

Minutes of the regular meeting of the City Commission held Monday, April 28, 2008, at 7:00 p.m., in the City Commission Room.

Mayor Joslin called the meeting to order and the Pledge of Allegiance was recited.

Commissioners Present: Mayor Joslin and Vice Mayor Holton (arrived @ 7:02 p.m.); Commissioners Kilmer, Ling, McGuire, Palmer and Spycher

Commissioners Absent: None

Others Present: City Manager Grinzinger, Deputy City Clerk Ridley and City Attorney Smith

Mayor Joslin proclaimed May 2008 as "Historic Preservation Month" and presented the proclamation to Downtown Development Director Michelle Sponseller.

Mayor Joslin proclaimed May 4-10, 2008 as "Arson Awareness Week" and presented the proclamation to Public Safety Director Bill Yeagley.

Received the following petitions and communications:

1. Charter Township of Union Board of Trustee Minutes (March)
2. Charter Township of Union Planning Commission Minutes (March)
3. Middle Michigan Development Corporation Minutes (2008 1st Qtr. Report)
4. Mt. Pleasant Housing Commission Minutes (March)
5. Parks and Recreation Commission Minutes (March)
6. Planning Commission Minutes (March)
7. Street Department and Motor Pool (March)
8. Wastewater Treatment Plant (March)

Commissioner Ling removed item #14 - "Consider resolution authorizing application for Associate status as a Michigan Main Street community" from the Consent Calendar.

Mayor Joslin removed item #13a. "Patrol vehicle" from the Consent Calendar.

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

1. Minutes of the special meeting held April 14, 2008 and the closed meeting held April 14, 2008.
2. Bid of Central Asphalt of Mt. Pleasant, MI in the amount of \$128,005.15 for the 2008 Street Resurfacing Project.
3. Expand contract with Malley Construction, Inc. of Mt. Pleasant, MI in the amount of \$52,345.30 for additional site work at the Borden Building.
4. Expand agreement with Waste Management of Wixom, MI in the amount of \$18,495 for the disposal of additional amounts of contaminated soil at the Borden Building site.
5. Payrolls dated 4/18/08, Check Nos. 1573-1689 and DD855-DD960 and warrants dated April 24, 2008 check numbers 1473-1636, all totaling \$985,548.62.

Motion unanimously adopted.

A public hearing was held on special assessment roll for the Principal Shopping District, Special Assessment District No. 1-09. There being no public comment or communications received the Mayor closed the public hearing.

Moved by Vice Mayor Holton and supported by Commissioner Spycher to schedule another public hearing on the special assessment roll for the Principal Shopping District, Special Assessment District No. 1-09 for May 12, 2008 at 7:00 p.m. Motion unanimously adopted.

Moved by Commissioner McGuire and supported by Commissioner Kilmer to accept the bid from Signature Ford of Owosso, Michigan in the amount of \$20,813 for the replacement of one marked patrol vehicle. Motion unanimously adopted.

The following Resolution Authorizing Application For Associate Status As A Michigan Main Street Community was offered by Commissioner Kilmer and supported by Commissioner McGuire as follows:

WHEREAS, the Michigan State Housing Development Authority will be selecting four Michigan downtowns and communities to be designated with Associate Status in the Michigan Main Street Program in June 2008; and

WHEREAS, the Mt. Pleasant Downtown Development Board desires to submit a proposal targeting its historic Downtown district in an effort to move aggressively to re-energize the Downtown; and

WHEREAS, such a designation would bring significant levels of professional and technical expertise over three years to assist Mt. Pleasant's downtown revitalization initiatives through the National Main Street Center and the State of Michigan; and

WHEREAS, this effort will be supported by program partners including the Mt. Pleasant Downtown Development Board, the City of Mt. Pleasant, the Downtown Business Association, the Downtown Coordinating Committee, the Downtown Property Owners Association, the Mt. Pleasant Area Chamber of Commerce, and the Mt. Pleasant Area Convention and Visitors Bureau; and

WHEREAS, the City Commission has established the revitalization of Downtown as priority in its adopted Master Plan in recognition of the importance of the Downtown in creating a vibrant community and strengthening the City's economic outlook;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission urges the Michigan State Housing Development Authority to support Mt. Pleasant's quest for Associate Status in the Michigan Main Street Program in 2008; and

FURTHER, the City Commission commits to in-kind staff support as necessary to assist the Mt. Pleasant Downtown Development Board with program implementation and committee participation; and

FURTHER, the City Commission authorizes the Mayor and City Clerk to sign all related application materials, subject to review and approval by the City Attorney.

Resolution unanimously adopted.

The following Resolution to change water demand charge and initiate lawn meter incentive program was offered by Commissioner Spycher and supported by Commissioner Ling as follows:

WHEREAS, the City of Mount Pleasant owns and operates a water system; and

WHEREAS, in order to defray the costs of owning, operating, and maintaining that system, the City needs to charge users of that system rates, fees and charges for connection to and use of the system; and

WHEREAS, section 52.25 of the Code of Ordinances, Mount Pleasant, Michigan (the "City Code"), provides that such rates, fees and charges are to be set from time to time by resolution of the City Commission; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to subsection 52.25 (B)(1)(a) of the City Code, there is established a monthly service fee for lawn meters to be charged for service May - October based upon water meter size as follows:

<u>Meter Size</u>	<u>Monthly Rate</u>
5/8" & 3/4"	\$ 5.20
1"	\$12.95

- For 2008 and 2009 the rate charged for installation of a lawn meter will be discounted by 25% and can be paid in two equal installments, one upon installation and the remainder one year later with no interest.
- The rates and charges provided for in this resolution shall become effective immediately.
- All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, hereby rescinded.

AYES: Commissioners Joslin, Kilmer, Ling, McGuire, Palmer and Spycher
 NAYS: Commissioner Holton
 ABSENT: None

Resolution adopted.

The following Replacement Resolution to place on the August ballot a proposed amendment to Section 3(A) of Article IV, Initiative and Referendum, of the Charter of the City of Mount Pleasant was offered by Vice Mayor Holton and supported by Commissioner Spycher as follows:

CITY OF MOUNT PLEASANT
 ISABELLA COUNTY, MICHIGAN

A RESOLUTION TO APPROVE AND SUBMIT THE LANGUAGE OF THE
 PROPOSED AMENDMENT TO ARTICLE VI, SECTION 3(A) OF THE CHARTER
 OF THE CITY OF MOUNT PLEASANT, MICHIGAN

Minutes of a regular meeting of the City Commission of the City of Mount Pleasant, Isabella County, Michigan, held in the City Hall, 401 N. Main Street, Mount Pleasant, Michigan 48858 on April 28, 2008 at 7:00 p.m. local time.

PRESENT: Mayor Joslin and Vice Mayor Holton; Commissioners Kilmer, Ling, McGuire, Palmer and Spycher

ABSENT: None

The following preamble and resolution was offered by Member Vice Mayor Holton and supported by Member Commissioner Spycher.

WHEREAS, Act No. 279 of the Public Acts of 1909, as amended ("Act 279"), provides that a home rule city may amend its charter in accordance with the provisions of Act 279; and

WHEREAS, the City Commission believes that it is in the best interests of the City to amend the City Charter to require initiative and referendum petitions to be signed by 18% of the qualified, registered electors who voted in the most recent election for Governor of Michigan; and

WHEREAS, it is necessary for the qualified electors of the City to vote on the proposed amendment to City Charter Article VI, Section 3(A); and

WHEREAS, Section 21 of Act 279 requires that the form in which proposed amendments to the City Charter shall be submitted on the ballot shall be determined by resolution of the City Commission.

NOW THEREFORE it is resolved that:

1. The City Commission, by a 3/5 vote of its members, proposes that Article VI, Section 3(A) of the City Charter be amended to read as follows:

Article VI

Section 3 Petition – Signatures Required, Form, Filing Time.

(A) Initiative and referendum petitions must be signed by qualified, registered electors of the City equal to not less than 18% of the number of votes cast for candidates for the office of governor at the last preceding general election in the City.

2. The proposed Charter amendment referenced in this Resolution shall be placed on the ballot in the following form, with a provision for voting “yes” or “no” for its adoption:

MOUNT PLEASANT CITY CHARTER AMENDMENT SETTING INITIATIVE AND REFERENDUM PETITION SIGNATURE REQUIREMENTS

Shall Section 3 of Article VI of the City Charter be amended to state that initiative and referendum petitions must be signed by qualified, registered electors of the City equal to not less than 18% of the number of votes cast for candidates for the office of Governor at the last preceding general election in the City?

3. The foregoing ballot language and proposed Charter Amendment referenced in this Resolution shall be submitted to the electors, the Governor of the state of Michigan and the Attorney General of the state of Michigan as required by law.
4. A certified copy of this resolution shall be submitted to the Governor of the state of Michigan for her approval or disapproval of this amendment, and to the Attorney General, for his review of the proposed ballot language.
5. The foregoing Charter amendment shall be submitted to the electors for their adoption or rejection at an election to be held on August 5, 2008, or such date to which this election may be rescheduled.
6. The City Clerk shall give notice of such election as required by law. The notice shall include the proposed amendment to the City Charter in full with the existing Charter provisions, which would be altered or abrogated. The clerk shall also post the amendment as required by law.
7. The City Manager, City Clerk, and City attorneys are authorized and directed to take any and all actions needed to seek voter approval of this Charter amendment.
8. The resolution of the same title adopted by the City Commission at its meeting of April 14, 2008, is rescinded and replaced in its entirety by this resolution.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Commission.

RECORD OF VOTE:

Yeas: Commissioners Holton, Joslin, Kilmer, Ling, McGuire, Palmer and Spycher

Nays: None

RESOLUTION DECLARED ADOPTED.

Moved by Vice Mayor Holton and supported by Commissioner Kilmer to receive Brownfield Redevelopment Plan for Site #12 (712 -716 East Preston and 1306 S. Mission), and set public hearing on same for May 12, 2008 at 7:00 p.m. Motion unanimously adopted.

Moved by Vice Mayor Holton and supported by Commissioner Spycher to enter into closed session to discuss pending litigation.

AYES: Commissioners Holton, Joslin, Kilmer, Ling, McGuire, Palmer and Spycher

NAYS: None

ABSENT: None

Motion carried.

Announcements on City-Related Issues and Concerns

Vice Mayor Holton voiced an interest in increasing private camera surveillance in the downtown area.

Commissioner Ling discussed Tax Allocation Board report.

Mayor Joslin reminded residents of the Neighborhood Incentive program and the groundbreaking ceremony for the Access Adventure Trail on June 5.

The City Commission recessed at 7:33 p.m. and went into a closed session at 7:40 p.m. A separate set of minutes was taken for the closed session. The Commission went back into open session at 8:10 p.m.

Moved by Vice Mayor Holton and supported by Commissioner Kilmer that the meeting adjourn at 8:10 p.m.

Jon Joslin, Mayor

Nancy Ridley, Deputy City Clerk