

**CITY OF CHARLOTTE
COUNCIL PROCEEDINGS**

**Regular Meeting
September 20, 2021**

CALL TO ORDER:

By Mayor Armitage on Monday September 20, 2021 at 7:00 p.m.

PRESENT:

Council members: VanStee, McRae, Weissenborn, Baker, Hoogstra, Mayor Armitage, Mayor Pro-Tem Dyer, City Manager LaPere, and City Clerk LaRocque.

INVOCATION:

Dennis Weeks, Chester Gospel (filling in for Andy Shaver, Real Life Church).

PLEDGE OF ALLEGIANCE:

Led by Mayor Armitage.

APPROVAL OF MINUTES:

September 7, 2021 City of Charlotte Regular Meeting Minutes and September 14, 2021 Workshop Meeting Minutes.

Motion by Baker supported by Weissenborn to approve the minutes from September 7, 2021 regular meeting and September 14, 2021 workshop meeting, as presented. By roll call vote the following voted; Yea 7; Nay 0; Absent 0. Motion passed.

EXCUSE ABSENT MEMBERS:

No absent members.

PUBLIC COMMENT: (5-minute presentation limit)

No Public Comment

**APPROVAL OF REGULAR AGENDA AND UNANIMOUS
CONSENT AGENDA:**

Motion by VanStee supported by Weissenborn to approve the Regular Meeting Agenda. The following vote Yea 7; Nay 0; Absent 0. Motion Passed.

Council member McRae requested 9 e – Resolution 2021-141 Brownfield Redevelopment Authority to be removed from the Unanimous Consent Agenda.

Mayor Armitage requested 10 b – Resolution 2021-127 To Approve the Contract for ROWE PSC for Hall/Washington/McClure streets to be removed from the Unanimous Consent Agenda.

Council member Weissenborn requested 11 a – Resolution 2021-138 Budget Amendment to Hire Code Staff to be removed from the Unanimous Consent Agenda.

Council member Weissenborn requested 11 b – Resolution 2021-139 Fee Schedule for Water Reconnection Cost to be removed from the Unanimous Consent Agenda.

Council member Weissenborn requested 11 c – Resolution 2021-140 To Resume Water Shut Offs for Non-Payment to be removed from the Unanimous Consent Agenda.

Motion by Baker supported by Dyer to approve the Unanimous Consent Agenda and approval of claims and expenditures. By roll call vote the following voted; Yea 7; Nay 0; Absent 0. Motion passed.

EXPEDITED RESOLUTIONS AND ORDINANCES:

- a. **Consider Resolution 2021-134 To approve payment of Claims and Expenditures**

RESOLUTION NO. 2021-134

**A RESOLUTION TO APPROVE EXPENDITURES OF THE
CITY OF CHARLOTTE FOR SEPTEMBER 20, 2021**

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

WHEREAS, the September 10, 2021, payroll totaled \$87,861.83; and

WHEREAS, the September 17, 2021, claims total in the amount of \$660,786.10; and

WHEREAS, the September 13, 2021, insurance claims totaled \$2701.83

THEREFORE, BE IT RESOLVED that the City Council approves claims and accounts for September 20, 2021, in the amount of \$751,349.67.

The foregoing resolution was offered by Baker and supported by Dyer by roll call vote the following voted Yea 7; Nay 0; Absent 0, Motion passed.

**b. Consider Resolution 2021-135 To approve MDOT
Contract 2020-0826-A1**

**RESOLUTION No. 2021-135
AUTHORIZING MDOT CONTRACT NO 2020-0826/A1**

WHEREAS, the City of Charlotte is the owner and sponsor of Fitch H. Beach Municipal Airport; and

WHEREAS, as owner and sponsor, the City of Charlotte is obligated to maintain the airfield in safe and operable condition; and

WHEREAS, the City of Charlotte entered into an agreement with the Michigan Department of Transportation to perform maintenance activities that included crack sealing and paint marking; and

WHEREAS, the estimated quantities of paint in the original contract were lower than what was ultimately necessary to complete the project; and

WHEREAS, the city's share of the resulting financial increase for the project is \$282.

THEREFORE, BE IT RESOLVED that City of Charlotte City Council authorizes an amendment to contract MDOT Contract No. 2020-0826.

The foregoing resolution was offered by Baker and supported by Dyer by roll call vote the following voted; Yea 7; Nay 0; Absent 0, Motion passed

**c. Consider Resolution 2021-136 To authorize signatories
for MDOT Contract 2020-0826-A1**

**RESOLUTION No. 2021-136
AUTHORIZING CITY OF CHARLOTTE SIGNATORIES
FOR MDOT CONTRACT NO 2020-0826/A1**

WHEREAS, the City of Charlotte is entering into an agreement with the Michigan Department of Transportation for runway and taxiway crack sealing and paint marking; and

WHEREAS, that agreement is also known as MDOT Contract No. 2020-0826/A1; and

WHEREAS, the Michigan Department of Transportation requires the City Council to specifically name those officials authorized to execute the agreement.

THEREFORE, BE IT RESOLVED that City of Charlotte Mayor Michael Armitage and City of Charlotte Clerk Mary LaRocque are hereby authorized by the City Council of the City of Charlotte to act as signatories for this agreement, MDOT Contract No. 2020-0826/A1

The foregoing resolution was offered by Baker and supported by Dyer by roll call vote the following voted Yea 7; Nay 0; Absent 0, Motion passed.

- d. Consider Resolution 2021-137 To approve CD Hughes Change order #2 and final payment.**

RESOLUTION NO. 2021-137

**A RESOLUTION TO AUTHORIZE CHANGE ORDER #2
AND FINAL PAYMENT FOR C&D HUGHES, INC.– 2020
STREET PAVING PROJECT**

WHEREAS, the 2020 Street Paving Project contract was awarded to C&D Hughes, Inc. by City Council on August 24, 2020 in the amount of \$311,348.25; and

WHEREAS, the contract is a unit price contract whereby the City is charged by actual quantities of items constructed resulting in a balancing change order; and

WHEREAS, the balancing Change Order #2 increases the contract price by \$750.00 resulting in a total project cost of \$275,774.70; and

WHEREAS, the Major Street Fund will be charged \$1,912.16 for retainage and the balance of the restoration costs due.

THEREFORE, BE IT RESOLVED that the City Council approves contract Change Order #2 in the amount of \$750.00 and final payment to C&D Hughes, Inc. in the amount of \$1,912.16.

The foregoing resolution was offered by Baker and supported by Dyer by roll call vote the following voted Yea 7; Nay 0; Absent 0, Motion passed.

- e. Consider Resolution 2021-141 To authorize Soymilk Brownfield Grant**

RESOLUTION NO. 2021-141

**CITY OF CHARLOTTE
BROWNFIELD REDEVELOPMENT AUTHORITY**

WHEREAS, the City of Charlotte is aware of petroleum related site contamination and abandoned petroleum infrastructure at 406 N. Sheldon Street in the City of Charlotte; and

WHEREAS, these long-standing conditions are a public health and safety nuisance due to their continued existence both above and below ground; and

WHEREAS, the site conditions also represent a significant blight with negative effects on nearby residents and businesses; and

WHEREAS, the site was previously abandoned by its private owners, foreclosed upon by the State of Michigan and has been owned by the State of Michigan Land Bank since 2003; and

WHEREAS, remediation of the site will make it possible to transfer the property from public to private ownership; and

WHEREAS, Soymilk, LLC will undertake all further remediation activity necessary for the successful transfer of this blighted and contaminated property

THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte hereby approves and authorizes the execution of Brownfield Redevelopment Grant No. 2021-1 with Soymilk, LLC in an amount not to exceed \$20,000, as outlined in the associated grant agreement.

The foregoing resolution was offered by VanStee and supported by Dyer the following voted Yea 7; Nay 0; Absent 0, Motion passed.

f. Consider Resolution 2021-142 To approve hiring a part time Code Enforcement officer and a part time Rental Inspection officer

**RESOLUTION NO. 2021-142
A RESOLUTION TO AUTHORIZE HIRING A PART TIME
CODE ENFORCEMENT OFFICER AND A PART TIME
RENTAL INSPECTOR**

WHEREAS, the City Council implemented a hiring freeze at the meeting held June 8, 2020 and subsequent hiring of personnel requires Council approval; and

WHEREAS, the City Council has adopted an ordinance establishing a rental registration and inspection program to being in November 2021; and

WHEREAS, the City Council has established an Ad Hoc Code Enforcement Committee tasked with reviewing code enforcement services and providing a recommendation to Council. That Committee recommended hiring of a Code Enforcement Officer in their report to Council on April 2021; and

WHEREAS, the current duties of code enforcement are split between existing staff among several city departments and there is insufficient staffing to implement a rental inspection program; and

WHEREAS, the City Manager has determined it will be in the best interests of the City operations to utilize two part time employees to fulfill the duties required for code enforcement services and administer a rental inspection program; and

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby authorize the City Manager to seek candidates for part time Code Enforcement Officer and part time Rental Inspector.

The foregoing resolution was offered by Baker and supported by Dyer by roll call vote the following voted Yea 7; Nay 0; Absent 0, Motion passed.

APPROVAL OF RESOLUTIONS AND ORDINANCES

a. Resolution 2021-125 Change the Fee Schedule to Add Rental Fees

RESOLUTION 2021-125

**A RESOLUTION TO CHANGE THE FEE SCHEDULE TO
ADD RENTAL FEES**

WHEREAS, pursuant to Ordinance 2021-09 the fees to be paid for registration, inspection, and reinspection of rental dwelling units are to be established by resolution of Council; and

WHEREAS, Administration is recommending a fee schedule to adequately cover the costs incurred to implement a rental registration and inspection program;

NOW THEREFORE BE IT RESOLVED, that the following, non-refundable fees be established:

Rental Registration and Inspection

Single Family Home

Registration application fee \$100

Multi-Family Home (2-7 dwelling units in one structure)

Registration application fee \$100 for first unit

\$50 for each additional unit

Apartment Complex

Registration application fee \$100 for first unit per building

\$50 for each additional unit per building

Mobile Home

Park Registration application fee \$100 for first unit

\$50 for each additional unit

Individual Unit Registration application fee \$100 for first unit

\$50 for each additional unit in same complex

Any Dwelling Unit

Re-Inspection fee

\$50 per unit

BE IT FURTHER RESOLVED that the effective date will be November 1, 2021.

The foregoing resolution was offered by Baker and supported by Dyer by roll call vote the following voted Yea 7; Nay 0; Absent 0, Motion passed.

- b. Consider Resolution 2021-127 To Authorize a Contract with Rowe PSC regarding the Reconstruction of Hall, Washington and McClure Streets.**

RESOLUTION NO. 2021-127

**A RESOLUTION TO AUTHORIZE A CONTRACT WITH
ROWE PSC FOR ENGINEERING SERVICES RELATED TO
RECONSTRUCTION OF HALL, WASHINGTON, AND
McCLURE STREETS FROM COCHRAN AVENUE TO
LANSING ROAD**

WHEREAS, the City Council approved the reconstruction of Hall/ Washington/ McClure Streets from Cochran Avenue to Lansing Road at their meeting on January 13, 2020; and

WHEREAS, the project is in the Michigan Department of Transportation's (MDOT) Local Agency Small Urban Program for 2023 construction; and

WHEREAS, recently required environmental clearances for federally funded projects can take up to one year to obtain; and

WHEREAS, specific dates must be met to secure the maximum \$375,000 matching grant; and

WHEREAS, staff has also applied for Michigan Department of Transportation's (MDOT) Category F funding in the amount of \$375,000 for this 2023 construction; and

WHEREAS, staff has also applied for and received \$81,204 Highway Infrastructure Program- COVID Funding from the Michigan Department of Transportation's (MDOT) for this 2023 construction; and

WHEREAS, Rowe PSC has successfully provided road engineering services for the City and is familiar with both the MDOT LAP standards and requirements as well as those of the City; and

WHEREAS, Rowe PSC has estimated the road portion of the project to be approximately \$1,500,000 and the water and sewer portion to be approximately \$570,000; and

WHEREAS, Rowe PSC has submitted a proposal for the design and construction engineering for an amount of \$286,400.00, and

WHEREAS, funding for the professional services related to reconstruction of Hall/ Washington/ McClure Streets will be charged to the Major Street Fund.

THEREFORE, BE IT RESOLVED that the City Council enter into a contract with Rowe PSC to provide the above-mentioned services and that the Mayor or Clerk be directed to sign said contract on behalf of the City.

The foregoing resolution was offered by Baker and supported by VanStee for approval, the following voted Yea 0; Nay 7; Absent 0, Motion failed.

A Motion to reinstate Resolution 2021-127 was offered by McRae and supported by Dyer the following voted Yea 7; Nay 0; Absent 0, Motion carried.

The foregoing resolution was offered by McRae and supported by Dyer to table the resolution until next council meeting, the following voted Yea 7; Nay 0; Absent 0, Motion carried.

INTRODUCTION OF RESOLUTIONS AND ORDINANCES

a. Consider Resolution 2021-138 Budget Amendment to Hire Code Enforcement Staff

RESOLUTION NO. 2021-138 A RESOLUTION TO AMEND THE BUDGET FOR THE 2021-22 FISCAL YEAR

WHEREAS, the City Council has adopted a budget for the fiscal year that began July 1, 2021 and ends June 30, 2022; and

WHEREAS, it is necessary to amend the budget to recognize the implementation of the rental ordinance program and establishment of a code enforcement office that are planned to occur during the course of the fiscal year as follows:

1. An increase in the projected revenues in the General Fund of \$50,000 for the collection of registration fees for rental inspection program; and
2. An increase in the Community Development Department within the General Fund to the appropriate funding for a part time code enforcement office and a part time rental inspector in the amount of \$100,000;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve amendment to the budget for the General Fund as outlined above for the fiscal year that ends June 30, 2022.

The foregoing resolution was offered by VanStee and supported by Hoogstra for approval to move to a second reading, the following voted Yea 7; Nay 0; Absent 0, Motion carried.

b. Consider Resolution 2021-139 Fee Schedule for Water Reconnection Cost

**RESOLUTION 2021-139
A RESOLUTION TO CHANGE THE FEE SCHEDULE TO
REDUCE THE FEE FOR RECONNECTION OF WATER
SERVICE**

WHEREAS, fees to be paid for water turn on charges, NSF check, Sewer Cleaning, call out rates, and meter testing, etc. are to be established by resolution of the City Council; and

WHEREAS, Administration is recommending a fee schedule to adequately cover the costs incurred to reconnect water service that was discontinued due to non-payment per City Ordinance;

NOW THEREFORE BE IT RESOLVED, that the following, non-refundable fees be established:

DEPARTMENT OF PUBLIC WORKS
WATER/SEWER/STREETS/SIDEWALKS
Water reconnection fee (due to non-payment shut off)
..... ~~\$80.00~~ \$50

BE IT FURTHER RESOLVED that the effective date will be January 1, 2022.

The foregoing resolution was offered by council member Dyer and supported by Hoogstra for approval to move to a 2nd reading, the following voted: Yea 6; Nay 1; Absent 0, Motion Carried.

c. Consider Resolution 2021-140 To Resume Water Shut Offs for Non-Payment.

**RESOLUTION NO. 2021-140
A RESOLUTION TO RESUME WATER SHUT-OFF FOR
NON-PAYMENT**

WHEREAS, in compliance with the state issued moratorium, the City ceased disconnection of water service due to non-payment in December 2020 and that moratorium was lifted effective April 1, 2021; and

WHEREAS, it is necessary to collect amounts due for water and sewer upon billing to properly fund the city's water and sewer infrastructure; and

WHEREAS, Chapter 68, Section 68-99 outlines the processes and procedures in place to disconnect water service to a customer for non-payment of billing;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby direct administration to resume the disconnection of water service due to non-payment following the process and procedure as outlined in the City Code, Chapter 68, Section 68-99

and any other applicable sections beginning January 1, 2022 in accordance with the respective billing cycle.

BE IT FURTHER RESOLVED that the City Council does hereby direct administration to notify customers in advance of the effective date.

The foregoing resolution was offered by Baker and supported by VanStee to approve the resolution be considered for a second reading with the following vote Yea 7; Nay 0; Absent 0, Motion carried.

PUBLIC COMMENT:

Amy Gilson, DPW Director discussed reasons to reconsider and approve Resolution 2021-127 To Approve the Contract for ROWE PSC for Hall/Washington/McClure streets.

COMMUNICATIONS AND COMMITTEE REPORTS,

- a. The City Attorney report was received.**
- b. The City Manager report was received**
- c. Council Member Committee reports**
 - a. VanStee reported the Planning Commission is in need of two members to complete the board.
 - b. Weissenborn reported regarding CARC that the benches and dugouts are now in place
- d. Resident Letter from Richard Deer**

COUNCIL MEMBER COMMENTS:

Hoogstra – Thanked Amy for her comments and stated the need to support her.

Baker – Agreed with Liz and noted they should have spoken with Amy.

McRae – Suggested reinstating resolution 2021-127 and then tabling it for discussion at the next meeting and made motions to do so.

Armitage – Stands by his decision and agrees to more discussion.

ADJOURNMENT:

Motion by Baker supported by Dyer to adjourn the September 20, 2021 meeting at 7:58 p.m. the following voted Yea 7; Nay 0; Absent 0, Motion passed.

Michael Armitage, Mayor

Mary LaRocque, City Clerk