

Minutes of the regular meeting of the City Commission held Monday, February 11, 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; Commissioners Ling, McGuire, Palmer and Spycher

Commissioners Absent: Commissioner Kilmer

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

Mayor Joslin read a Proclamation in recognition of Dr. Leonard Plachta.

Jan Howard, Executive Director of MAC3TV presented the Mid Michigan Area Cable Consortium 2007 Annual Report to Member Communities.

Buildings and Grounds Director Greg Baderschneider and Finance Director Nancy Ridley presented an update on the West Broadway Revitalization Project.

Received the following petitions and communications:

1. Correspondence in support of request for creation of committee to consider non-discrimination ordinance;
2. Correspondence requesting City Commission consideration of changes to rental housing inspection requirements;
3. Correspondence expressing appreciation for staff assistance;
4. Capital Projects Status Report (January);
5. Investment Report (Fourth Quarter 2007);
6. Mt. Pleasant Housing Commission Minutes (December).

**Moved by Commissioner McGuire and supported by Commissioner Ling to approve the following items on the Consent Calendar:**

1. Minutes of the regular meeting held January 21, 2008 and closed meeting held January 21, 2008.
2. Bid of Malley Transport, LLC of Mt. Pleasant, Michigan in the amount of \$602,249.60 for the reconstruction of Washington St. from High St. to Preston St.
3. Recognize Friends Of The Broadway as a non-profit organization for the purpose of obtaining a charitable gaming license.
4. Payrolls dated 01/25/08 and 02/08/08, check numbers 065506-065756; 1000-1109 and DD298-DD417 and warrants dated 01/31/08, check numbers 060631-060772, all totaling \$1,246,762.46.

**Motion unanimously adopted.**

Moved by Commissioner Palmer and supported by Commissioner Spycher to approve payment to Rehmann Robson, LLC of Muskegon, Michigan for auditing services in the amount of \$12,440.00. Motion unanimously adopted.

Moved by Vice Mayor Holton and supported by Commissioner McGuire to approve the purchase agreement for the sale of City property at 401 North Main Street to Isabella Bank & Trust in the amount of Nine Hundred Ninety-five Thousand Dollars (\$995,000.00) and authorize the Mayor and City Clerk to sign same.

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

NAYS: None

ABSENT: Commissioner Kilmer

ABSTAINED: Commissioner Spycher

Motion carried.

The following Resolution No. 1 was offered by Vice Mayor Holton and supported by Commissioner Spycher:

WHEREAS, pursuant to provisions of the City Charter of the City of Mt. Pleasant and Chapter 33: TAXATION, Section 33.17 "Authority to Assess", of the Code of Ordinances, the City Commission of the City of Mt. Pleasant may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof,

AND, WHEREAS, the City Commission has received a petition from property owners and tentatively deems it to be in the public interest, health and welfare to install sidewalk from Williams Street to the City limits, in the City, Special Assessment District No. 1-08;

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 be and the same hereby are rescinded.

Resolution unanimously adopted.

The following Resolution No. 2 was offered by Vice Mayor Holton and supported by Commissioner Spycher:

WHEREAS, the City Manager has prepared a report concerning certain public improvements in Special Assessment District No. 1-08, 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 acquire and construct the public improvements 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 the public improvements described more particularly hereinafter provided for are necessary.
2. The total cost of said improvements is estimated to be \$24,940. \$8,205 shall be spread over the special assessment district as hereinafter described as a result of benefits to be received by the affected properties in the special assessment district. \$16,735 shall be paid by the City-at-large.
3. Said special assessment district shall consist of all the lots and parcels of land as follows: install sidewalk from Williams Street to the City limits, Special Assessment District No. 1-08;
4. Said estimated life of such public improvements is not less than fifteen (15) 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 February 25 2008, at 7:00 p.m., Eastern Standard Time, in the City Commission Room, City Hall, 401 N. Main Street, for the purpose of hearing objections to the making of said public improvements.

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.

Resolution unanimously adopted.

The following Resolution No. 1 was offered by Vice Mayor Holton and supported by Commissioner Ling:

WHEREAS, pursuant to provisions of the City Charter of the City of Mt. Pleasant and Chapter 33: TAXATION, Section 33.17 "Authority to Assess", of the Code of Ordinances, the City Commission of the City of Mt. Pleasant may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof,

AND, WHEREAS, the City Commission has received a petition from property owners and tentatively deems it to be in the public interest, health and welfare to install curb and gutter on Williams Street from Broadway Street to Michigan Street, in the City, Special Assessment District No. 2-08;

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 be and the same hereby are rescinded.

Resolution unanimously adopted.

The following Resolution No. 2 was offered by Vice Mayor Holton and supported by Commissioner Ling:

WHEREAS, the City Manager has prepared a report concerning certain public improvements in Special Assessment District No. 2-08, 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 acquire and construct the public improvements 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 the public improvements described more particularly hereinafter provided for are necessary.

2. The total cost of said improvements is estimated to be \$82,425. \$9,510 shall be spread over the special assessment district as hereinafter described as a result of benefits to be received by the affected properties in the special assessment district. \$72,915 shall be paid by the City-at-large.

3. Said special assessment district shall consist of all the lots and parcels of land as follows: install curb and gutter on Williams Street from Broadway Street to Michigan Street, Special Assessment District No. 2-08;

4. Said estimated life of such public improvements is not less than fifteen (15) 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 February 25 2008, at 7:00 p.m., Eastern Standard Time, in the City Commission Room, City Hall, 401 N. Main Street, for the purpose of hearing objections to the making of said public improvements.

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.

Resolution unanimously adopted.

The following Resolution No. 1 was offered by Vice Mayor Holton and supported by Commissioner Spycher:

WHEREAS, pursuant to provisions of the City Charter of the City of Mt. Pleasant and Chapter 33: TAXATION, Section 33.17 "Authority to Assess", of the Code of Ordinances, the City Commission of the City of Mt. Pleasant may commence proceedings for the making of local public improvements within the City and determine the tentative necessity thereof,

AND, WHEREAS, the City Commission has received a petition from property owners and tentatively deems it to be in the public interest, health and welfare to pave the alley located between Lansing and Franklin, from Bellows to dead end, in the City, Special Assessment District No. 3-08;

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 be and the same hereby are rescinded.

Resolution unanimously adopted.

The following Resolution No. 2 was offered by Vice Mayor Holton and supported by Commissioner Spycher:

WHEREAS, the City Manager has prepared a report concerning certain public improvements in Special Assessment District No. 3-08, 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 acquire and construct the public improvements 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 the public improvements described more particularly hereinafter provided for are necessary.

2. The total cost of said improvements is estimated to be \$33,000. \$17,160 shall be spread over the special assessment district as hereinafter described as a result of benefits to be received by the affected properties in the special assessment district. \$15,840 shall be paid by the City-at-large.

3. Said special assessment district shall consist of all the lots and parcels of land as follows: pave the alley located between Lansing and Franklin from Bellows to dead end, Special Assessment District No. 3-08;

4. Said estimated life of such public improvements is not less than fifteen (15) 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 February 25 2008, at 7:00 p.m., Eastern Standard Time, in the City Commission Room, City Hall, 401 N. Main Street, for the purpose of hearing objections to the making of said public improvements.

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.

Resolution unanimously adopted.

Moved by Commissioner McGuire and supported by Vice Mayor Holton to set location for special meeting of the City Commission to be held at 9:00 a.m. on Wednesday, February 13, 2008 at Cheers Neighborhood Grill and Bar, 1700 W. High St., Mt. Pleasant, Michigan. Motion unanimously adopted.

The following Resolution was offered by Commissioner Ling and supported by Vice Mayor Holton as follows:

WHEREAS, public access, educational and government (PEG) channels provide an accessible way for local content to be distributed to the community and allow citizens an opportunity to exercise their First Amendment Rights, and have been met with great success; and

WHEREAS, prior to enactment of Public Act 480 of 2006, many cities and villages throughout the state negotiated local franchise agreements to maintain local control, preserve mutual benefits, and keep PEG channels available to the public; and

WHEREAS, keeping PEG channels in the lowest tier has allowed both digital and non-digital customers the opportunity to receive these channels; and

WHEREAS, through an unintended consequence made possible by Public Act 480, cable operators are moving PEG channels to a higher tier of programming, requiring customers to obtain a digital converter box in order to be able to continue viewing these channels; and

WHEREAS, this move will result in added costs, inconvenience and confusion for PEG viewers, particularly impacting our poor, elderly and socio-economically deprived citizens;

NOW, THEREFORE, BE IT RESOLVED, that the Mt. Pleasant City Commission hereby expresses its strong support for House Bill 5693, which would require cable operators to maintain PEG programming within the analog spectrum, and

BE IT FURTHER RESOLVED, that this resolution be presented to the Chair and Members of the House Energy and Technology Committee as well as Representative Caul and Senator Cropsey, requesting their assistance in moving this bill forward and for their support of PEG programming.

Resolution unanimously adopted.

Moved by Commissioner Palmer and supported by Commissioner Spycher to approve closed session to discuss pending litigation.

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

NAYS: None

ABSENT: Commissioner Kilmer

Motion carried.

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

Chippewa River District Library Director Lise Mitchell made a presentation regarding the Library's Capital Campaign.

Jim Moreno 1015 Andres announced Mt. Pleasant Area Diversity Group and Broadway Theatre will be showing the movie "Remember The Titans" on March 7 at 6:30 p.m.

The City Commission recessed at 8:14 p.m. and entered a work session at 8:24 p.m.

#### WORK SESSION - TIFA captures

Finance Director Nancy Ridley provided basic primer information regarding tax increment financing as allowed under Michigan's Tax Increment Finance Authority Act (TIFA) and its impact on taxing jurisdictions.

The City Commission went into closed session at 8:39 p.m. and back into regular session at 9:45 p.m. A separate set of minutes was taken for the closed session.

Moved by Vice Mayor Holton and supported by Commissioner Spycher that the meeting adjourn at 9:45 p.m.

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Jon Joslin, Mayor

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Nancy Ridley, Deputy City Clerk