

Minutes of the joint meeting of the City Commission and Planning Commission held Monday, March 14, 2011 at 6:31 p.m. in the City Commission Room.

City Commissioners Present: English, Holton, Joslin, Kilmer, Ling, McGuire and Tilmann
City Commissioners Absent: None

Planning Commissioners Present: Brockman, Holtgrieve, Lux, Orlik, Rautanen, Robinette, Shallady and Smith
Planning Commissioners Absent: Kostrzewa

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

Planning Commission Chairman Orlik gave overview of the Planning Commission's 2010 report and 2011 goals. Discussion ensued.

The meeting adjourned at 7:00 p.m.

Bruce Kilmer, Mayor

Nancy Ridley, Deputy City Clerk

Minutes of the regular meeting of the City Commission held Monday, March 14, 2011, at 7:09 p.m., in the City Commission Room.

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

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

Commissioners Absent: None

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

Proclamations and Presentations

Mayor Kilmer read and presented a Proclamation congratulating Division 8 State Football Champions Sacred Heart Irish to representatives from the coaching staff and team.

Planning Commission Chairman Peter Orlik presented 2009 and 2010 Community Improvement Awards to:

<u>Category</u>	<u>Address</u>	<u>Property Owner</u>
Residential	802 S. Main St.	Olivieri Management
Residential	1023-1025 S. Washington St.	Ames, LLC
Commercial	1143 S. Mission	Bells & Birds
Commercial	1306-1418 S. Mission	Bobenal Investments
Restoration	602 Industrial Dr.	Mike & Bonnie Zingery

Chamber of Commerce President Lisa Hadden gave a presentation on the 3rd Annual Le Tour de Mont Pleasant.

Additions to Agenda

Mayor Kilmer added "Consider closed session pursuant to subsection 8(d) of the Open Meetings Act to discuss property acquisition" to item #17.

Public Input on Agenda Items

Tony Kulick, 409 S. Fancher voiced concerns he has regarding the chain of title regarding public purpose for Mt. Pleasant Center property.

Received the following petitions and communications:

1. Mt. Pleasant Planning Commission Minutes (February)
2. Mt. Pleasant Planning Commission Annual Report.

Moved by Commissioner Holton and supported by Commissioner English to approve the following items on the Consent Calendar:

1. Minutes of the work session of the City Commission held February 28, 2011.
2. Minutes of the regular meeting of the City Commission held February 28, 2011.
3. Bid of Peerless-Midwest, Inc. of Ionia, Michigan for the rehabilitation of Well 17 in an amount not to exceed \$22,100.00.
4. 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, 2011, will be assessed upon city tax rolls against the property to which the utility services have been supplied or furnished.
5. Payrolls dated 03/04/11 and warrants dated 03/03/11 and 03/10/11 all totaling \$828,864.52.

Motion unanimously adopted.

Commissioner Holton recused himself from the issue of Industrial Development District at 706 W. Pickard due to potential conflict because of neighboring property.

A public hearing was held on a request to create an Industrial Development District at 706 W. Pickard. There being no public comment or communications the Mayor closed the public hearing.

Moved by Commissioner English and supported by Commissioner McGuire to approve the creation of an Industrial Development District at 706 W. Pickard St., Mt. Pleasant, Michigan and adopt the following Resolution in support thereof:

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, the City Commission has the authority to establish "Industrial Development Districts" within the City of Mount Pleasant; and

WHEREAS, David Coyne has petitioned the City of Mount Pleasant to establish an Industrial Development District on its property located at 706 W. Pickard in the City of Mount Pleasant hereinafter described; and

WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on March 14, 2011 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Mount Pleasant were afforded an opportunity to be heard thereon; and

WHEREAS, the City Commission deems it to be in the public interest of the City of Mount Pleasant to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Mount Pleasant that the following described parcel of land situated in the City of Mount Pleasant, County of Isabella, and State of Michigan, to wit:

A PARCEL OF LAND BEING A PART OF THE SW 1/4 OF SEC 10, T14N R4W, CITY OF MT PLEASANT, ISABELLA COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SW COR OF SEC 10, TH S 88D13M14S E, 582.26 FT ALONG THE SOUTH LINE OF SAID SEC TO THE POB, TH N 01D46M46S E, 750.00 FT, TH S 88D13M13S E, 360.97 FT TO THE WLY ROW OF THE RR, TH S 01D58M56S W, 750.00 FT ALONG SAID WLY ROW OF THE RR TO THE SOUTH LINE OF SAID SEC, TH N 88D13M14S W, 358.31 FT ALONG THE SOUTH LINE OF SAID SEC TO THE POB, EXCEPTING A PARCEL OF LAND KNOWN AS PARCEL "E" BEING DESCRIBED AS : COMMENCING 874.67 FT E OF SW COR SEC 10, TH N 182 FT TO POB, TH W 150 FT, N 290.40 FT, E 150 FT, S 290.40 FT TO POB SEC 10, T14N R4W; DESCRIBED PARCEL CONTAINS 5.19 ACRES AND SUBJECT TO RESTRICTIONS, RESERVATIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD. (17-000-15202-00).

be and here is established as an Industrial Development District pursuant to the provision of Act No. 198 of the Public Acts of 1974 to be known as Industrial Development District No. 6

AYES: Commissioners English, Kilmer, Ling, McGuire and Tilmann

NAYS: Commissioner Joslin

ABSENT: Commissioner Holton

Resolution adopted.

Commissioner Holton returned to the dias.

Moved by Commissioner Holton and supported by Commissioner Tilmann to approve the following resolution in support of the 3rd Annual Le Tour de Mont Pleasant.

WHEREAS, The City of Mt. Pleasant is dedicated to providing quality community services to the area and residents it serves; and

WHEREAS, Community leadership and involvement through partnerships with community organizations is a crucial element in the accomplishment of that mission; and

WHEREAS, The Mt. Pleasant Area Chamber of Commerce is hosting its third annual community and county-wide event, "Le Tour de Mont Pleasant", which is a series of community and pro-racing bicycling events on June 10 -12, 2011, and wishes to partner with the City of Mt. Pleasant; and

WHEREAS, The City of Mt. Pleasant wishes to partner with the Mt. Pleasant Area Chamber of Commerce to provide a positive economic impact in the city, county and surrounding area; and

WHEREAS, The City of Mt. Pleasant will be named as an additional insured and shall indemnify and keep indemnified the Commission, its officers, and employees from all claims, suits and judgments,

NOW THEREFORE, BE IT RESOLVED, That the Mt. Pleasant City Commission and the Mt. Pleasant Area Chamber of Commerce are formally expressing their desire to work together and partner to host the Third Annual "Le Tour de Mont Pleasant" bicycling event to be held on June 10 -12, 2011.

Resolution unanimously adopted.

Moved by Commissioner Holton and supported by Vice Mayor Ling to cancel the regularly scheduled City Commission meeting of March 28, 2011 and reschedule it for Thursday, March 24, 2011 at 6:30 p.m.

AYES: Commissioners English, Holton, Joslin, Kilmer, Ling and Tilmann
NAYS: Commissioner McGuire
Motion carried.

Received requests for Saginaw Chippewa Indian Tribe two percent allocations.

Moved by Commissioner McGuire and supported by Commissioner Holton to receive proposed Ordinance to amend Sections 10.05, 10.99, 36.01, 36.04, 36.05, 151.99, 152.999 and 153.99 of the Code of Ordinances of the City of Mt. Pleasant to implement Tribal Agreement and set public hearing on same for Monday, March 24, 2011 at 6:30 p.m. in the City Commission Chambers, Mt. Pleasant City Hall, 320 W. Broadway St., Mt. Pleasant, Michigan. Motion unanimously adopted.

Moved by Vice Mayor Ling and supported by Commissioner Tilmann to receive proposed changes to Chapter 154 "Zoning Ordinance", Section 167 Decisions of Board of Appeals Final of the Code of Ordinances of the City of Mt. Pleasant and to refer the proposed ordinance amendment to the Planning Commission. Motion unanimously adopted.

Moved by Vice Mayor Ling and supported by Commissioner Joslin to authorize Finance Director Nancy Ridley to approve the issuance of payrolls and warrants on March 28, 2011. Motion unanimously adopted.

Moved by Vice Mayor Ling and supported by Commissioner Holton to enter into closed session pursuant to subsection 8(h) and 8(d) of the Open Meetings Act to discuss a legal opinion from legal counsel and property acquisition.

AYES: Commissioners English, Holton, Joslin, Kilmer, McGuire, Ling and Tilmann
NAYS: None
ABSENT: None
Motion unanimously adopted.

Commissioner McGuire noted he would not take part in closed session.

Announcements on City-Related Issues and Concerns

Commissioner Tilmann announced the Council of Governments meets March 16, 2011 at 7:00 p.m. at the Chippewa Township Hall.

Vice Mayor Ling stated that she enjoyed working with Commissioner McGuire. She wished him well and stated that she respects his decision.

Mayor Kilmer thanked McGuire for all his service and presented a map of the City.

Commissioner Holton gave his condolences to Japan and CME who lost two executives in the tsunami.

Mayor Kilmer indicated that he sent a letter to the Mayor of Okaya expressing our prayers.

Commissioner Tilmann assured Commissioner McGuire that she too is concerned about Parcel B.

Commissioner McGuire thanked everyone.

Commissioner Holton announced that applications for City Commission vacancy are being taken until March 31 and that the appointments committee hopes to have a recommendation at the April 11 meeting.

Public Comment on Agenda and Non-Agenda Items

Tony Kulick, 409 S. Fancher thanked the Commission for holding a neighborhood meeting on Fancher Street but felt the City Engineer did not properly address his concerns. Mr. Kulick presented a petition regarding the need for traffic calming on Fancher Street.

The City Commission recessed at 8:00 p.m. and went into a closed session at 8:08p.m. A separate set of minutes was taken for the closed session. The Commission went back into open session at 9:04 p.m.

Work Session

Purpose: Discuss proposed purchase of the Mt. Pleasant Center property.

Moved by Commissioner Holton and supported by Commissioner Tilmann to adjourn the meeting at 9:35 p.m. Motion unanimously adopted.

Bruce Kilmer, Mayor

Nancy Ridley, Deputy City Clerk