discussion ensued.

Mayor Ling adjourned the meeting at 10:02 p.m. without objection.

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Kathleen Ling, Mayor

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Jeremy Howard, City Clerk