

Minutes of the regular meeting of the City Commission held Tuesday, May 28, 2019, at 7:00 p.m., in the City Commission Room.

Mayor Joseph called the meeting to order and the Pledge of Allegiance was recited, led by a local Boy Scout troop. \*amended 6/10/19.

Commissioners Present: Mayor Joseph and Vice Mayor Gillis; Commissioners Kulick, LaLonde, Ling, Perschbacher and Tolas

Commissioners Absent: None

Others Present: City Manager Ridley and City Clerk Howard

### Proclamations and Presentations

Peter Haefner, Partner with Vredevelt Haefner LLC, gave a presentation on the 2018 Comprehensive Annual Financial Report.

Discussion ensued.

Building Official Brian Kench gave a presentation on the City's Building Department.

### Public Input on Agenda Items

Caleb Carey, 5590 S. Crawford; and Chase Hammond, 206 N. Henry St., spoke in opposition to proposed ordinance to temporarily prohibit recreational marihuana establishments under Initiated Law 1 of 2018, the Michigan Regulation and Taxation of Marihuana.

Glenn Bordine, 7265 S. Mission, spoke in regards to recreational marihuana and its positive effect on reducing opioid abuse and spoke in opposition to proposed ordinance to temporarily prohibit recreational marihuana establishments under Initiated Law 1 of 2018, the Michigan Regulation and Taxation of Marihuana.

### Receipt of Petitions and Communications

Received the following petitions and communications:

1. City Manager report on pending items.
2. Airport Advisory Board Meeting Minutes. (April)
3. Tax Increment Finance Authority Meeting Minutes. (April)
4. Receipt of 2018 Comprehensive Annual Financial Report.
5. Receipt of 2018 Component Unit Financial Reports.
6. Correspondence received from Anthony DeLellis, 1204 E. Preston Street regarding Preston Street.

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

1. Minutes of the special meeting of the City Commission held May 11, 2019.
2. Minutes of the regular meeting of the City Commission held May 13, 2019.
3. Resolution designating certifying officer and environmental review officer for CDBG funded projects as follows:

WHEREAS, the Federal Housing and Community Development Act of 1974, 42 U.S.C. §5170 et seq, as amended (HCDA) authorized the Community Development Block Grant (CDBG); and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) allocates CDBG funds to the State of Michigan through the Michigan Strategic Fund (MSF) with assistance from the Michigan Economic Development Corporation (MEDC) for further distribution to eligible Units of General Local Government (UGLGs) to carry out MSF-approved activities; and

WHEREAS, the City of Mount Pleasant is an eligible UGLG to carry out MSF approved activities, including CDBG projects; and WHEREAS, pursuant to Federal regulations, specifically 24 CFR Part 58 - Environmental Review Procedures for Entities

Assuming HUD Environmental Responsibilities, the environmental review process must be undertaken for CDBG funded projects by the Responsible Entity; and

WHEREAS, the Responsible Entity (RE) is a governmental agency that is empowered to conduct environmental reviews in conjunction with CDBG funded projects; and

WHEREAS, for the CDBG programs operated by the Michigan Economic Development Corporation (MEDC), the RE is the UGLG; and

WHEREAS, to carry out its environmental review responsibilities for CDBG funded projects, the UGLG is required to designate two responsible parties: a Certifying Officer (CO) and an Environmental Review Officer (ERO); and

WHEREAS, the CO may be the chief elected official, chief executive official, or other official designated by formal resolution of the governing body; and

WHEREAS, the ERO is responsible for completing the environmental review for CDBG funded projects.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Mount Pleasant that:

1. The City Manager for the City of Mount Pleasant is hereby designated as the Certifying Officer (CO) for all CDBG funded projects administered through the City of Mount Pleasant. The CO is required to ensure CDBG project compliance with the National Environmental Policy Act, 42 U.S.C. §4321 et seq. (NEPA) and the related provisions in 24 CFR Part 58, including the Federal laws and authorities cited at §58.5, and shall comply with all rules and regulations applicable to the CO for CDBG funded projects. The CO has the authority to assume legal responsibility for certifying that all environmental requirements have been followed, is authorized to certify the Request for Release of Funds and to represent the UGLG in federal court; and
2. The City of Mount Pleasant Director of Community Services and Economic Development is hereby designated as the Environmental Review Officer (ERO) for all CDBG funded projects administered through the City of Mount Pleasant. The ERO shall comply with all rules and regulations applicable to the ERO regarding CDBG funded projects, and shall maintain a written environmental review record (ERR) of the environmental review undertaken for each CDBG project, covering all activities, including exempt activities. The ERR shall be available for public review and shall contain all of the environmental review documents, public notices, and written determinations or environmental findings required under 24 CFR Part 58.
3. All resolutions and parts of resolutions that are in conflict with the provisions of this Resolution are rescinded.
4. Warrants dated May 14 and 22, 2019 and Payrolls dated May 17, 2019 all totaling \$658,746.53.

Motion unanimously adopted.

A public hearing was held on proposed 2020-2025 Capital Improvement Plan. Kathy Rise, 1717 Elm St., spoke regarding funds allocated for streets in industrial zone. There being no other public comments or communications received, the Mayor closed the public hearing. No action required by the Commission at this time.

Moved by Mayor Joseph and supported by Commissioner Kulick to deny the proposed ordinance amendment to Section 98.37 *Snow And Ice Removal From Sidewalks* of the Code of Ordinance as drafted.

Moved by Commissioner Ling and supported by Commissioner Perschbacher to amend the motion to direct the staff to prepare a possible amendment to Ordinance 98.37 (A) (1) that would expand the areas covered by the current ordinance to all properties in the CD4 and CD5 zones and to present that proposed change to the Commission for consideration no later than the first meeting in August.

AYES: Commissioners Joseph, Ling and Perschbacher  
NAYS: Commissioners Gillis, Kulick, LaLonde, and Tolas  
ABSENT: None

Motion failed.

The Commission considered the original motion.

AYES: Commissioners Gillis, Kulick, LaLonde, Perschbacher and Tolas

NAYS: Commissioners Joseph and Ling

ABSENT: None

Motion carried.

Moved by Commissioner Ling and supported by Commissioner Perschbacher to expand the current map of sidewalk snow plowing done by City staff to 25 miles within 3 years and then add at least 5 miles a year with the goal of eventually covering all or most of the sidewalks in residential districts; that the funds to pay for the operating costs for this proposal be covered from the increase in fire protection funds that the City will be receiving through state grants as recommended by staff; and that the cost for the equipment needed come from the Economic Initiative Fund (EIF) and/or the General Fund Balance as recommended by staff.

Moved by Mayor Joseph to call for the previous question.

AYES: Commissioners Joseph and Perschbacher

NAYS: Commissioners Gillis, Kulick, LaLonde, Ling and Tolas

ABSENT: None

Motion failed.

Moved by Commissioner Kulick and supported by Vice Mayor Gillis to amend the original motion to add language that sidewalk snow removal be performed on non-overtime basis and only after streets and alleys and parking lots are completed.

AYES: Commissioners Gillis, Kulick and Tolas

NAYS: Commissioners Joseph, LaLonde, Ling and Perschbacher

ABSENT: None

Motion failed.

Moved by Vice Mayor Gillis and supported by Commissioner Kulick to amend the original motion to add language that after 3 years there would be an evaluation to determine if further staff would be needed to continue. Motion unanimously adopted.

The Commission considered the original motion with amendment to expand the current map of sidewalk snow plowing done by City staff to 25 miles within 3 years and then add at least 5 miles a year with the goal of eventually covering all or most of the sidewalks in residential districts; that the funds to pay for the operating costs for this proposal be covered from the increase in fire protection funds that the City will be receiving through state grants as recommended by staff; and that the cost for the equipment needed come from the Economic Initiative Fund (EIF) and/or the General Fund Balance as recommended by staff and that after 3 years there would be an evaluation to determine if further staff would be needed to continue.

AYES: Commissioners Joseph, LaLonde, Ling and Perschbacher

NAYS: Commissioners Gillis, Kulick and Tolas

ABSENT: None

Motion carried.

Moved by Commissioner Tolas and supported by Commissioner Kulick to approve the updated Downtown Outdoor Dining Policy and Application Procedures as presented.

Moved by Commissioner Kulick and supported by Commissioner Perschbacher to amend the original motion to require that electricity be provided from overhead rather than across the sidewalk.

Moved by Commissioner Kulick and supported by Commissioner Ling to postpone matter of revisions to the Downtown Outdoor Dining Policy until the next meeting to have staff investigate having electrical hookup be overhead rather than across the sidewalk. Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Perschbacher to approve Resolutions #1 and #2 to commence proceedings for Principal Shopping District Special Assessment 2-2019, tentatively determine the necessity and set public hearing for June 10, 2019 at 7:00 p.m. to receive public input on necessity.

Resolution No. 1

Principal Shopping District 2-19

WHEREAS, pursuant to provisions of the City Charter of the City of Mt. Pleasant; Chapter 33: TAXATION, Section 33.17 "Authority to Assess", of the Code of Ordinances, and Public Act 120 of 1961 "Redevelopment of Shopping Areas", the City Commission of the City of Mt. Pleasant may commence proceedings to provide funding for the operations of the Principal Shopping District within the City and determine the tentative necessity thereof,

AND, WHEREAS, the City Commission has tentatively deemed it to be in the public's interest, health and welfare to provide funding for the operations of the Principal Shopping District in the City, Special Assessment District No. 2-19

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Manager is directed to cause to be prepared a report which shall include all analysis and information required by Section 33.20 "Survey and Report", of the Code of Ordinances,
2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the Commission.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are and the same hereby are rescinded.

Resolution No. 2

Principal Shopping District 2-19

WHEREAS, the City Manager has prepared a report concerning funding for the Principal Shopping District in Special Assessment District No. 2-19, which includes all of 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 provide funding for the Principal Shopping District in the City of Mt. Pleasant more particularly hereinafter described in this resolution;

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Commission hereby tentatively determines that providing funding for the Principal Shopping District described more particularly hereinafter provided for are necessary.
2. The total funding for the Principal Shopping District for the next two years (2020 and 2021) is estimated to be \$123,480 per year. \$123,480 shall be spread over the special assessment district per year as hereinafter described as a result of benefits to be received by the affected properties in the special assessment district.
3. Said special assessment district shall consist of all the lots and parcels of land as follows: all lots in the Principal Shopping District as established by the City Commission at the February 24, 2003 meeting and amended at the November 14, 2005 meeting.
4. The duration of the special assessment shall be two years.
5. The affected properties in the special assessment district shall be assessed in accordance with the relative portion of the sum to be levied in the district, as the benefit to the parcel of land bears to the total benefit to all parcels.
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 10, 2019 at 7:00 p.m., Daylight Savings Time, in the City Commission Room, City Hall, 320 W. Broadway Street, for the purpose of hearing objections to providing funding to the "Principal Shopping District".

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 Gillis, Joseph, Kulick, LaLonde, Ling and Perschbacher

NAYS: Commissioner Tolas

ABSENT: None

Motion carried.

Moved by Commissioner Kulick and supported by Commissioner Tolas to receive a proposed ordinance to add a new Chapter 115, "RECREATIONAL MARIHUANA FACILITIES" to Title XI of the Mt. Pleasant City Code to temporarily prohibit recreational marihuana establishments under Initiated Law 1 of 2018, the Michigan Regulation and Taxation of Marihuana Act and set a public hearing for June 10, 2019 at 7:00 p.m. on same at the City Hall, 320 Mt. Pleasant, Michigan. Motion unanimously adopted.

#### Announcements on City-Related Issues and New Business

Vice Mayor Gillis announced an opening on the Historic District Commission as well as other boards and commissions and encouraged the public to apply. Information for boards and commissions can be found on the City's website at [http://www.mt-pleasant.org/boards\\_and\\_commissions/](http://www.mt-pleasant.org/boards_and_commissions/). She thanked staff for replacing Crosslane road signs to correctly designate "Crosslanes" road.

Commissioner Perschbacher announced that there will be tours of Broadway Theatre and old Post Office Building on June 15<sup>th</sup> from 11 a.m. to 1:00 p.m.

Commissioner Tolas would like staff to post the following documents on the City's website for one year: 1) 2011 Quit Claim Deed between City and State; 2) cost spreadsheet from Regional Center purchase; and 3) 2011 Title Opinion on Regional Center. Discussion ensued amongst the Commission.

Commissioner Kulick asked if staff could develop a website policy that would determine what should be placed on the City website.

Mayor Joseph announced Craft Beer Festival taking place Saturday, June 8<sup>th</sup>; and Porchfest sponsored by WANA is taking place Sunday, June 9<sup>th</sup>.

The Commission recessed at 9:24 p.m. and went into a work session at 9:34 p.m.

#### WORK SESSION - Discussion on 2020-2025 Capital Improvement Plan.

Mayor Joseph led a discussion on 2020-2025 Capital Improvement Plan.

Discussion ensued.

Recommendation will be on June 10, 2019 agenda for approval.

Mayor Joseph adjourned the meeting at 10:13 p.m.

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William L. Joseph, Mayor

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Jeremy Howard, City Clerk