

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



September 28, 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: 832 3414 4874) 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 Councilmember Chad Johnson, as presented.

Roll Call Vote:

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

Nays: Councilmember: None.

Motion carried.

*Councilmember Chad Johnson arrived at 5:33 p.m.

OTHERS PRESENT: Keith Baker, Megan Angell, Tom Eldridge, Susan Heath, Jeff Budd, Dean Walrack, Sheila Puffenberger, Deb Sikorski, Lisa Miller, Sue Germann, Dave Neitzert, Chris Stevens, Jane Ford, Lori Loveberry and nine others.

PUBLIC COMMENTS

1. Presentation: Sue Germann, CEO, Pines Behavioral.
2. Mayor Kramer remarked on a petition delivered to the Council requesting they not allow Marihuana Retail businesses in the downtown.
3. Dave Neitzert spoke in favor of allowing Retail Marihuana businesses in the downtown.
4. Planning Commission Member Chris Stevens spoke in opposition to allowing Retail Marihuana businesses in the downtown.
5. Jane Ford asked the Council to take more time in deciding the issue of Retail Marihuana businesses in the downtown.
6. Economic Director Lisa Miller asked the Council to take more time in deciding the issue of Retail Marihuana businesses in the downtown.
7. Lori Loveberry asked the Council to take more time in deciding the issue of Retail Marihuana businesses in the downtown.

CONSENT AGENDA (Item Numbers 8-10):

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.

8. City Council Regular Minutes of September 14, 2020.
 - Closed Session Minutes of September 14, 2020.
9. Coldwater Public Library Advisory Board Regular Minutes of August 10, 2020.
10. Downtown Development Authority Special Minutes of September 2, 2020.

ACTION ON CONSENT AGENDA

Council Action: Motion by Councilmember Houtz, seconded by Councilmember Beckwith, to approve Consent Agenda Items 8-10, as presented.

Roll Call Vote:

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

Nays: Councilmember: None.

Motion carried.

END OF CONSENT AGENDA

PUBLIC HEARINGS

11. Memo from Debra Sikorski, NSD Director/City Assessor, regarding application to approve a Commercial Rehabilitation Exemption Certificate for 152 Division Street, Wild Smile Properties, LLC – Consider adoption of Resolution No. 20-53.

Mayor Kramer opened the Public Hearing at 6:08 p.m.

- Assessor Deb Sikorski presented information and answered questions.
- There were no public comments.

Mayor Kramer closed the Public Hearing at 6:09 p.m.

Council Action: Motion by Councilmember Machan, seconded by Councilmember Johnson, to adopt Resolution No. 20-53 (attached in Addendum A), as presented.

Roll Call Vote:

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

Nays: Councilmember: None.

Motion carried.

12. Bills and Accounts: \$133,794.44.

Council Action: Motion by Councilmember Hazelbaker, seconded by Councilmember Petzko, to approve Bills and Accounts in the amount of \$133,794.44, as presented.

Roll Call Vote:

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

Nays: Councilmember: None.

Motion carried.

13. City Manager's Report.

- **November Election** – Applications for absentee ballots for the November election are available through the City Clerk's office. You may contact City Clerk Susan Heath at 279-6928 if you would like to apply to vote via absentee. The election date is Tuesday, November 3, 2020. In person voting for all four wards of the City takes place at the Dearth Center at the Fairgrounds on Garfield Ave.
- **Fall reminders** – Final bulk brush pickup for the year will begin on Monday October 5, 2020. Yard waste bags will continue to be picked up each Monday weather permitting. We ask residents to not rake or dump leaves into the street until a pick-up schedule is announced later in October. The burning of yard waste, brush and leaves is not permitted within the City limits. Brush, leaves and yard waste can continue to be dropped off at the City's Municipal Services facility located at 45 Industrial Drive during normal business hours and on Saturday mornings.
- **Haunted Forest** – Mark your calendars for the City's annual Haunted Forest (\$5/person) to be held Thursday October 15, Friday October 16, and Saturday October 17, 2020, at Rotary Park. Plans are underway to make this a safe family event following the State's Covid-19 safety guidelines. Times are 5 to 7:30 p.m. for less scary and 7:30 to 9 p.m. for a scarier experience!
- **Fire Prevention Month** – October is National Fire Prevention Month. The Coldwater Fire Department reminds everyone that this is a good time to replace batteries in smoke detectors and check and service your home's heating system prior to the onset of cold weather.
- **Hoptober Fest!** Please join us for a grand finale to the Hops on Monroe season with an Oktoberfest theme next Saturday October 3, 2020 from 4 to 10 p.m. With a German band, German themed food and beer, we will celebrate autumn on S. Monroe St. To comply with the Governor's Executive Order, there will be three two-hour seatings from 4 to 6 p.m., 6 to 8 p.m. and 8 to 10 p.m.
- **City Projects:**
 1. Milnes Plaza Parking Lot – Ongoing/Estimated October completion.
 2. Smith Street – Ongoing/Estimated October completion.
 3. N. Monroe St. – Postponed until Spring 2021.
 4. Butters Ave. Substation – Ongoing/Estimated November completion.
 5. "Big Boy" Sewer Lift Station – Ongoing/Estimated November completion.

- Absentee Voter Ballots can be returned via postal mail, by utilizing the parking lot drop box at the Monroe Street Entrance of City Hall, or by bringing ballots into City Hall with an indoor drop box at Reception.
- Milnes Apartment Project expected to be completed by Halloween.

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

Roll Call Vote:

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

Nays: Councilmember: None.

Motion carried.

14. Letter from Megan Angell, City Attorney, regarding amending Codified Ordinances, Planning and Zoning Code, to Eliminate the Separation Distance Requirements between Marihuana Establishments in the C-2 and C-4 Districts – Consider adoption of Ordinance No. 838.

Council Action: Motion by Councilmember Rissman, seconded by Councilmember Machan, to amend proposed Ordinance No. 838 to a 1000 ft setback from the existing public or private schools in both districts, as presented.

Roll Call Vote:

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

Nays: Councilmember: Johnson

Motion carried.

Council Action: Motion by Councilmember Beckwith, seconded by Councilmember Houtz, to adopt Option B of Ordinance No. 838 (attached in Addendum B), as presented.

Roll Call Vote:

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

Nays: Councilmember: Rissman, Machan, Johnson and Knaack.

Motion carried.

15. Letter from Dean Walrack, Planning/Zoning Administrator, regarding amending Codified Ordinances, Planning and Zoning Code, to enable retail sales to be operated from properties zoned A-2 One and Two-Family Residential with special use approval – Consider introduction of Ordinance No. 840.

Council Action: Motion by Councilmember Beckwith, seconded by Councilmember Houtz, to introduce for first reading Ordinance No. 840, as presented.

Roll Call Vote:

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

Nays: Councilmember: Machan, Johnson and Knaack.

Motion carried.

16. Letter from Megan Angell, City Attorney, regarding City of Coldwater Record Retention Policy No. P20-01 – Consider adoption of Resolution No. 20-22, approving Policy No. P20-01.

Council Action: Motion by Councilmember Johnson, seconded by Councilmember Knaack, to adopt Resolution No. 20-22 and approve Policy No. P20-01 (attached in Addendum C), as presented.

Roll Call Vote:

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

Nays: Councilmember: None.

Motion carried.

17. Discussion of Halloween activities – Trick-or-Treat hours in the City will be as usual 5:30 to 7 p.m. on Saturday, October 31, 2020, with residents urged to follow State Health Department provided safe practices. The Chamber of Commerce, in keeping with Covid-19 concerns, is looking to provide an activity other than the annual parade.

PUBLIC COMMENTS

- None

UNFINISHED BUSINESS

- None

NEW BUSINESS

- None.

ADJOURNMENT

Noting no other business to come before Council, Mayor Kramer adjourned the regular meeting at 7:12 p.m.

A handwritten signature in blue ink that reads "S E Heath". The signature is written in a cursive, flowing style.

Susan E. Heath, CMC
City Clerk