

Minutes of the regular meeting of the City Commission held Monday, March 10, 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 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 March 24, 2008 as "Peacemaking Recognition Day" and presented the proclamation to Mike Ross.

Mayor Joslin proclaimed March 10-17 as "MS Awareness Week 2008" and presented the proclamation to Cathy Zuker.

Mayor Joslin proclaimed March 2008 as "American Red Cross Month" and presented the proclamation to Dave Weston, Community Coordinator, American Red Cross - Central Michigan Chapter.

Parks, Buildings & Grounds Director Greg Baderschneider presented an update on the West Broadway Revitalization Project.

Received the following petitions and communications:

1. E-mail from Dr. Samuel Spralls in support of request for creation of committee to consider non-discrimination ordinance;
2. Mt. Pleasant Housing Commission Minutes (January);
3. Parks and Recreation Commission Minutes (December);
4. Parks and Recreation Commission (2007 Annual Report);
5. Planning Commission (2007 Annual Report);
6. Public Works Division (2007 Annual Report);
7. Water Department (February).

Commissioner Ling removed item 12 - Approval of Minutes and item 19 - Results of Special Retreat Meeting from the Consent Calendar

Commissioner McGuire removed item 18 - Sidewalk License Policy from the Consent Calendar.

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

1. St. Henry/St. Charles Catholic Parish request for a one-day liquor license on April 12, 2008.
2. Payrolls dated 03/07/08, check numbers 1224-1325 and DD526-DD633 and warrants dated 02/28/08, check numbers 060943-061079, all totaling \$1,023,864.36.

Motion unanimously adopted.

Moved by Vice Mayor Holton and supported by Commissioner McGuire to approve the Minutes of the special meeting held February 25, 2008; and the regular meeting held February 25, 2008 as presented with the following change based on Commissioner Ling's request:

Moved by Vice Mayor Holton and supported by Commissioner Kilmer that the City Commission pass, ordain and cause to be published Ordinance 941 amending Chapter 30, Section 30.04 "Agenda" to provide for adding or removing items from the agenda by a majority vote of the entire Commission then serving.

Motion unanimously adopted.

A public hearing was held on the special assessment roll for Special Assessment District 1-08 (install sidewalk from Williams Street to the City limits). No comments were heard or communications received. The Mayor closed the public hearing.

The following Resolution No. 5 was offered by Vice Mayor Holton and supported by Commissioner McGuire as follows:

WHEREAS, the City Commission has met after due and legal notice and reviewed the special assessment roll to defray Special Assessment District No. 1-08 share of the cost of certain public expenditures, described as install sidewalk from Williams St. to the City limits, in the City;

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;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor, in the amount of \$8,205.00, is hereby confirmed.

2. Said special assessment roll may be divided into four annual installments, the first of which shall be due and payable on July 1, 2009.

3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of five percent (5%), commencing one (1) month after notification that the project has been completed. There will be no interest if paid within one month 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 Assessor to spread and the 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.

Resolution unanimously adopted.

A public hearing was held on the special assessment roll for Special Assessment District 2-08 (install curb and gutter on Williams Street from Broadway Street to Michigan Street, in the City). No comments were heard or communications received. The Mayor closed the public hearing.

The following Resolution No. 5 was offered by Vice Mayor Holton and supported by Commissioner Kilmer as follows:

WHEREAS, the City Commission has met after due and legal notice and reviewed the special assessment roll to defray Special Assessment District No. 2-08 share of the cost of certain public expenditures, described as install curb and gutter on Williams St. from Broadway St. to Michigan St., in the City;

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;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor, in the amount of \$9,510.00, is hereby confirmed.
2. Said special assessment roll may be divided into ten annual installments, the first of which shall be due and payable on July 1, 2009.
3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of five percent (5%), commencing one (1) month after notification that the project has been completed. There will be no interest if paid within one month 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 Assessor to spread and the 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.

Resolution unanimously adopted.

A public hearing was held on the special assessment roll for Special Assessment District 3-08 (pave the alley located between Lansing Street and Franklin Street from Bellows Street to dead end, in the City). No comments were heard or communications received. The Mayor closed the public hearing.

The following Resolution No. 5 was offered by Vice Mayor Holton and supported by Commissioner Kilmer as follows:

WHEREAS, the City Commission has met after due and legal notice and reviewed the special assessment roll to defray Special Assessment District No. 3-08 share of the cost of certain public expenditures, described as pave the alley located between Lansing St. and Franklin St., from Bellows St. to dead end, in the City;

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;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor, in the amount of \$17,160.00, is hereby confirmed.
2. Said special assessment roll may be divided into four annual installments, the first of which shall be due and payable on July 1, 2009.
3. Interest shall be charged on the unpaid balance of said special assessment roll at the rate of five percent (5%), commencing one (1) month after notification that the project has been completed. There will be no interest if paid within one month 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 Assessor to spread and the 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.

Resolution unanimously adopted.

The following Resolution to Revoke Industrial Facilities Tax Exemption Certificate of ITW Foils was offered by Commissioner McGuire and supported by Vice Mayor Holton as follows:

WHEREAS, ITW Foils has previously made an application and was approved for an Industrial Facilities Exemption Certificate under Public Act 198 of 1974; and

WHEREAS, said certificate was approved by the Michigan State Tax Commission in the amount of \$94,443 for personal property; and

WHEREAS, said certificate was given the number 2002-262 by the Michigan State Tax Commission with an effective date of December 31, 2002 to December 30, 2008; and

WHEREAS, one of the conditions of the granting the certificate was the expectation that ITW Foils remain within the city limits of the City of Mount Pleasant during the effective dates of the exemption; and

WHEREAS, the City of Mount Pleasant has been made aware that ITW Foils has moved its operations outside of the city limits of the City of Mt. Pleasant and no longer maintains a facility at 1011 Industrial Park Drive; and

WHEREAS, Section 15 of Public Act 198 of 1974, specifically known as Michigan Compiled Laws (MCL) 207.565 (2) provides that, "The legislative body of a local governmental unit may by resolution request the commission to revoke the industrial facilities exemption certificate of a facility upon the grounds that, ... the purposes for which the certificate was issued are not being fulfilled ...";

NOW, THEREFORE, BE IT RESOLVED, THAT:

The City Commission, as the legislative body, of the City of Mount Pleasant does, pursuant to Section 15 of Public Act 198 of 1974, request that the Michigan State Tax Commission revoke certificate number 2002-262 given to ITW Foils on the basis that ITW Foils no longer operates a facility within the city limits of the City of Mount Pleasant and, therefore, cannot fulfill the purposes for which the certificate was issued.

Resolution unanimously adopted.

The following Resolution to place unpaid utility charges on the tax roll was offered by Commissioner Kilmer and supported by Vice Mayor Holton as follows:

WHEREAS, Article XII, Section 4 "Municipal Utilities", of the Charter of the City of Mt. Pleasant, requires that all unpaid utility services be reported by the City Manager to the City Commission, and

WHEREAS, the City Commission shall order publication of a notice of unpaid utility charges,

NOW, THEREFORE, BE IT RESOLVED, that the City Commission orders that public notice be given that all unpaid utility charges not paid by April 15, 2008, will be assessed upon city tax rolls against the property to which the utility services have been supplied or furnished.

Resolution unanimously adopted.

City Commissioners received staff requests for Saginaw Chippewa Indian Tribe Two Percent Allocations.

Moved by Vice Mayor Holton and supported by Commissioner Spycher to approve the revised Sidewalk License Policy (City Commission Exhibit 1-08) to allow for greater use of the public sidewalk by downtown merchants. Motion unanimously adopted.

The City Commission received results of Special Retreat Meeting on February 13, 2008.

Moved by Commissioner Ling and supported by Commissioner Spycher to approve an amendment to the agreement with Lapham and Associates of Mt. Pleasant, MI in the amount of \$3,600 to perform engineering work for site improvements including an entrance sign, flagpole, sidewalks, and pedestrian stairway.

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

Motion carried.

Announcements on City-Related Issues and Concerns

Commissioner Ling complimented the annual reports from Parks and Recreation and Public Works. She also requested a work session on the results of the Special Meeting of February 13, 2008.

Moved by Commissioner Spycher and supported by Mayor Joslin to confirm the results of the Special Meeting of February 13, 2008. Discussion ensued.

The Commissioners accepted an amendment from Commissioner Ling to revise how energy conservation be shown.

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

Motion carried.

Commissioner McGuire congratulated Sacred Heart Academy girls on State finals and Mt. Pleasant High School Cheer Team.

The City Commission recessed at 7:54 p.m. and entered into a work session at 8:08 p.m.

WORK SESSION

Community Services and Economic Development Director Richard Morrison presented the framework outline for the Economic Development Plan.

Moved by Vice Mayor Holton and supported by Commissioner Kilmer that the meeting adjourn at 8:19 p.m.

Jon Joslin, Mayor

Nancy Ridley, Deputy City Clerk