

Council Chamber
Henry L. Brown Municipal Bldg.
One Grand Street
Coldwater, Michigan



August 24, 2020

5:30 p.m.

(517) 279-9501

www.coldwater.org

CITY COUNCIL MINUTES REGULAR MEETING

Any interested person or group may address the City Council on any agenda item or on any matter of City concern including items not on the Agenda during the agenda items designated Public Comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Council.

For individuals who may wish to give public comment, the method for providing public comment during this remote-participation meeting is to call the following toll-free number:

1-888-475-4499 or 1-877-853-5257 (Meeting ID: 869-3341-1914) Participant ID is not required.

Callers wishing to give public comment may call in before the meeting starts and wait in a “virtual waiting room.” Those calling in will be able to hear the audio of the City Council meeting, but their microphone will be muted. At the time for Public Comment, press *9 on your telephone, and you will be called upon. Callers who do not wish to give public comment are encouraged to view the meeting live-streamed on YouTube at, bit.ly/ColdwaterVideo or on Skitter channel 61.

CALL MEETING TO ORDER

ROLL CALL

Mayor Kramer called the meeting to order with the following Councilmembers present: Councilmembers Emily Rissman and Travis Machan, representing the 1st Ward; Councilmember Jim Knaack, representing the 2nd Ward; Councilmembers Michael Beckwith and John Petzko, representing the 3rd Ward; Councilmembers Randall Hazelbaker and Scott Houtz, representing the 4th Ward.

Council Action: Motion by Councilmember Knaack, seconded by Councilmember Hazelbaker, to excuse the absence of Councilmembers Chad Johnson, as presented.

Roll Call Vote:

Ayes: Councilmember: Knaack, Beckwith, Petzko, Hazelbaker, Houtz, Rissman, Machan and Mayor Kramer.

Nays: Councilmember: None.

Motion carried.

OTHERS PRESENT: Keith Baker, Megan Angell, Tom Eldridge, Susan Heath, Jeff Budd, Dean Walrack, Sheila Puffenberger and five others.

*Chad Johnson arrived at 5:31 p.m.

PUBLIC COMMENTS

- None.

CONSENT AGENDA (Item Numbers 1-8):

The items listed in the Consent Agenda are considered to be routine by the City Council and the City Manager and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Councilmember or citizen. In this event, the item will be removed from the Consent Agenda and Council action will be taken separately on said item. Those items so approved under the heading "Consent Agenda" will appear in the Council minutes in their proper form.

1. City Council Regular Minutes of August 10, 2020.
2. Coldwater Public Library Advisory Board Regular Minutes of July 13, 2020.
3. Coldwater Housing Commission Regular Minutes of July 14, 2020.
4. Local Development Finance Authority Special Minutes of December 19, 2019.
5. Planning Commission Regular Minutes of July 6, 2020.
6. Zoning Board of Appeals Minutes of June 3, 2020.
7. MERS Quarterly Statement.
8. Memo from Mayor Kramer regarding board reappointment.
 - Downtown Development Authority – Courtney Dirschell – term expires September, 2024

ACTION ON CONSENT AGENDA

Council Action: Motion by Councilmember Beckwith, seconded by Councilmember Petzko, to approve Consent Agenda Items 1-8, as presented.

Roll Call Vote:

Ayes: Councilmember: Johnson, Knaack, Beckwith, Petzko, Hazelbaker, Houtz, Rissman, Machan, Johnson and Mayor Kramer.

Nays: Councilmember: None.

Motion carried.

END OF CONSENT AGENDA

9. Bills and Accounts: \$186,472.95.

Council Action: Motion by Councilmember Johnson, seconded by Councilmember Machan, to approve Bills and Accounts in the amount of \$186,472.95, as presented.

Roll Call Vote:

Ayes: Councilmember: Beckwith, Petzko, Hazelbaker, Houtz, Rissman, Machan, Johnson, Knaack and Mayor Kramer.

Nays: Councilmember: None.

Motion carried.

10. City Manager's Report.

- **Hops on Monroe** – The weather has been great for the first three weeks of this inaugural event. This week's entertainment is Jacob Mayer. The food trucks this week are Ziffles Zip n Go and Carey's Cakery. The first seating runs from 5 p.m. to 7 p.m. with a second seating running from 7 p.m. to 9 p.m. Broadway Grille will be providing beverage service and their patio will be open. This week's featured brewery is New Holland Brewing. There will be plenty of hand sanitizer, wipes and masks are encouraged (when not otherwise eating and drinking!).
- **Entertainment Under the Stars** – The fourth and final week of EUTS is this Tuesday August 25, 2020. Next week's entertainment is Shanneen Forster and Rene Meave. Bring your chair and come enjoy great music outdoors in beautiful Heritage Park.
- **Fall Softball Leagues Forming** – Adult men's, women's and co-ed softball leagues are forming for a shortened fall season. Teams will be limited to practice social distancing. Register now at www.coldwater.recdesk.com. Call the Rec. Dept. at 517-278-8566.
- **N. Monroe Street & Smith Street Project** – Concord Excavating has begun work on Smith Street. The project includes the replacement of a deep sanitary sewer manhole and sewer line on Smith Street (between Morse St. and Central Park Drive) and road repair. Work is expected to be completed by November 15, 2020. Drivers are asked to avoid this area during construction. Access will be limited to local traffic only.

- **2020 Census** – Census data can make a significant difference in Coldwater’s quality of life. An accurate count will benefit the community for the next ten years and directly corresponds to how much funding the City, County, public transit, schools, senior services, public health, and all of the social services agencies receive. If you have not participated in the census yet, it’s not too late! Responses are due back by September 30, 2020. If you have participated, please help spread the word. Respond to the 2020 Census today by visiting www.2020census.gov.
- **New Public Safety Building Staff** – The City would like to welcome Erin Beckhusen as a part-time Records Clerk with the Coldwater Police Department. The City would also like to thank Cassie Hampton for her over five years of service to the Coldwater Police Department as she begins her new, even more challenging, duties as a full-time mom. The City is still looking for someone interested in serving as a crossing guard for the upcoming school year. Pay is \$13.50 per hour for 8-10 hours per week.
- **Labor Day** – City and CBPU offices will be closed on Monday September 7, 2020 in observance of the Labor Day holiday. Labor Day is one of the five federal holidays in which the Coldwater Kiwanis Club and local Boy Scout troop place American flags throughout the city. We would like to thank all involved for this great service to the community. If you have any questions, please do not hesitate to contact me.

*Sheila Puffenberger noted the YouTube video of the Council Meeting had failed at 5:40 p.m.

Council Action: Motion by Councilmember Hazelbaker, seconded by Councilmember Beckwith, to approve and place on file the City Manager’s Report, as presented.

Roll Call Vote:

Ayes: Councilmember: Petzko, Hazelbaker, Houtz, Rissman, Machan, Johnson, Knaack, Beckwith and Mayor Kramer.

Nays: Councilmember: None.

Motion carried.

11. Letter from Megan Angell, City Attorney, regarding amending Codified Ordinances, Chapter 880, Marihuana Establishments, to Delay the Acceptance of Certain Marihuana Establishment License Applications – Consider adoption of Ordinance No. 837.

Council Action: Motion by Councilmember Petzko, seconded by Councilmember Beckwith, to adopt Ordinance No. 837 (attached in Addendum A), as presented.

Roll Call Vote:

Ayes: Councilmember: Hazelbaker, Houtz, Rissman, Machan, Knaack, Beckwith, Petzko and Mayor Kramer.

Nays: Councilmember: Johnson.

Motion carried.

12. Letter from Keith Baker, City Manager, regarding Major and Local Street Preventative Maintenance Project – Consider adoption of Resolution No. 20-47.

Council discussed removing the Seeley St. chip and seal portion of the project, for possible future mill and fill consideration.

Council Action: Motion by Councilmember Knaack, seconded by Councilmember Machan, to adopt Resolution No. 20-47, with the removal of the Seeley St. portion of the project (attached in Addendum B), as presented.

Roll Call Vote:

Ayes: Councilmember: Houtz, Rissman, Machan, Johnson, Knaack, Beckwith, Petzko, Hazelbaker and Mayor Kramer.

Nays: Councilmember: None.

Motion carried.

13. Letter from Keith Baker, City Manager, regarding proposed License Agreement for Purple Orchid patio and deck at 41-47 W. Chicago St. – Consider adoption of Resolution No. 20-46 and approval of Agreement No. A20-12.

Council Action: Motion by Councilmember Johnson, seconded by Councilmember Houtz, to adopt Resolution No. 20-46 and approve Agreement No. A20-12 (attached in Addendum C), as presented.

Roll Call Vote:

Ayes: Councilmember: Rissman, Machan, Johnson, Knaack, Beckwith, Petzko, Hazelbaker, Houtz and Mayor Kramer.

Nays: Councilmember: None.

Motion carried.

14. Letter from Keith Baker, City Manager, regarding proposed purchase of 11 E. Chicago Street (former Putnam Funeral Home) – Consider adoption of Resolution No. 20-48 and approval of Agreement No. 20-01.

Council Action: Motion by Councilmember Hazelbaker, seconded by Councilmember Petzko, to adopt Resolution No. 20-48 and approve Agreement No. 20-01 (attached in Addendum D), as presented.

Roll Call Vote:

Ayes: Councilmember: Machan, Beckwith, Petzko, Hazelbaker and Houtz.

Nays: Councilmember: Johnson, Knaack, Rissman and Mayor Kramer.

Motion carried.

PUBLIC COMMENTS

- None

UNFINISHED BUSINESS

- None.

NEW BUSINESS

15. Hops on Monroe – Council came to consensus to continue the Hops on Monroe event into the fall, weather permitting.

16. Closed Session pursuant to Section 8(e) of PA 267 to discuss pending litigation.

Council Action: Motion by Councilmember Hazelbaker, seconded by Councilmember Johnson, to go to closed session for the purpose of discussing litigation as the discussion in an open meeting would have a detrimental financial effect on the City's litigation or settlement position, as presented.

Roll Call Vote:

Ayes: Councilmember: Johnson, Knaack, Beckwith, Petzko, Hazelbaker, Houtz, Rissman, Machan and Mayor Kramer.

Nays: Councilmember: None.

Motion carried. (6:27 p.m.)

17. Reconvene to regular meeting of August 24, 2020.

Council Action: Motion by Councilmember Hazelbaker, seconded by Councilmember Beckwith, to reconvene to regular meeting of August 24, 2020, as presented.

Roll Call Vote:

Ayes: Councilmember: Knaack, Beckwith, Petzko, Hazelbaker, Houtz, Rissman, Machan, Johnson and Mayor Kramer.

Nays: None.

Motion carried. (6:47 p.m.)

Council Action: Motion by Councilmember Johnson, seconded by Councilmember Petzko, to accept labor counsel's recommendation regarding litigation activities as discussed during the closed session in the case of *Sgt. Crilly and the Police Officer's Labor Council vs. the City of Coldwater*, as presented.

Roll Call Vote:

Ayes: Councilmember: Beckwith, Petzko, Hazelbaker, Houtz, Rissman, Machan, Johnson, Knaack and Mayor Kramer.

Nays: None.

Motion carried.

ADJOURNMENT

Noting no other business to come before Council, Mayor Kramer adjourned the regular meeting at 6:48 p.m.



Susan E. Heath, CMC
City Clerk