

**CITY OF CHARLOTTE
COUNCIL PROCEEDINGS**

**Regular Meeting
April 19, 2021**

CALL TO ORDER:

By Mayor Armitage on Monday, April 19, 2021 at 7:10 p.m.

PRESENT:

Councilmembers: McRae, Baker, Weissenborn, Hoogstra, VanStee, Dyer & Mayor Armitage. All reported their remote meeting location as being in the City of Charlotte, County of Eaton and State of Michigan. Staff: Manager LaPere, Clerk Tidwell, Economic Development Directory Bryan Myrkle, DPW Director Amy Gilson

PLEDGE OF ALLEGIANCE:

Mayor Armitage led the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES:

Motion by Dyer, supported by Hoogstra to approve the minutes from April 5, 2021 and April 13, 2021 as presented. Carried. 7 Yes. 0 No. 0 Absent.

EXCUSE ABSENT MEMBERS:

All members were present.

PUBLIC HEARINGS:

A. Consider Special Assessment District Cost Estimates

Manager LaPere discussed the financial status of the city and why the special assessment district is being considered.

Public hearing opened at 7:15pm.

Council received written protests against the special assessment district from the following residents:

Johnathan Potter, 109 W. Stoddard St.;
Clarissa Sheler, 307 W. Shepherd St.;

Drema Emerson, 121 E. Henry St.;
Stephanie Schultz, 286 Bonnie Brook Dr.;
Daniel Engel, 707 S. Sheldon St.;
Beverly and Del Leffler, 1019 N. Cochran;
Julie Wertz, 132 Van Lieu St
Doug and Angela Hull, 727 Walnut St.;
Michael Ataya, 520 Lansing St.

Chris Lake of 112 Cambridge protested the special assessment district.

Mark Bratschi of 948 Chad's Way protested the special assessment district.

Melanie Stadel of 1008 N. Crandell Drive protested the special assessment district.

Darrel Stadel of 103 S. Oliver Street protested the special assessment district.

Chuck Brand of 601 and 615 Shephard Street protested the special assessment district.

Ben Phlegar of 425 Horacio protested the special assessment district.

Lyle Robinette of 1252 N. Cochran Avenue protested the special assessment district.

Leisa Eldred of 310 High Street protested the special assessment district.

Kendra McCrimmon of 140 S. Cochran protested the special assessment district.

Ron Horvath of 1049 Northway protested the special assessment district.

Justin Brummette of 340 High Street protested the special assessment district.

Patty Roffey of 1009 N. Crandall protested the special assessment district.

Jesse Emery of 326 S. Lincoln Street protested the special assessment district.

Ken MacDonald of 649 N. Sheldon protested the special assessment district.

Attorney Hitch explained that the assessment rate is not determined on an annual basis.

Public hearing closed at 8:21pm.

B. Zoning Board of Appeals – Consideration of Modification to Height and Area Regulations – 704 St. Mary’s Blvd.

Public hearing opened at 8:22pm.

Economic Development Director Bryan Myrkle explained the modification requested.

Applicant, Katie Cantin explained the uniqueness of the property location and her modification request.

Charles Spagnuolo of 708 St. Mary’s Blvd spoke in support of the modification request.

Public hearing closed at 8:28pm.

Attorney Hitch left the meeting at 8:29pm.

PUBLIC COMMENT:

There was no public comment.

SPECIAL PRESENTATION:

There were no special presentations.

APPROVAL OF REGULAR AGENDA AND UNANIMOUS CONSENT AGENDA:

Motion by Baker, supported by Dyer to approve the Regular Meeting Agenda as presented. Carried. 7 Yes. 0 No. 0 Absent.

Motion by Weissenborn, supported by Dyer to approve the Unanimous Consent Agenda as presented.

Armitage requested items 11) a and 11) c be removed from the Unanimous Consent Agenda.

Dyer requested item 12) a be removed from the Unanimous Consent Agenda.

Weissenborn requested items 12) f, 12) g, 13) a and 13) c be removed from the Unanimous Consent Agenda.

Carried with roll call vote. 7 Yes. 0 No. 0 Absent.

EXPEDITED RESOLUTIONS AND ORDINANCES:

A. Consider Resolution No. 2021-057 Approving Special Assessment District Cost Estimates and Establish District

RESOLUTION NO. 2021-057

A RESOLUTION TO ESTABLISH A SPECIAL ASSESSMENT DISTRICT FOR THE OPERATION AND MAINTENANCE OF THE CHARLOTTE FIRE DEPARTMENT AND TO ORDER THE CREATION OF A SPECIAL ASSESSMENT ROLL TO FUND THE DEPARTMENT

WHEREAS, the City Council has determined to initiate the process for establishing a district to provide for the purchasing of equipment and for the operation and maintenance of the Charlotte Fire Department, and its annual operation and maintenance, pursuant to 1951 P.A. 33, as amended; and

WHEREAS, the City Council has caused the City Manager to prepare a cost estimate for fire protection for the fiscal year 2021; and

WHEREAS, after due and legal notice, the City Council has met on April 19, 2021, at 7:00 p.m., Eastern Daylight Time, and heard all persons interested therein at said first hearing with respect for the fire protection plan and the establishment of a special assessment district;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council, pursuant to 1951 P.A. 33, as amended, hereby determines to provide for the funding of the
City Council Minutes 4-19-2021 Page 2 of 14

Charlotte Fire Department as described as follows:

For the purchase of fire motor vehicles, apparatus and equipment and for the funding, on an annual basis, for the operation and maintenance of the Charlotte Fire Department.

2. The City Council hereby approves the cost estimate in the sum of _____ Dollars (\$_____), as prepared and presented by the City Manager. Of the aforesaid total cost of the project, one-hundred (100%) will be spread against the special assessment district.

3. It is anticipated that the annual cost may rise, due to inflation and other factors, and one hundred percent (100%) of the cost, whatever it shall be in the future, shall be spread annually on the district. The special assessment district shall remain in existence for as long as the Fire Department shall be in effect, or at such time as terminated by Resolution of the City Council.

4. The City Council finally determines that the special assessment district shall consist of all of the lots and parcels of land located within the city limits of the City of Charlotte, as set forth in the records of the Office of the Great Seal of the Department of the Secretary of State.

5. The Assessor is hereby directed to make a special assessment roll in which shall be described all the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district pursuant to the requirements of Section 1(4) of 1951 P.A. 33, as amended.

6. When the Assessor shall have completed the special assessment roll, he shall affix thereto his certificate stating that said roll was made pursuant to a resolution of the City Council, adopted April 19, 2021, and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the

directions contained in said resolution, 1951 P.A. 33, as amended, and the statutes of the State of Michigan, and the Assessor shall then report the special assessment roll with his certificate attached thereto to the City Council.

7. Upon receipt of such tax roll, the City Council shall hold, upon due notice to the record owners of the property proposed to be assessed pursuant to 1951 P.A. 33, as amended, to hear public comments concerning the proposed special assessments.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Armitage asked council to consider tabling the resolution until April 26, 2021.

The foregoing resolution offered by Council member McRae and supported by VanStee.

Motion by Weissenborn, support by Hoogstra to postpone action on this resolution until a special meeting on April 26, 2021.

Manager LaPere discussed the special assessment district. Council discussed the budget and special assessment district.

Motion by Weissenborn, support by Hoogstra to hold a special meeting discussing FY 2021-2022 budget at 6:00pm on Wednesday, April 21 and a special meeting discussing Resolutions 2021-057 and 2021-059 on Monday, April 26 at 6:00pm. Carried. 7 Yes. 0 No.

B. Consider Resolution No. 2021-058 Authorizing the Advertising of Clerk and Treasurer Positions

RESOLUTION NO. 2021-058

A RESOLUTION TO AUTHORIZE FILLING THE CITY CLERK AND TREASURER POSITIONS

WHEREAS, the City Council implemented a hiring freeze at the meeting held June 8, 2020; and

WHEREAS, the City Clerk/Treasurer has announced her upcoming resignation due to relocation out of state; and

WHEREAS, the position of City Clerk is an appointed officer of the City and pursuant to City Charter, Section 3.13 (B) a vacancy in any appointive office must be filled within 120 days and such time may only be extended by an additional 60 days by resolution of Council; and

WHEREAS, the position of Treasurer is an appointed officer of the City and pursuant to City Charter, Section 3.13 (B) a vacancy in any appointive office must be filled within 120 days and such time may only be extended by an additional 60 days by resolution of Council; and

WHEREAS, the current position is a combined role of both offices and the City Manager has determined it will be in the best interests of the City operations to revert back to separate offices to ensure internal controls and appropriate workload for staff; and

WHEREAS, Section 2-66 of the City Ordinance authorizes the City Manager to designate an interim or acting officer, or perform personally the functions of the office, until such time the vacancy is filled per the Charter, and the manager will personally perform the functions that are unable to be conducted by the respective deputies;

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby authorize the City Manager to seek candidates for appointment to the City Clerk and the Treasurer roles, and to prepare an amendment to the City's administrative ordinances outlining the duties and separation of these offices.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

C. Consider Resolution No. 2021-059 Authorizing the Public Hearing for Distribution of Levy

RESOLUTION NO. 2021-059

A RESOLUTION TO SET DATE FOR A PUBLIC HEARING ON THE ESTIMATED COSTS AND CREATION OF A SPECIAL ASSESSMENT DISTRICT

WHEREAS, the City Manager has prepared a cost estimate for fire protection for the fiscal year that begins July 1, 2021 and has submitted the document to the City Council; and

WHEREAS, the City Council wishes to consider the creation of a special assessment district to defray the costs as estimated to provide fire protection and has directed the Assessor to distribute the levy; and

WHEREAS, prior to the creation of the special assessment district, the City Council is required to afford the public an opportunity to appear or protest the assessment;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize a public hearing on the distribution of the levy of a special assessment district to defray the costs of fire protection to be held on _____ at 7:00 p.m.; and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to provide notice of the public hearing in accordance with legal requirements.

The foregoing resolution offered by Council member VanStee and supported by Dyer.

Motion by VanStee, support by Hoogstra to hold a special meeting discussing FY 2021-2022 budget at 6:00pm on Wednesday, April 21 and a special meeting discussing 2021-059 on Monday, April 26 at 6:00pm. Carried. 7 Yes. 0 No.

D. Consider Resolution 2021-060 Approving Claims and
City Council Minutes 4-19-2021 Page 4 of 14

Expenditures

RESOLUTION NO. 2021-060

A RESOLUTION TO APPROVE EXPENDITURES OF THE CITY OF CHARLOTTE

FOR APRIL 19, 2021

WHEREAS, Section 7.7(B) of the City Charter requires Council approval for the expenditure of city funds; and

WHEREAS, the April 9, 2021, payroll totaled \$165,440.20; and

WHEREAS, the March 31, 2021, claims total in the amount of \$1,409,424.18 and

WHEREAS, the April 5, 2021, insurance claims totaled \$1,382.71; and

WHEREAS, the April 12, 2021, insurance claims totaled \$2,906.96; and

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for April 5, 2021, in the amount of \$1,579,154.05.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

E. Consider Resolution 2021-067 Approving Mayoral Appointments

WHEREAS, a need for a Council appointment exists; and

WHEREAS, Mayor Armitage is recommending the following individuals to be appointed to the respective boards:

Name	Board / Committee	Term Ending
Branden Dyer	Library Board	06/01/2024

Erin LaPere, City Manager	Fire Chief Selection Committee	
Paul Brentar, Dept. Chair	Fire Chief Selection Committee	
Amy Gilson, Dept. Chair	Fire Chief Selection Committee	
Bob Starkweather, RFA	Fire Chief Selection Committee	
Thomas Potter, Citizen	Fire Chief Selection Committee	
Mark Barnes, Fire Chief	Fire Chief Selection Committee	
Chris Hulsebos, Volunteer Fire	Fire Chief Selection Committee	

THEREFORE, BE IT RESOLVED that the appointment listed above shall be and the same are hereby approved.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

APPROVAL OF RESOLUTIONS AND ORDINANCES:

A. Consider Resolution 2021-030 Authorizing a Contract with Axon for Tasers

RESOLUTION NO. 2021-030

A RESOLUTION TO AUTHORIZE A CONTRACT WITH AXON FOR TASERS

WHEREAS, tasers used by officers are essential pieces of equipment; and

WHEREAS, the current department tasers are out of manufacturer's warranty and should be replaced; and

WHEREAS, the Police Department staff researched and identified that AXON provides the only viable option for tasers; and

WHEREAS, AXON, the manufacturer of tasers, has submitted a quote to replace the current tasers for a 5-year cost of \$55,200; and

WHEREAS, Section 2-178 of the City Ordinances allows for the waiver of sealed bids.

THEREFORE, BE IT RESOLVED that the City Council authorizes the purchase of 16 tasers from AXON in the amount of \$55,200 and agrees to waive the sealed bid process.

The foregoing resolution offered by Council member Dyer and supported by VanStee. Council discussed.

Motion by McRae, support by Hoogstra to amend the motion to approve a 5-year purchase plan with the first purchase in fiscal year 2020-2021. Council discussed. Motion carried with Weissenborn and VanStee opposing. 5 Yes. 2 No.

Original motion to approve the resolution carried with Dyer, Weissenborn and VanStee opposing. 4 Yes. 3 No.

B. Consider Resolution 2021-043 Authorizing a Sale of Dump Truck and Miscellaneous Equipment

RESOLUTION NO. 2021-043

A RESOLUTION TO AUTHORIZE A SALE OF DUMP TRUCK AND MISCELLANEOUS EQUIPMENT

WHEREAS, the Department of Public Works owns a 2001 Freightliner dump truck and various pieces of old equipment that are no longer needed in the day-to-day operations of the Department; and

WHEREAS, the replacement dump truck was ordered one year ago and should arrive in the next couple of months; and

WHEREAS, the DPW has no other use for other equipment which have also reached the end of their useful lives and are in various states of disrepair; and

WHEREAS, based on the equipment to be sold, the Department would like to sell these items through Sheridan's Auction instead of the online auction we have been using for disposition of equipment; and

WHEREAS, a minimum bid will be set for each item.

THEREFORE, BE IT RESOLVED That the City Council authorizes the sale of Dump Truck #82 and other miscellaneous equipment through Sheridan's Auctions in accordance with City Ordinance 2-185.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

C. Consider Resolution 2021-047 Approving the MML Insurance Renewal

RESOLUTION NO. 2021-047

A RESOLUTION TO AWARD PROPERTY AND LIABILITY INSURANCE FOR THE CITY OF CHARLOTTE 4/24/2021 - 4/24/2022

WHEREAS, the City of Charlotte requested proposals for Property and Liability Insurance Coverage in 2018 at which time it selected to renew with MML upon comparing coverage options and rates; and

WHEREAS, section 2-178 of the municipal code exempts insurance coverage from competitive bidding process;

THEREFORE, BE IT RESOLVED, that the city council authorize the renewal to Michigan Municipal League for the period of 4/24/2021 – 4/24/2022 as proposed in the amount of \$128,024.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

D. Consider Resolution 2021-048 Parking TCO

RESOLUTION NO. 2021-048

A RESOLUTION TO APPROVE TRAFFIC CONTROL ORDER #21-01

WHEREAS, the Uniform Traffic Code allows for placement of “No Stopping, Standing or Parking Signs” under section 257.942, Sec. 2, (c), (f), (g), and (i) of the Michigan Vehicle Code; and

WHEREAS, the City of Charlotte Police Chief has issued Traffic Control Order #21-01; and

WHEREAS, Traffic Control Order #21-01 provides that additional “No Stopping, Standing or Parking Signs” will be placed on the south side of East Seminary St. from Cochran Ave. to Washington St., specifically the 100 Block; and

WHEREAS, the purpose of these signs will be to provide greater visibility for the CVS drive-through and for traffic to be able to flow through more easily; and

WHEREAS, Traffic Control Order #21-01 issues the removal of one “No Stopping, Standing or Parking Signs” located in the 200 Block of East Seminary on the south side of the road allowing parking from Washington St. to Horatio St. on the south side of the road for the residents; and

WHEREAS, Traffic Control Order #21-01 provides for the placement of one additional “No Stopping, Standing, or Parking Sign” to be placed on the north side of East Seminary St between Washington St. and Horatio St. thereby prohibiting parking for the entire block on the north side of the street allowing for parking on the south side of the street; and

WHEREAS, that the City Council does hereby authorize the Police Chief to issue Traffic Control Order #21-01; and

NOW, THEREFORE, BE IT RESOLVED, Traffic Control Order #21-01 becomes effective immediately upon signage changes and any previous traffic control orders conflicting with Traffic Control Order #21-01 are hereby rescinded and superseded.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

E. Consider Resolution 2021-051 Approving the Purchase of Primary Sampler

RESOLUTION NO. 2021-051

A RESOLUTION TO APPROVE THE PURCHASE OF PRIMARY SAMPLER

WHEREAS, the primary sampler (Sampler) at the wastewater treatment plant was last replaced in 1998 and is in need of replacement because it requires frequent repairs; and

WHEREAS, the Sampler is used to automatically sample and refrigerate the incoming wastewater on a flow proportional pace; and

WHEREAS, the sampler is a vital part of our compliance reporting for the discharge permit; and

WHEREAS, preparation of a detailed specification for bids would be time consuming and broad in nature for a specialized piece of

equipment; and

WHEREAS, staff obtained three proposals for the Sampler that ranged in price from \$5,614.58 to \$8,185.00 including shipping; and

WHEREAS, USA Bluebook presented the lowest cost for the Sampler; and

WHEREAS, cost for the Sampler has been budgeted for and will be charged to the Water and Sewer Fund and will be installed by staff at the wastewater plant.

WHEREAS, Section 2-186 of the City Ordinances allows for the waiver of sealed bids for purchases over the amount of \$5,000.

THEREFORE, BE IT RESOLVED That the City Council authorizes the purchase of a new primary sampler in the amount of \$5,614.58 from USA Bluebook and agrees to waive the sealed bid process.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

F. Consider Resolution 2021-052 Renewing the Airport Manager Contract

RESOLUTION NO. 2021-052

A RESOLUTION TO RENEW THE AIRPORT MANAGER CONTRACT WITH TODD COTTER

WHEREAS, Todd Cotter, has provided Airport Manager services at Fitch H. Beach Municipal Airport since 2009; and

WHEREAS, the contract for these services is in need of renewal; and

WHEREAS, Todd Cotter has satisfactorily met the obligations required under the existing contract; and

WHEREAS, terms of a contract renewal have been negotiated and agreed to by both parties.

THEREFORE, BE IT RESOLVED that the contract between the City of Charlotte and Todd Cotter for the provision of Airport Manager services at Fitch H. Beach Municipal Airport be renewed for an additional three years.

The foregoing resolution offered by Council member Baker and supported by Weissenborn. Council discussed. Carried with roll call vote. 7 Yes. 0 No.

G. Consider Resolution 2021-053 Renewing Fixed Base Operator Contract

RESOLUTION NO. 2021-053

A RESOLUTION TO RENEW THE FIXED BASED OPERATOR CONTRACT WITH CHARLOTTE AIR SERVICES

WHEREAS, Charlotte Air Services and its owner, Todd Cotter, has provided Fixed Base Operator services at Fitch H. Beach Municipal Airport since 2009; and

WHEREAS, the contract for these services is in need of renewal; and

WHEREAS, Charlotte Air Services has satisfactorily met the obligations required under the existing contract; and

WHEREAS, terms of a contract renewal have been negotiated and agreed to by both parties.

THEREFORE, BE IT RESOLVED that the contract between the City of Charlotte and Charlotte Air Services for the provision of Fixed Base Operator services at Fitch H. Beach Municipal Airport be renewed for an additional three years.

The foregoing resolution offered by Council member Baker and supported by Dyer. Council discussed. Carried with roll call vote. 7

Yes. 0 No.

H. Consider Resolution 2021-054 Authorizing Lease of Ground at Municipal Airport

RESOLUTION NO. 2021-054

A RESOLUTION TO AUTHORIZE THE LEASE OF GROUND AT FITCH H. BEACH MUNICIPAL AIRPORT

WHEREAS, Grant Emfield recently purchased a private hangar at Fitch H. Beach Municipal Airport; and

WHEREAS, it is necessary to update the ground lease associated with this hangar to reflect new ownership; and

WHEREAS, the terms of this ground lease have been negotiated and agreed to by both parties.

THEREFORE, BE IT RESOLVED that the ground lease between the City of Charlotte and Grant Emfield for occupancy of a private hangar at Fitch H. Beach Municipal Airport is hereby authorized for execution by the Charlotte City Council.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

I. Consider Resolution 2021-055 Authorizing Correspondence to Transfer Administration of Building Code to Eaton County

RESOLUTION NO. 2021-055

A RESOLUTION TO AUTHORIZE CORRESPONDENCE TO THE STATE FOR THE TRANSFER OF CONSTRUCTION CODE ADMINISTRATION TO EATON COUNTY

WHEREAS, the City has historically administered the state construction code through a division of the Fire Department and the Fire Chief has held the necessary license to administer such code; and

WHEREAS, the Fire Chief/Building Official will be retiring effective April 30, 2021 and no other members of the fire department are licensed to administer the construction code as required by the state; and

WHEREAS, the City has been utilizing the Department of Construction Codes of Eaton County to administer the plumbing, electrical, and mechanical codes for properties within the city's jurisdiction; and

WHEREAS, Eaton County officials have communicated their willingness to administer the construction code for the City of Charlotte and officials from both municipalities have been coordinating the transition of services; and

WHEREAS, the State of Michigan requires the City rescind its ordinance granting city officials the authority to administer the construction code and the City held a first reading on March 15, 2021 and will hold a second reading and consider adoption of such ordinance on April 5, 2021 that shall be effective May 1, 2021; and

WHEREAS, the State of Michigan requires correspondence from the City indicating its intent to have the County administer the construction code; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the City Manager to send such correspondence to the State with the copies of the ordinance rescinding our authority to administer the construction code effective May 1, 2021.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

**J. Consider Zoning Board of Appeals Resolution 2021-063
Authorizing a Modification to the Height and Area Regulations
for 704 St. Mary's Boulevard**

ZONING BOARD OF APPEALS RESOLUTION 2021 – 063

**A RESOLUTION TO AUTHORIZE A MODIFICATION TO
THE HEIGHT AND AREA REGULATIONS FOR 704 ST.
MARY'S BOULEVARD**

WHEREAS, the City of Charlotte has received a Zoning Board of Appeals application for consideration of a modification to the height and area regulations at 704 St. Mary's Boulevard; and

WHEREAS, the purpose of this modification would be to allow the placement of a privacy fence on the north Right-of-Way line; and

WHEREAS, the Zoning Board of Appeals has the authority to grant modifications to height and area regulations in order to secure an improvement of a lot that cannot otherwise be improved without such modification; and

WHEREAS, the Zoning Board of Appeals has made the following determinations in relation to this request:

- The proposed modification will not impair an adequate supply of light and air to adjacent properties.
- The proposed modification will not unreasonably increase the congestion in public streets.
- The proposed modification will not increase the danger of fire or endanger to the public safety.
- The proposed modification will not unreasonably diminish or impair established property values in the surrounding area.

- The proposed modification will not impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.
- The proposed modification will secure the improvement of a parcel that, due to its relationship to surrounding development and physical characteristics cannot be appropriately improved without such modification.

THEREFORE, BE IT RESOLVED that the City of Charlotte Zoning Board of Appeals hereby grants the requested modification to height and area regulations for the development at 704 St. Mary's Boulevard.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

K. Consider Resolution 2021-065 Approving a West Seminary Street Rezone Request

RESOLUTION NO. 2021-065

**A RESOLUTION TO APPROVE A REQUEST FOR THE
REZONING OF A PARCEL ON WEST SEMINARY STREET
FROM B-1 LOCAL BUSINESS DISTRICT TO RT-TWO
FAMILY RESIDENTIAL**

WHEREAS, the City Council of the City of Charlotte has received a request to rezone properties in the City described as follows:

- Parcel No. 200-040-600-040-01 – COM AT NW CORNER LOT 4; S 200.5 FT; E 30 FT; N 68.39 FT; E 47 FT; N 36 FT; W 2 FT; N 96 FT; W 75 FT TO BEG, BEING PART OF LOT 10 BROOKS ADD, UNPLATTED LAND, LOT 4 & PART OF LOT 3, ACADEMY ADD, SEC.14, T2N,R5W CITY OF CHARLOTTE D.D.A. D 12-30-08 R 2-10-09

(ADJUSTMENT) SPLIT FROM 200-040-600-040-00 FOR 2010.

from B-1 Local Business District to RT – Two Family Residential District.

WHEREAS, the purpose of this change would be to correct a non-conforming condition and allow for the expansion of residential use; and

WHEREAS, following the required public hearing, the City of Charlotte Planning Commission has voted to _____ recommend, _____ not recommend this rezoning action to the City Council.

THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the rezoning of this parcel from B-1 Local Business District to RT Two Family Residential District.

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

L. Consider Resolution 2021-066 Approving West Lawrence Rezone Request

RESOLUTION NO. 2021-066

A RESOLUTION TO APPROVE A REQUEST FOR THE REZONING OF A PARCEL ON WEST LAWRENCE AVENUE FROM B-3 GENERAL BUSINESS DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT

WHEREAS, the City Council of the City of Charlotte has received a request to rezone properties _____ in the City described as follows:

- Parcel No. 200-013-100-321-02 – COM W 1/4 COR SEC 13; N89°44'49"E 172.39 FT; N25° 38'52"E

1192.87 FT TO POB; N25°38'52"E 450.67 FT TO C/L LAWRENCE AVE; N61°13'29"W 876.97 FT; S25° 39'16"W 450.67 FT; S61°13'29"E 877.02 FT TO POB. SEC 13 & SEC 14, T2N,R5W, CITY OF CHARLOTTE. 11-19-01 (SPLIT FOR 2005)

from B-3 General Business District to I-1 Light Industrial Business.

WHEREAS, the purpose of this change would be to allow for the development of an industrial use at this site; and

WHEREAS, following the required public hearing, the City of Charlotte Planning Commission has voted to _____ recommend, _____ not recommend this rezoning action to the City Council.

THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the rezoning of this parcel from B-3 General Business District to I-1 Light Industrial District

The foregoing resolution offered by Council member Weissenborn and supported by Dyer. Carried with roll call vote. 7 Yes. 0 No.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES:

A. Consider Resolution 2021-061 Authorizing Contract with Fedewa, Inc. for Painting of North Water Tower

RESOLUTION NO. 2021-061

A RESOLUTION TO AUTHORIZE A CONTRACT WITH FEDEWA, INC. FOR PAINTING THE NORTH WATER TOWER

WHEREAS, the most recent inspection report indicated that the north water tower's exterior needs painting and miscellaneous repairs; and

WHEREAS, sealed bids were received on Tuesday, April 13, 2021; and

WHEREAS, Fedewa, Inc. of Hastings submitted the lowest unit price bid in the amount of \$69,699.00 to complete the project; and

WHEREAS, Nelson Tank Engineering & Consulting (NTEC) has verified Fedewa's experience and ability to perform the work satisfactorily; and

WHEREAS, funding for these items were budgeted and will be charged to the Water and Sewer Fund.

THEREFORE, BE IT RESOLVED that the City enter into a contract with Fedewa, Inc. to repaint and repair the north water tower and that the Mayor or Clerk be directed to sign said contract on behalf of the City.

Motion by Dyer, support by Weissenborn to approve the first reading of the resolution. Council discussed. Carried with roll call vote. 7 Yes. 0 No

B. Consider Resolution 2021-062 Authorizing Contract with TH Eifert for the Rebuilding of Main Primary Clarifier Drive

RESOLUTION NO. 2021-062

A RESOLUTION TO AUTHORIZE A CONTRACT WITH T.H. EIFERT FOR THE REBUILDING OF MAIN PRIMARY CLARIFIER DRIVE

WHEREAS, the primary clarifier #1 at the wastewater treatment plant needs to be removed and rebuilt; and

WHEREAS, sealed bids were received on Tuesday, April 13, 2021; and

WHEREAS, T.H. Eifert of Lansing submitted the lowest lump sum bid in the amount of \$35,600.00 to complete the project; and

WHEREAS, the City has worked with T.H. Eifert on previous projects and they have performed the work satisfactorily; and

WHEREAS, funding for these items were budgeted and will be charged to the Water and Sewer Fund.

THEREFORE, BE IT RESOLVED that the City enter into a contract with T.H. Eifert to rebuild the main drive for primary clarifier #1 and that the Mayor or Clerk be directed to sign said contract on behalf of the City.

Motion by Weissenborn, support by Dyer to approve the first reading of the resolution. Carried with roll call vote. 7 Yes. 0 No

C. Consider Resolution 2021-064 Authorizing Charlotte Celebrates Activities June 17-19, 2021

RESOLUTION NO. 2021-064

AUTHORIZING CHARLOTTE CELEBRATES ACTIVITIES JUNE 17-19, 2021

WHEREAS, Charlotte Celebrates is a community-based, organized event that is to be held June 17 to 19, 2021; and,

WHEREAS, the Charlotte Celebrates committee is responsible for organizing these events that contribute to community-wide fellowship, benevolence, and welfare; and

WHEREAS, the Committee has planned events that require the use and closure of certain streets and right of ways; and

WHEREAS, the Committee has requested that the Charlotte City Council approve the following requests and conditions, including assistance with street closures:

1. Closure of South Cochran Avenue in the 100 and 200 blocks, and East & West Lovett Streets in the 100 blocks to through traffic from 4 p.m. to 8:30 p.m. on Thursday, June 17, 2021 for Touch-A-Truck.
2. Closure of South Cochran Avenue in the 100, 200 and 300 blocks, and East & West Lovett Streets in the 100 blocks to through traffic from 4:00 p.m. to 9 p.m. on Friday, June 18, 2021 for the Charlotte Celebrates Car Show.
3. Authorization for the city to supply whatever closing signs and barricades it has available for the street closures. Other signs will be the responsibility of the event committee.
4. Authorization for the city Department of Public Works to place the required barricades as needed and designated by the Charlotte Police Department.
5. Authorization for the Charlotte Police Department to provide assistance for traffic diversion as necessary for the above-mentioned events.

WHEREAS, the City Council of the City of Charlotte determines these temporary street closings and other conditions are in the best interests of the community.

NOW, THEREFORE, BE IT RESOLVED, that these street closures at the specified times be granted and carried out in accordance with those permissions issued by the Michigan Department of Transportation; and,

BE IT ALSO RESOLVED, that the city Department of Public Works and Charlotte Police Department provide the authorized assistance as outlined above.

Motion by Baker, support by Dyer to approve the first reading of the resolution. Council discussed. Carried with roll call vote. 7 Yes. 0 No

PUBLIC COMMENTS:

Ben Phlegar expressed concern over the public hearing notice and asked council to consider other sources of revenue.

COMMUNICATIONS AND COMMITTEE REPORTS,
COUNCILMEMBER COMMENTS:

The City Attorney Report was received.

The City Manager Report was received. LaPere addressed communication concerns.

Weissenborn gave an update on the Ad-hoc Committee. Baker also gave an update on the committee.

MAYOR AND COUNCIL COMMENTS:

Hoogstra thanked all the citizens for their input and council for their work.

VanStee thanked citizens for expressing concerns and stated council was doing the best they can.

Weissenborn had no comment.

Dyer thanked the public and his colleagues.

McRae thanked the public.

Baker echoed previous comments stated.

Armitage stated he appreciated the comments by the public and his colleagues and discussed the reality and concerns of the budget crisis.

ADJOURNMENT:

Council member Baker moved, supported by Dyer to adjourn the meeting at 10:10 p.m. Carried. 7 Yes. 0 No. 0 Absent.

Mayor Armitage

Pearl Tidwell, City Clerk