

Minutes of the regular meeting of the City Commission held Monday, August 25, 2014 at 7:00 p.m. in the City Commission Room.

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

Commissioners Present: Mayor Tilmann and Vice Mayor Holton; Commissioners Joslin, Kulick, Ling, Rautanen and Sous

Commissioners Absent: None

Others Present: City Manager Ridley, City Clerk Howard and City Attorney Smith

Proclamations and Presentations

Mayor Tilmann read and presented a proclamation to Tom Olver, President/CEO of United Way of Isabella County, in support of "United Way Week - September 7 thru 13, 2014".

Mayor Tilmann announced a Neighborhood Mini Grant to the Glenwood Place Neighborhood Association.

Brian Anderson, Middle Michigan Development Corporation President gave a quarterly update for the Corporation.

Public Input on Agenda Items

Nicholas Madaj, 1518 Somerset Court, spoke in favor of an amendment to §133.02 of Chapter 133, Fireworks and of a resolution regarding opposition to state law regarding fireworks.

Receipt of Petitions and Communications

Received the following petitions and communications:

1. Communication announcing City Clerk Jeremy Howard as newly elected member of the Board of Directors for the Michigan Association of Municipal Clerks (MAMC).
2. Letter from Attorney General regarding ballot proposal petition.
3. Letter from Governor regarding ballot proposal petition.
4. Letter from City resident John Scalise regarding residential parking pilot study.
5. Memo from Parks and Public Spaces Director Chris Bundy regarding the status of the Dog Park bids.
6. Mt. Pleasant Planning Commission Minutes (July).
7. Airport Advisory Board Minutes (July).
8. Historic District Commission Minutes (July).
9. Historic District Commission Minutes (August).

Item #19, "Consider appointment of a voting delegate and alternate for the Michigan Municipal League (MML) annual meeting on October 16, 2014." was removed from the Consent Calendar.

Moved by Commissioner Rautanen and supported by Commissioner Kulick to approve the following items on the Consent Calendar:

1. Minutes of the regular meeting of the City Commission held August 11, 2014.
2. Minutes of the closed session of the City Commission held August 11, 2014.
3. Bid of Krapohl Ford of Mt. Pleasant, Michigan in the amount of \$112,414.70 for the purchase of five 2014 Pickup Trucks as part of the Motor Pool Capital Replacement Plan.

4. Purchase through MI-DEAL of a software system from Environmental Systems Research Institute, Inc. (ESRI) in a not-to-exceed amount of \$17,910 to upgrade our current GIS software. The funds for this project will be fully reimbursed through the SAW grant.
5. Authorize the Mayor and City Clerk to sign an Easement Agreement with D&D Real Estate Investments, Inc. regarding 1523 S. Mission Street as recommended by the City Attorney.
6. Approve request from Shaboom's to replace a section of fencing at 106 N. Court St.
7. Expand function of the Historic District Commission to include additional projects such as awards for renovations, downtown historic guidelines, applications for revolving loan funds, review of ZBA requests pertaining to historic properties and assistance with bronze art and plaques.
8. Payrolls dated August 15, 2014 and warrants dated August 13 and 21, 2014 all totaling \$769,963.90.

Motion unanimously adopted.

A public hearing was held on the necessity of Principal Shopping District Special Assessment District #1-15. There being no comments or communications the Mayor closed the public hearing.

Moved by Commissioner Rautanen and supported by Commissioner Kulick to approve Resolutions 3 and 4 to commence proceedings for Principal Shopping District Special Assessment District 1-15.

Discussion ensued.

Moved by Commissioner Joslin and supported by Mayor Tilmann to postpone action on the commencement of proceedings for Principal Shopping District Special Assessment District 1-15 until the September 22, 2014 City Commission meeting.

AYES: Commissioners Holton, Joslin, Rautanen, Sous and Tilmann

NAYS: Commissioners Kulick and Ling

ABSENT: None

Motion carried.

A public hearing was held on request to vacate a portion of right-of-way at 1101 N. Franklin Street. Bill Rudell, 1420 Wexford, spoke in opposition to the request to vacate. There being no additional comments or communications, the Mayor closed the public hearing.

Moved by Vice Mayor Holton and supported by Commissioner Joslin to approve the request to vacate a portion of Parcel 7 in the Franklin Street right-of-way located at 1101 N. Franklin, measuring approximately 12.55' x 69.6'.

Discussion ensued.

Moved by Commissioner Kulick and supported by Commissioner Sous to postpone action on vacating a portion of Parcel 7 in the Franklin Street right-of-way located at 1101 N. Franklin, measuring approximately 12.55' x 69.6' until September 8, 2014 City Commission meeting.

AYES: Commissioners Joslin, Kulick, Ling, Rautanen, Sous and Tilmann

NAYS: Commissioner Holton

ABSENT: None

Motion carried.

A public hearing was held on the proposed Ordinance to amend §133.02 of Chapter 133, Fireworks, of the Mt. Pleasant City Code of Ordinances. There being no public comment or communications the Mayor closed the public hearing.

Moved by Commissioner Sous and supported by Commissioner Ling that Ordinance 989 an Ordinance to amend §133.02 of Chapter 133, Fireworks, of the Mt. Pleasant City Code of Ordinances to prohibit the discharge of fireworks between 1:00 a.m. and 8:00 a.m. on the designated holidays, in addition to the existing prohibition on all other days having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Holton, Joslin, Kulick, Ling, Rautanen, Sous and Tilmann

NAYS: None

ABSENT: None

Motion unanimously adopted.

Moved by Commissioner Ling and supported by Commissioner Rautanen to appoint Commissioner Kulick as the primary voting delegate and Commissioner Sous as the alternate voting delegate for the Michigan Municipal League (MML) annual meeting on October 16, 2014. Motion unanimously adopted.

Moved by Vice Mayor Holton and supported by Commissioner Rautanen to approve the following Resolution Opposing Michigan Firework Safety Act 256 of 2011:

WHEREAS, the State of Michigan adopted into law the Michigan Firework Safety Act 256 of 2011 which took effect on January 1, 2012; and

WHEREAS, Act 256 limits the authority of the local unit of government to regulate sales and use; and

WHEREAS, the City of Mt. Pleasant was required to amend its ordinances and utilize the few available restrictions allowed in the state law; and

WHEREAS, even though the City has utilized all of the available restrictions, consumer use is still allowed for 30 days in the City; and

WHEREAS, this change in law has resulted in far more fireworks related noise, and potential safety issues; and

WHEREAS, the City Commissioners of the City of Mt. Pleasant have received numerous complaints regarding the use of fireworks.

NOW, THEREFORE, BE IT RESOLVED that the Mt. Pleasant City Commission urges the Michigan legislature to repeal Public Act 256 of 2011, the Michigan Firework Safety Act, and recognize the local unit of government's obligation to preserve the quality of life and safety that its citizens expect within its community,

BE IT FURTHER RESOLVED, that the Mt. Pleasant City Commission directs the City Clerk to forward certified copies of this resolution to the Governor of the State of Michigan, legislative leaders of the State House of Representatives and Senate and the current State Representative and Senator for the City of Mt. Pleasant.

AYES: Commissioners Holton, Kulick, Ling, Rautanen, Sous and Tilmann

NAYS: Commissioner Joslin

ABSENT: None

Motion carried.

Moved by Vice Mayor Holton and supported by Commissioner Kulick to set a Special Joint Meeting with the Planning Commission for Thursday, September 4, 2014 at 6:00 p.m. in the City Commission Chambers, City Hall, 320 W. Broadway St., Mt. Pleasant. Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Rautanen to approve the 2014 Liquor License Policy which repeals the 2006 On-Premise Liquor License Policy and the 2009 One-Day Policy. (CC Ex. 7-2014) Motion unanimously adopted.

Announcements on City-Related Issues and Concerns

Commissioner Kulick stated that he is impressed with the press coverage on Welcome Weekend for CMU students. He thanked Public Safety for their efforts this past weekend and reminded everyone to be careful with fireworks this Labor Day weekend.

Commissioner Ling announced that she took part in a ride-along with the police and commends the professional and well-trained police officers.

Commissioner Sous stated that he appreciates the report on activity over the weekend and wondered how many of the arrests were not from Mt. Pleasant.

Commissioner Rautanen announced that he took part in a ride-along as well. He also attended a CMU/City liaison meeting and was pleased with the dialogue and cooperation.

Vice Mayor Holton commented he had a great experience on the ride-along with police officers. The Majority of people were courteous, but there were a few who were not. He thanks all agencies involved.

Mayor Tilmann encouraged the Commissioners to view the video from the ICMA. She complimented Max & Emily's and its partners on the last concert of the season and complimented the Department of Public Safety on their effort this past weekend. The Mayor announced that she appreciated the cooperative and collaborative tone of the City/CMU liaison committee and she announced that the Franklin Street road construction is nearing an end and that DPW staff has been very helpful through the process.

City Manager Ridley introduced Jamie Hockemeyer as the Water Department's newest employee.

The Mayor adjourned the meeting without objection at 8:30 p.m.

Sharon Tilmann, Mayor

Jeremy Howard, City Clerk