

Minutes of the regular meeting of the City Commission held Monday, September 9, 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.

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

Commissioners Absent: None

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

### Public Input on Agenda Items

James Moreno, 316 S. Arnold, spoke in favor of recreational marijuana in the City.

Doug Collins, 2001 Elva St., Apt #413, spoke of concerns with legalization of marijuana.

### Receipt of Petitions and Communications

Received the following petitions and communications:

1. City Manager report on pending items.
2. Zoning Board of Appeals Meeting Minutes. (November)
3. Traffic Control Committee Meeting Minutes. (June)
4. Brownfield Redevelopment Authority/Economic Development Corporation Meeting Minutes. (July).
5. Tax Increment Finance Authority Meeting Minutes. (June)
6. Correspondence received from Mike Kostrzewa, 210 Court St, regarding community pools.

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

1. Minutes of the regular meeting of the City Commission held August 26, 2019.
2. Minutes of the closed session of the City Commission held August 26, 2019.
3. Purchase of an additional Rotating Biological Contractor (RBC) from American Resource Recovery Services of Sparta, Michigan for \$33,271 and the appropriate budget amendment.
4. Bid of Mid-Michigan Industries of Mt. Pleasant, Michigan for curbside recycling collection for a base bid price of \$7,700 per month, effective January 1, 2020, and adjusted by Consumer Price Index (CPI) for 2021 and 2022 and allow for two additional one-year extensions.
5. Purchase of a self-unloading trailer from Pro-Tainer of Alexandria, Minnesota for \$14,400, and a flatbed self-unloading trailer from Scientific Brake of Mt. Pleasant, Michigan for \$6,550, and the appropriate budget amendment.
6. Purchase of two 2020 International HV507 SFA plow truck cab and chassis from Tri County International Trucks of Jackson, Michigan in the amount of \$167,536.

7. Contract with Fleis & Vandenbrink of Grand Rapids, Michigan to perform engineering services for the Multi-Jurisdictional Storm Water Master Plan project at a not to exceed amount of \$97,400.
8. Continuation of purchase-buyback program with Krapohl Ford of Mt. Pleasant, Michigan for sixteen (16) 2020 pickup trucks at a total cost of \$497,019 as presented.
9. Resolution approving the contract with the Michigan Department of Transportation (MDOT) for trunkline maintenance as follows:

**BE IT RESOLVED THAT** the Municipal Trunkline Maintenance contract between the MICHIGAN DEPARTMENT OF TRANSPORTATION and the CITY OF MT. PLEASANT for the period October 1, 2019 through September 30, 2024, is hereby accepted and Matt Weaver is designated as Maintenance Superintendent on sections of State Trunkline Highways as shown on the Municipal Route Section Map and Budget Sheets.

The following City officials William L. Joseph, Mayor, and Jeremy Howard, City Clerk, are hereby authorized to sign the said maintenance contract.

10. Received proposed 2020 Annual Operating Budget and set a public hearing for Monday, November 11, 2019 at 7:00 p.m. on same.
11. Resolution to amend 2019 Operating Budget as follows:

WHEREAS, Article VII, Section 10 authorizes the City Commission to amend the annual operating budget by resolution, and

WHEREAS, the 2019 operating budget was originally adopted by resolution on December 10, 2018 and

WHEREAS, the activities of the City since the budget was adopted have been such as to necessitate an amendment at this time,

NOW THEREFORE, BE IT RESOLVED, that the following revenue and expenditure appropriations be approved and the 2019 operating budget be amended, effective immediately.

	<u>Fund Balance January 1</u>	<u>2019 Revenue</u>	<u>2019 Expenditures</u>	<u>Fund Balance December 31</u>
<b><u>GOVERNMENTAL FUNDS</u></b>				
<b><u>GENERAL FUND</u></b>				
Unassigned	\$2,983,836	\$12,898,600		
Legislative Division			\$1,047,350	
Finance Division			1,500,910	
Public Safety Division			6,861,630	
Community Services Division			2,752,000	
Public Works Division			842,050	
Amount from Fund Balance			(148,310)	
Total Unassigned	2,983,836	\$12,898,600	\$12,855,630	\$3,026,806
Assigned for Next Year's Budget	148,310	0	148,310	0
Assigned for Economic Development	491,252	80,000	108,840	462,412
Assigned for Projects/Programs	1,016,922	641,330	216,650	1,441,602
Restricted	745,958	200,390	519,900	426,448

Non-spendable	590,192	0	0	590,192
Total General Fund	\$5,976,470	\$13,820,320	\$13,849,330	\$5,947,460
<b>SPECIAL REVENUE FUNDS</b>				
<b>MAJOR STREET FUND</b>				
Restricted	\$2,669,631	\$1,776,360	\$2,832,100	\$1,613,891
Restricted for Donation	139,399	0	124,000	15,399
Total Major Street Fund	2,809,030	1,776,360	2,956,100	1,629,290
<b>LOCAL STREET FUND</b>				
Restricted	776,905	1,166,080	1,132,390	810,595
Restricted for Donation	40,000	0	40,000	0
Total Local Street Fund	816,905	1,166,080	1,172,390	810,595
<b>SPECIAL ASSESSMENT COMMITTED</b>				
	334,347	21,440	70,260	285,527
<b>DOWNTOWN SPECIAL ASSESSMENT</b>				
Restricted from Special Assessment Assigned from General Fund and Parking	45,701	124,370	149,090	20,981
	64,352	0	30,254	34,098
Total Downtown Fund	110,053	124,370	179,344	55,079
<b>PARKS &amp; RECREATION FUND</b>				
Restricted for PEAK	0	192,000	192,000	0
Restricted for Recreation	0	20,200	10,200	10,000
Assigned for PEAK	406,698	463,150	476,960	392,888
Assigned for Recreation	61,660	634,500	590,270	105,890
Total Parks & Recreation Fund	468,358	1,309,850	1,269,430	508,778
<b>BLOCK GRANT FUND</b>				
Assigned for Owner Occupied - Hsg.	28,491	0	0	28,491
Assigned	317,416	1,500	0	318,916
Total Block Grant Fund	345,907	1,500	0	347,407
Cemetery Fund Committed	202,872	10,800	0	213,672
<b>Total Governmental Funds</b>				
<b>Appropriated Budget</b>	<b>\$11,063,942</b>	<b>\$18,230,720</b>	<b>\$19,496,854</b>	<b>\$9,797,808</b>

FURTHER, BE IT RESOLVED, that the following informational summaries be approved for the Capital Project, Debt Service, Component Units, and Proprietary Funds for the year beginning January 1, 2019 and ending December 31, 2019

	Fund Balance <u>January 1</u>	2019 <u>Revenue</u>	2019 <u>Expenditures</u>	Fund Balance <u>December 31</u>
<b>CAPITAL PROJECT FUNDS</b>				
<b>CAPITAL IMPROVEMENT FUND</b>				
Committed for Projects	\$447,100	\$50,000	\$102,200	\$394,900
Committed	1,429,037	651,600	330,640	1,749,997
Total Capital Improvement Fund	1,876,137	701,600	432,840	2,144,897
<b>DEBT SERVICE FUNDS</b>				
Borden Building Debt Restricted	117,824	278,410	363,950	32,284

**Capital Project and Debt Service Funds**

<b>Informational Summaries</b>	<b><u>\$1,993,961</u></b>	<b><u>\$980,010</u></b>	<b><u>\$796,790</u></b>	<b><u>\$2,177,181</u></b>
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	Working Capital <u>January 1</u>	Sources of Working <u>Capital</u>	Uses of Working <u>Capital</u>	Working Capital <u>December 31</u>
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**Component Units**

**MISSION STREET DDA FUND**

Assigned	\$253,300	\$241,720	\$122,720	\$372,300
Unassigned	78,946	50,680	71,060	58,566
Total Mission Street DDA Fund	332,246	292,400	193,780	430,866

**TAX INCREMENT FIN AUTH FUND**

Central Business District Restricted	42,437	0	0	42,437
Central Business District Assigned	602,966	388,263	59,100	932,129
Central Business District Unassigned	176,513	0	176,513	0
Ind Park North Assigned	90,000	0	0	90,000
Ind Park North Unassigned	6,712	1,700	2,200	6,212
Total TIFA	918,628	389,963	237,813	1,070,778

**LOCAL DEVELOPMENT FIN AUTHORITY**

Assigned	209,503	0	2,382	207,121
Unassigned	17,678	118,500	120,878	15,300
Total LDFA	227,181	118,500	123,260	222,421

**BROWNFIELD REDEVELOPMENT FUND**

Assigned	9,534	167,060	162,240	14,354
Unassigned	277	200	0	477
Total Brownfield	9,811	167,260	162,240	14,831

ECONOMIC DEVELOPMENT CORPORATION

Assigned Parking Lot	15,000	1,950	0	16,950
Assigned General Fund Loan	0	108,440	0	108,440
Unassigned	23,632	7,800	7,800	23,632
Total EDC	38,632	118,190	7,800	149,022

**Total Component Unit Funds**

<b>Informational Summaries</b>	<b>\$1,526,498</b>	<b>\$1,086,313</b>	<b>\$724,893</b>	<b>\$1,887,918</b>
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Working Capital <u>January 1</u>	Sources of Working Capital <u>Capital</u>	Uses of Working Capital <u>Capital</u>	Working Capital <u>December 31</u>
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**PROPRIETARY FUNDS**

**Enterprise Funds**

LAND DEVELOPMENT FUND

Restricted	\$242,170	0	0	\$242,170
Unassigned	(16,431)	126,380	125,720	-15,771
Total Land Development	225,739	126,380	125,720	226,399

AIRPORT FUND

Restricted	31,062	45,000	76,062	0
Assigned	82,519	0	0	82,519
Unassigned	81,540	409,840	432,128	59,252
Total Airport	195,121	454,840	508,190	141,771

SEWER FUND

Assigned	247,194	340,000	129,060	458,134
Restricted	1,368,618	700,000	1,387,810	680,808
Unassigned	1,607,396	1,440,680	1,854,220	1,193,856
Total Sewer	3,223,208	2,480,680	3,371,090	2,332,798

WATER FUND

Restricted	352,800	150,000	150,000	352,800
Assigned	1,275,622	440,000	514,000	1,201,622
Unassigned	1,028,274	2,745,700	2,533,700	1,240,274
Total Water	2,656,696	3,335,700	3,197,700	2,794,696

SOLID WASTE FUND

Restricted	230,000	0	15,000	215,000
Unassigned	989,723	635,360	697,720	927,363
Total Solid Waste	1,219,723	635,360	712,720	1,142,363

**Internal Service Funds**

**MOTOR POOL FUND**

Assigned	118,000	0	118,000	0
Unassigned	758,881	1,404,960	1,723,570	440,271
Total Motor Pool	876,881	1,404,960	1,841,570	440,271
SELF INSURANCE FUND	1,544,741	2,384,730	2,784,850	1,144,621

**Total Proprietary Funds**

<b>Informational Summaries</b>	<b>\$9,942,109</b>	<b>\$10,822,650</b>	<b>\$12,541,840</b>	<b>\$8,222,919</b>
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- 12. Received fall 2019 Saginaw Chippewa Indian Tribal 2% funding requests from City Departments.
- 13. Warrants dated August 20 & 28 2019 and Payrolls dated August 23, 2019 all totaling \$761,900.38.

A public hearing was held on proposed amendment to Title XI, Chapter 115 RECREATIONAL MARIHUANA ESTABLISHMENTS of the Code of Ordinances of the City of Mt. Pleasant to repeal the existing Chapter 115 and adopt a new Chapter 115 RECREATIONAL MARIHUANA ESTABLISHMENTS to allow certain establishments to be operated in accordance with state law. There being no public comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Ling and supported by Commissioner Perschbacher that Ordinance 1046, an Ordinance to repeal Title XI, Chapter 115 RECREATIONAL MARIHUANA ESTABLISHMENTS and add a new Chapter 115 RECREATIONAL MARIHUANA ESTABLISHMENTS of the Code of Ordinances of the City of Mt. Pleasant to allow certain establishments to be operated in accordance with state law having been introduced and read now be passed, ordained and ordered published.

Moved by Vice Mayor Gillis and supported by Commissioner LaLonde to amend the original motion to change scoring category of "Current medical marihuana facility license status in the City and history of compliance with City and state regulations associated with existing medical marihuana facility licenses held in the City" to 20 points.

Discussion ensued.

Moved by Commissioner Kulick to call for the previous question.

- AYES: Commissioners Joseph, Kulick, LaLonde, Perschbacher & Tolas
  - NAYS: Commissioners Gillis and Ling
  - ABSENT: None
- Motion carried.

Considered motion to amend the original motion to change scoring category to 20 points.

AYES: Commissioner Gillis

NAYS: Commissioners Joseph, Kulick, LaLonde, Ling, Perschbacher & Tolas

ABSENT: None

Motion failed.

Moved by Vice Mayor Gillis and supported by Commissioner Tolas to amend the original motion to add the words “for at least one year” to the scoring category - background of applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses issued by LARA; and residency in the City or Isabella County *for at least one year*.

AYES: Commissioners Gillis, Joseph, LaLonde, Ling, Perschbacher & Tolas

NAYS: Commissioner Kulick

ABSENT: None

Motion carried.

Moved by Vice Mayor Gillis and supported by Commissioner Tolas to amend the original motion to include 2 City Commissioners as part of the Selection Committee.

AYES: Commissioner Gillis and Tolas

NAYS: Commissioners Joseph, Kulick, LaLonde, Ling & Perschbacher

ABSENT: None

Motion failed.

The Commission considered the original motion with amendment.

AYES: Commissioners Joseph, LaLonde, Ling and Perschbacher

NAYS: Commissioner Gillis, Kulick and Tolas

ABSENT: None

Motion carried.

A public hearing was held on proposed amendment to the Zoning Map of Chapter 154: Zoning Ordinances of the Code of Ordinances of the City of Mt. Pleasant to rezone a parcel of land at Canal and Riverview from CD-3L, Sub-Urban Large Lot to CZ, Civic Zone. There being no public comments or communications received, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Commissioner Perschbacher that Ordinance 1047, an Ordinance to amend the Zoning Map of Chapter 154: Zoning Ordinances of the Code of Ordinances of the City of Mt. Pleasant to rezone a parcel of land

at Canal and Riverview from CD-3L, Sub-Urban Large Lot to CZ, Civic Zone having been introduced and read now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Joseph, Kulick, LaLonde, Ling, Perschbacher & Tolas

NAYS: None

ABSENT: None

Motion unanimously adopted

A public hearing was held on recommended text change to Chapter 154, Subsection 154.114 – *Non-Conforming Lots, Uses, Structures & Improvements* of the Zoning Ordinances of the City of Mt. Pleasant to regulate the reconstruction of certain non-conforming parking areas. Richard Swindlehurst, 700 N. Isabella Rd., spoke of concerns with amendment to Section 154.114. There being no additional public comments or communications received, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Commissioner Perschbacher that Ordinance 1048, an Ordinance to amend Chapter 154, Subsection 154.114 – *Non-Conforming Lots, Uses, Structures & Improvements* of the Zoning Ordinances of the City of Mt. Pleasant having been introduced and read now be passed, ordained and ordered published.

AYES: Commissioners Joseph, Kulick, LaLonde, Ling and Perschbacher

NAYS: Commissioners Gillis and Tolas

ABSENT: None

Motion carried.

Moved by Commissioner Kulick and supported by Vice Mayor Gillis to approve the purchase of two Ford F-450 cab and chassis from Krapohl Ford of Mt. Pleasant, Michigan (replacing what was approved in July) in the amount of \$71,372 and the appropriate budget amendment. Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Perschbacher to adopt the standard MERS resolutions to allow offering 401 and 457 deferred compensation plans effective January 1, 2020 as presented and authorize the Finance Director to execute any necessary documents with MERS. (CC Exh 8-2019) Motion unanimously adopted.

Commissioner Kulick recused himself from discussion and motion on special assessment to remove any appearance of a conflict of interest.

Moved by Commissioner Ling and supported by Commissioner Perschbacher to receive revised assessment roll and approve amended Resolution #5 for Special Assessment #1-18 as follows:

SPECIAL ASSESSMENT DISTRICT 1-18  
RESOLUTION NO. 5 amended

WHEREAS, the City Commission held a public hearing on March 26, 2018 after due and legal notice and reviewed the special assessment roll to defray Special Assessment District No. 1-18 share of the cost of certain public expenditures, described as: reconstruct the



alley in the block between Fancher on the west, Kinney on the east, Locust on the south and Wisconsin on the north in the City Special Assessment District No. 1-18;

WHEREAS, after hearing all persons interested therein and after carefully reviewing the special assessment roll, the Commission deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon are in accordance with the benefits to be derived by each parcel of land assessed;

WHEREAS, after the public hearing the City Commission deemed it worthwhile to increase the city-at-large contribution to 30% of the cost and a revised lower assessment roll was prepared;

WHEREAS, the final cost of the project was \$60,775.96 which is \$3,775.46 higher than the original assessment roll;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said revised special assessment roll as prepared by the City Assessor, in the amount of \$60,775.96 with \$39,900.05 being paid by the properties specially benefited and with \$20,875.91 paid by the city-at-large is hereby confirmed.
2. Said special assessment roll is payable in six (6) annual installments which shall be due and payable on July 1, 2020 – July 1, 2025.
3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of three percent (3%), commencing three (3) months after notification that the project has been completed. There will be no interest if paid within three (3) months of the written notification from the City Treasurer.
4. The City Clerk is directed to attach his warrant to a certified copy of this resolution within ten (10) days after its adoption requesting the City Assessor to spread and the City Treasurer to collect the sums and amounts as directed by the Commission.
5. The City Clerk is directed to endorse the date of confirmation on the roll.
6. All resolutions and parts of resolutions conflicting with the provisions of this resolution are rescinded.

AYES: Commissioners Joseph, LaLonde, Ling and Perschbacher

NAYS: Commissioners Gillis and Tolas

ABSENT: None

ABSTAINED: Commissioner Kulick

Motion carried.

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

Commissioner Tolas passed out Green Tree Grocery pamphlet to Commissioners and would like the Commissioners review it. He feels there were several other proposals that were viable for 410 West Broadway.

Vice Mayor Gillis expressed concerns with 410 West Broadway development and additional costs to allow for a grocery store on lower level of development. She announced that there are positions available on boards and commissions and encouraged residents to visit the City's website at [www.mt-pleasant.org](http://www.mt-pleasant.org) to apply. She thanked staff for putting together application fees for tax abatements. She would like to see proposals that get submitted to the EDC be given to Commissioners in some fashion.

Mayor Joseph spoke in support of the development at 410 West Broadway and of the amount of funding that we are receiving from state and federal agencies. He reminded everyone that the EDC meetings are open to the public and fellow commissioners.

Commissioner Perschbacher commented that she knew of the contaminated soil at 410 West Broadway.

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

Richard Swindlehurst, 700 N. Isabella Rd., spoke of concerns with zoning regulations regarding his businesses and requirements for bicycle parking spaces.

Mary Alsager, 1311 E. Broadway, spoke on behalf of Swim Friends of Mt. Pleasant and in support of moving forward with a recreational authority and aquatic center in Mt. Pleasant.

Moved by Vice Mayor Gillis and supported by Commissioner LaLonde to postpone the scheduled work session.

AYES: Commissioner Gillis, LaLonde and Tolas  
NAYS: Commissioners Joseph, Kulick, Ling & Perschbacher  
ABSENT: None  
Motion failed.

The Commission recessed at 8:53 p.m. and went into a work session at 9:03 p.m.

#### WORK SESSION - 2019 Goal Discussion

Mayor Joseph and City Manager Ridley led a discussion on 2019 Goals.

Discussion ensued.

Mayor Joseph adjourned the meeting without objection at 10:00 p.m.

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William L. Joseph, Mayor

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Jeremy Howard, City Clerk