

REGULAR MINUTES
PERE MARQUETTE DEPOT
Tuesday, August 4, 2009

A meeting of the City Council of the City of Belding, Michigan was convened in open and public session at 7:00 p.m. on Tuesday, August 4, 2009.

The City Clerk took the roll call:

Members Present: Council Members Bunce, Wills and Satterlee.

Members Absent: Council Member Stout – arrived at 7:10 p.m.

Council Member Bunce made a motion to excuse Council Member Stout from the meeting, per Section 4.5(f) of the City Charter, supported by Council Member Satterlee.

Ayes: Council Members Bunce, Satterlee and Wills.

Nays: None.

Council Member Bunce delivered the invocation.

The Mayor led the audience in the Pledge of Allegiance.

The Mayor called for the City Manager's Report – noted and filed.

Finance Director Andres read the city manager's report.

The Mayor called for the Consent Agenda.

- A. Approval of Minutes 7-21-09
- B. Planning Commission Appointment – Roger Wills
- C. VFW Special Liquor License
- D. Temporary Street Closure – W. Center St.

Council Member Bunce made a motion to approve the consent agenda, supported by Council Member Satterlee.

The question on the motion was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Wills and Satterlee.

Nays: None.

Following are the resolutions contained in the Consent Agenda.

B. PLANNING COMMISSION APPOINTMENT – ROGER WILLS

RESOLUTION NO. 2009-08-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN APPOINTING ROGER WILLS TO THE PLANNING COMMISSION.

WHEREAS, Chapter 2, Section 2-192 of the Code states that the mayor shall be a non-voting member of the Planning Commission; and,

WHEREAS, Roger Wills assumed the position of Mayor of the City of Belding on July 21, 2009; and,

WHEREAS, Roger Wills has indicated his willingness to serve on the Planning Commission.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that Roger Wills be appointed to the Planning Commission with a term to expire on 12/1/09.

C. VFW SPECIAL LIQUOR LICENSE

RESOLUTION NO. 2009-08-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN GRANTING PERMISSION FOR A SPECIAL BEER, LIQUOR, WINE AND FOOD LICENSE TO THE BELDING V.F.W. POST #4406.

WHEREAS, a request has been received from the Belding V.F.W. Post #4406 for the City Council's permission to apply for a special beer, liquor, wine and food license for September 5-7, 2009; and

WHEREAS, the purpose of this license is for the sale of beer, liquor, wine and food on the premises of the Belding V.F.W. Post #4406, located at 114 N. Bridge in the City of Belding, County of Ionia, Michigan; and

WHEREAS, this activity will be held during the Labor Day weekend.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that permission is hereby granted to the Belding V.F.W. Post #4406 to apply for a special beer, liquor, wine and food license for September 5-7, 2009.

BE IT FURTHER RESOLVED that Police Chief Dale Nelson is hereby authorized to execute the special license application which shall be submitted to the Michigan Liquor Control Commission.

D. TEMPORARY STREET CLOSURE – W. CENTER ST.

RESOLUTION NO. 2009-08-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN
AUTHORIZING THE REQUEST TO TEMPORARILY CLOSE W. CENTER STREET
BETWEEN PLEASANT AND PEARL STREETS FOR A NEIGHBORHOOD BLOCK
PARTY.

WHEREAS, a request was received from Brett Venneman to temporarily close W. Center Street, between Pleasant Street and Pearl Street, for a neighborhood block party on September 5, 2009 from 12 noon until 10 p.m.; and

WHEREAS, the closure will provide a safe area for the neighborhood residents to enjoy the event; and

WHEREAS, a request has been made to suspend Section 34, Article IV Noise Control, Sections 34-76 and 34-77 of the Belding City Code for the event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that W. Center St., between Pleasant Street and Pearl Street, be temporarily closed for a neighborhood block party on September 5, 2009 from 12 noon until 10 p.m., and Section 34, Article IV Noise Control, Sections 34-76 and 34-77 of the Belding City Code be suspended for the event.

Council Member Stout arrived at 7:10 p.m.

The Mayor called for Business Agenda Item **A – COUNCIL MEMBER RESIGNATION ACCEPTANCE**

The City Clerk read the preamble to the resolution.

Council Member Bunce moved the passage of the resolution and the motion was supported by Council Member Satterlee.

RESOLUTION NO. 2009-08-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN
ACCEPTING THE RESIGNATION OF SHANE T. HUSTED FROM THE BELDING CITY
COUNCIL.

WHEREAS, Mayor Shane T. Husted submitted a letter of resignation from the Belding City Council on July 21, 2009; and

WHEREAS, Section 4.8 of the City Charter states that the resignation of an elective officer should be acted upon by the Council at the next regular meeting following receipt in writing by the Clerk.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that the resignation letter of Mayor Shane T. Husted is hereby accepted.

Mayor Wills stated that he wished to publicly thank Mr. Husted for his years of service, almost 10 years. He did a lot of positive things. There were many projects, tough issues, and he dealt well with the departments. He was an essential person behind the scenes for the library expansion.

The question on the resolution was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Stout, Satterlee and Wills.
Nays: None.

A special council meeting will be held on Tuesday, August 11, 2009 at 7 p.m. to conduct candidate interviews to fill the vacancy.

The Mayor called for Business Agenda Item **B – GUS MACKER – USE OF CITY STREETS**

The City Clerk read the preamble to the resolution.

Council Member Bunce moved the passage of the resolution and the motion was supported by Council Member Satterlee.

RESOLUTION NO. 2009-08-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN GRANTING PERMISSION TO GUS MACKER FOR THE USE OF CITY STREETS AND PARKING LOT FOR A 3-ON-3 BASKETBALL TOURNAMENT.

WHEREAS, Gus Macker requests permission from the City of Belding for the use of the following streets and parking lot to run a 3-on-3 basketball tournament on August 8-9, 2009:

- Depot Street from the rear of Family Dollar to Broas St.
- Broas Street from Depot St. to Main St.
- Broas Street from Main St. to Congress St., if needed
- West mall parking lot, west of the Rayborn building

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that permission is hereby granted to Gus Macker for the use of city streets and a portion of the west mall parking lot for the 3-on-3 basketball tournament on August 8 and 9, 2009.

The question on the resolution was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Stout, Satterlee and Wills.
Nays: None.

The City Clerk read the preamble to the ordinance.

Council Member Stout moved the adoption of the ordinance and the motion was supported by Council Member Bunce.

ORDINANCE NO. 508

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF BELDING BY ADOPTING THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE.

THE CITY OF BELDING ORDAINS:

Section 1. Amendment of Section 14-77(a).

Section 14-77(a) of the City of Belding, Code of Ordinances (“City Code”) is hereby amended to read in its entirety as follows:

Sec. 14-77. Property maintenance code adopted by reference.

- (a) The 2009 International Property Maintenance Code, as published by the International Code Council, Inc., is hereby adopted by reference for the purpose of regulating the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of building and structures unfit for human occupancy and use, and the demolition of such structures.

Section 2. Severability.

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 3. Effective Date.

This Ordinance becomes effective ten (10) days after its adoption and upon publication in a newspaper of general circulation.

The question on the ordinance was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Stout, Satterlee and Wills.
Nays: None.

The Mayor called for Business Agenda Item **D – LIQUOR LICENSE TRANSFER**

The City Clerk read the preamble to the resolution.

Council Member Stout moved the passage of the resolution and the motion was supported by Council Member Satterlee.

RESOLUTION NO. 2009-08-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELDING, MICHIGAN THAT THE REQUEST FOR THE TRANSFER OF OWNERSHIP OF A 2009 RESORT B-HOTEL LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 8100 STOREY, BELDING, MICHIGAN, FROM CANDLESTONE INN LIMITED PARTNERSHIP TO BOGIES, LLC., BE RECOMMENDED FOR APPROVAL.

WHEREAS, a request was received to transfer ownership of a 2009 Resort B-Hotel licensed business with dance permit, located at 8100 Storey, Belding, Michigan from Candlestone Inn Limited Partnership to Bogies, LLC; and

WHEREAS, local legislative approval is required for the transferring of on-premises licenses; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Belding, Michigan that the application to transfer ownership of a 2009 Resort B-Hotel licensed business with dance permit, located at 8100 Storey, Belding, Michigan, Ionia County, be recommended for issuance by the Michigan Liquor Control Commission.

The question on the resolution was called and the result of the voting is as follows:

Ayes: Council Members Bunce, Stout, Satterlee and Wills.
Nays: None.

The Mayor called for Citizen Comments.

There were no citizen comments.

The Mayor called for Council Comments

There were no council comments.

The Mayor called for a motion to adjourn the meeting.

ADJOURNMENT

Council Member Bunce moved to adjourn the meeting, supported by Council Member Stout.

Ayes: Council Members Bunce, Stout, Wills and Satterlee.
Nays: None.

Mayor Wills adjourned the meeting at 7:35 p.m.

Roger Wills, Mayor

Kareen J. Thomas, City Clerk