

Minutes of the regular meeting of the City Commission held Monday, July 13, 2009 at 7:01 p.m. in the City Commission Room.

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

Commissioners Present: Mayor Holton and Vice Mayor Kilmer; Commissioners Joslin, Ling, McGuire, Palmer and Tilmann

Commissioners Absent: None

Others Present: City Manager Grinzinger, City Clerk Howard and City Attorney Ken Lane

Public Input on Agenda Items

Pat Daniels, 1109 Larry Court and Rachel Sherwood, 1308 Elm St. spoke in opposition to rezoning a portion of Chipp-A-Waters Park for placement of a cell tower and considering a contract with MetroPCS. Ms. Sherwood submitted a petition to the Commission opposing the rezoning.

Keith Lockwood, 706 Hopkins Ave.; Don Nagler, 1360 Toma Dr.; Dee Kohrman, 1215 Forest Ln.; Rebecca Allen, 706 Hopkins Ave.; Don Wujek, 1420 Watson St.; and Sue Bizzard, 1113 Wendrow Way spoke in support of considering contract with USDA Wildlife Services for deer herd management.

Received the following petitions and communications:

1. Mt. Pleasant Parks and Recreation Commission Minutes (May)
2. Correspondence from SWAN representative Jennifer Nims.
3. Street/Motor Pool Activity Report (May)
4. Wastewater Activity Report (May)
5. Water Activity Report (June)

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

1. Minutes of the regular meeting of the City Commission held June 22, 2009.
2. Bid of Pat McGuirk Excavating of Mt. Pleasant, Michigan in the amount of \$222,620.05 for the 2009 Park Improvement Projects.
3. Bid for 2009 WasteWater Treatment Plant (bulk) chemicals as follows:
Sodium Hypochlorite . . .JCI Jones, Riverview, MI. \$2.00/gallon
Ferrous Chloride.Kemira Water Solutions, Lawrence KS. . . . \$0.59/pd Fe
4. Nomination of Susanne Gandy as Employer Delegate to Municipal Employees' Retirement System Annual Meeting.
5. Requests for Sidewalk Licenses from Kaya Coffee & Tea and Blue Gator Sports Pub and Grill.
6. Payrolls dated 6/26/09, 7/2/09 and 7/10/09 and warrants dated 6/25/09, 6/30/09 and 7/9/09 all totaling \$1,476,763.20.

Motion unanimously adopted.

Mayor Holton recused himself from the discussion on request to conditionally rezone a portion of 560-616 W. Pickard Street due to a conflict of interest. Vice Mayor Kilmer conducted the public hearing.

A public hearing was held on request to conditionally rezone a portion of 560-616 W. Pickard Street and consider approval of same. There being no public comment or communications Vice Mayor Kilmer closed the hearing.

Moved by Commissioner Ling and supported by Commissioner McGuire to approve the conditional rezoning of a portion of 560-616 W. Pickard Street and passed, ordained and ordered published Ordinance No. 949, an ordinance to amend the Zoning Map of Chapter 154 of the Zoning Ordinances of the Code of Ordinances of the City of Mt. Pleasant and authorize the Vice Mayor and City Clerk to execute the agreement. Motion unanimously adopted, with Mayor Holton abstaining. *

* Minutes amended – see Minutes of July 27, 2009 meeting.

Moved by Commissioner McGuire and supported by Commissioner Tilmann to award the bid for Mosher/Main Street Roundabout and On-Street Parking Project without the Fancher/Mosher Street Mini Roundabout to Malley Construction of Mt. Pleasant, Michigan in the amount of \$329,000.00 as part of the mini-stimulus package.

AYES: Commissioners Kilmer, Ling, McGuire and Tilmann

NAYS: Commissioners Joslin, Holton and Palmer

ABSENT: None

Motion carried.

Mayor Holton recused himself from the discussion on request to transfer liquor license from 711 W. Pickard to 614 W. Pickard Street due to a conflict of interest. Vice Mayor Kilmer conducted the discussion and vote.

Moved by Commissioner Palmer and supported by Commissioner Tilmann to receive notice from the Michigan Liquor Control Commission and approve request from Mt. Pleasant Brewing Co., LLC to transfer location of 711 W. Pickard, Suite O to 614 W. Pickard St. and request for a new entertainment permit. Motion unanimously adopted, with Mayor Holton abstaining. *

Moved by Commissioner Ling and supported by Vice Mayor Kilmer to approve the naming of the City Park trail system the “Gregory K. Baderschneider River Walk Trail (GKB River Walk Trail)” and set resolution on same for July 27, 2009. Motion unanimously adopted.

Moved by Commissioner Ling and supported by Commissioner McGuire to approve the following resolution establishing a 2010 Census Complete Count Committee and amend the 2009 Budget for an expenditure of up to \$30,000 during 2009 from the General Fund fund balance.

WHEREAS, the next Decennial Census of the United States will be conducted by the U.S. Census Bureau in the year 2010; and

WHEREAS, the results of the Decennial Census are vital to political representation at the Federal, State and local levels, as well as to local jurisdictions’ eligibility for Federal and State grants and other forms of assistance; and

WHEREAS, the Census Bureau seeks partnerships with local governments to help ensure the most accurate possible count, through formation of local Complete Count Committees.

NOW, THEREFORE, BE IT RESOLVED that the City of Mt. Pleasant expresses its strong support for ensuring as accurate a count as possible during the 2010 Decennial Census; and

BE IT FURTHER RESOLVED that the City of Mt. Pleasant hereby establishes a Complete Count Committee; and

BE IT FURTHER RESOLVED that the City of Mt. Pleasant expresses its strong support for cooperation with other Isabella County municipalities, including those with their own Complete Count Committees and with other groups in Isabella County, to help ensure the success of the 2010 Decennial Census; and

BE IT FURTHER RESOLVED that the City of Mt. Pleasant will cooperate with the United States Census Bureau in conducting a complete count and City personnel are directed to publicize the 2010 Census and encourage Mt. Pleasant residents to complete the 2010 Census materials.

AYES: Commissioners Kilmer, Ling, McGuire and Tilmann

NAYS: Commissioners Holton, Joslin and Palmer

ABSENT: None

Motion carried.

Moved by Vice Mayor Kilmer and supported by Commissioner Tilmann to approve the expansion of the boundaries of the Residential Owner Occupied Incentive Program to include expansion of the northern boundaries to include the entire neighborhood north of High Street; West of the Mission Street commercial property line; South of Pickard Street and East of Main Street as

* Minutes amended – see Minutes of July 27, 2009 meeting.

well as the southern boundaries to be bound on the North by High Street, on the East by Arnold, the South by Bellows, and the western boundary would replicate the line between the M-2 zone and the R-3 zone.

AYES: Commissioners Holton, Joslin, Kilmer, Ling, McGuire and Tilmann
NAYS: Commissioner Palmer
ABSENT: None
Motion carried.

Moved by Vice Mayor Kilmer and supported by Commissioner McGuire to approve Downtown Coordinating Committee's request for a One-Day Liquor License on Saturday, July 25, 2009. Motion unanimously adopted.

Moved by Commissioner Ling and supported by Commissioner Tilmann to reject the proposed rezoning of a portion of Chipp-A-Waters Park from R1 to A for the installation of a cell tower.

AYES: Commissioners Ling and Tilmann
NAYS: Commissioners Holton, Joslin, Kilmer, McGuire and Palmer
ABSENT: None
Motion failed.

Moved by Commissioner Palmer and supported by Commissioner McGuire to approve the proposed rezoning of a portion of Chipp-A-Waters Park from R1 to A so that a cell tower could be constructed at alternate site #2 (no more than 90 feet to the south and 50 feet to the east of the corner of the fence at the northwest corner of the Park) subject to ZBA approval and passed, ordained and ordered published Ordinance No. 950, an ordinance to amend the Zoning Map of Chapter 154 of the Zoning Ordinances of the Code of Ordinances of the City of Mt. Pleasant and approve a contract with MetroPCS for the installation of a cell tower and authorize the Mayor and City Clerk to execute said contract.

AYES: Commissioners Holton, Joslin, Kilmer, McGuire and Palmer
NAYS: Commissioners Ling and Tilmann
ABSENT: None
Motion carried.

Moved by Vice Mayor Kilmer and supported by Commissioner Ling to enter into a one year agreement with USDA Wildlife Services to conduct a deer harvest in the southwest area of the City to remove a number of deer to be determined appropriate by the USDA Wildlife Services at a cost not to exceed \$4,000.00.

Moved by Commissioner McGuire and supported by Commissioner Joslin to amend the above motion regarding deer harvesting to add the stipulation that the neighborhood groups SWAN, Center-Crescent Drive and Country Way will be responsible for the first \$1500.00 of costs which could possibly be funded by neighborhood mini grants.

AYES: Commissioners Holton, Joslin, McGuire, Palmer and Tilmann
NAYS: Commissioners Kilmer and Ling
ABSENT: None
Motion to amend carried.

The Commission considered the original motion with amendment.

AYES: Commissioners Holton, Joslin, Kilmer, Ling, McGuire and Tilmann
NAYS: Commissioner Palmer
ABSENT: None
Motion carried.

Announcements on City-Related Issues and Concerns

Commissioner Tilmann announced the upcoming sesquicentennial activities.

Commissioner Joslin announced Max and Emily's downtown concert on July 16 featuring Saucecats; Downtown Festival taking place July 23, 24 and 25 and that there are a lot of events planned including a Blue's Festival and beer tent. (approved tonight)

Commissioner Ling announced that the Fluoride Task Force met and is open to taking questions from the public. She also voiced her appreciation of the Planning Commission in regard to investigating an ethics ordinance and asked that any information collected be shared with the City Commission also so it could be a coordinated effort.

Clerk Howard announced availability of City Commission Nominating Petitions in the Clerk's office. Deadline for filing Petitions is Monday, July 6, 2009 through 4:00 p.m. Tuesday, August 4, 2009.

Public Comment on Agenda and Non-Agenda Items

Rachel Sherwood thanked the Commission for hearing her opinion and stated that she is disappointed in the decision on the cell tower in Chipp-A-Waters Park.

Dan Wujek, 1420 Watson thanked the Commission for addressing the deer problem, but disagrees with the use of mini grants being required.

Milly Wujek, 1420 Watson stated that the deer problem will continue to be a problem for the City.

Laura Orta, 1423 Ridge Rd. stated she is disappointed by vote on cell tower. She also stated that \$1500 is going to be difficult because there are not really three different neighborhood groups.

The Commission recessed at 9:52 p.m. and went back into session at 9:58 p.m.

Work Session – Update: Revenue

Assistant City Manager/Finance Director Ridley gave a presentation on Revenue Estimating for the future. Discussion ensued.

Mayor Holton adjourned the meeting at 10:18 p.m.

James Holton, Mayor

Jeremy Howard, City Clerk