

## CITY COUNCIL MINUTES

City of Hillsdale  
March 21, 2022  
7:00 P.M.

Regular Meeting

### Call to Order and Pledge of Allegiance

Mayor Adam Stockford opened the meeting with the Pledge of Allegiance.

### Roll Call

Mayor Adam Stockford called the meeting to order. Clerk Price took roll call.

Council Members present: Adam Stockford, Mayor  
R Greg Stuchell, Ward 1  
Anthony Vear, Ward 1  
William Morrissey, Ward 2  
Bill Zeiser, Ward 3  
Bruce Sharp, Ward 3  
Robert Socha, Ward 4  
Raymond Briner, Ward 4

Council Members absent: Cynthia Pratt, Ward 2

Also Present: David Mackie (City Manager), Attorney Tom Thompson, Katy Price (City Clerk), Scott Hephner (HCPD/HCFD), Jake Hammel (DPS Director), Penny Swan, Lance Lashaway, Carol Lackey, Vickie Burd, Theresa Rutan, Jon Smith, Doug Ingles, Sheri Ingles, Louise Worms, Chris McArthur, Dennis Wainscott Jon Smith and Joseph Hendee.

### Approval of Agenda

Mayor Stockord inquired about an email Mr. Lashaway submitted to Council, a letter of inclusion at the meeting. He requested Communication Item F. Lashaway Letter to be added.

Motion by Council Member Morrissey, seconded by Council Member Vear to approve the agenda as amended.

By a voice vote, the motion passed unanimously.

### Public Comment

Lance Lashaway commented on his letter that was added, he asked Council to amend the ordinances to include commercial and private contractor to do inspections and submit report.

Jon Smith commented on the Patriot parade. The parade is not a partisan issues and not a political parade, encourages everyone to join and patriciate. Theresa Rutan and or Hillsdale Republican Party is willing to meet with anyone to make the parade happen.

Theresa Rutan commented that the parade is to celebrate the independence of the Fourth of July. It's not a Republican rally, It's a parade for the community to celebrate and welcomes everyone to participate. Rutan asked if an email was submitted for the meeting from John Rutan and asked to have it added for official record. She wants a peaceful resolution so all could enjoy the parade.

Penny Swan commented that the parade was taken over by the Republican Party when others weren't continuing the parade. She mentioned that the party is willing to work with all people. She stated that Theresa Rutan had submitted the Right of Way permit application first.

Dennis Wainscott commented that he thinks it's a shame that there is an issue to whom will be putting on the parade. We as a community need to work together.

Mayor Stockford mentioned that there has been some misunderstanding on the parade issue.

Council is reviewing a couple of applications.

Carol Lackey commented that the Mitchell Research Center is an organization that consists of volunteers that share information on genealogy, buildings and other items in Hillsdale County. The Mitchell received two significant grants which would help pay for some of the utility costs to the City. The Friends of the Mitchell would like to apply for grants and would like to work together with the City and Council for further improvements.

**Consent Agenda**

- A. Approval of Bills
  - 1. City and BPU Claims of March 3, 2022: \$343,956.69
  - 2. Payroll of March 3, 2022: \$176,586.51
- B. City Council Minutes of March 7, 2022
- C. Housing Minutes of January 19, 2022
- D. TIFA Minutes of January 18, 2022
- E. TIFA Targeted Development Minutes of February 8, 2022 and March 8, 2022
- F. Planning Commission Minutes of February 16, 2022
- G. BPU AMI Gateway Replacement
- H. BPU Engine #6 Intake Cooler Replacement
- I. BPU Industrial Substation Construction of Four Feeder Circuits
- J. Hillsdale College Centralhallapoloosa Noise Variance & Alley Closure
- K. Hillsdale College Noise Variance Knorr Student Center Event
- L. Hillsdale College Noise Variance Line Dancing Event Central Hall

Motion by Council Member Morrissey, seconded by Council Member Vear to approve the Consent agenda as presented.

Roll call:

Council Member Stuchell	Aye
Council Member Morrissey	Aye
Mayor Stockford	Aye
Council Member Vear	Aye
Council Member Sharp	Aye
Council Member Briner	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye

Motion passed 8-0

**Communications/Petitions**

- A. 2022 City Brush and Leaf Collection Schedule
- B. 2022 Election Council Notice
- C. BPU Spring Hydrant Flushing Notice
- D. Friends of the Mitchell Research Center Email
- E. Hillsdale Hospital's Future Road Projects Contribution
- F. Lashaway Letter

Council discussion ensued on the Friends of the Mitchell Research Center Email and the agreement that was offered by the Friends to help pay for utility costs in the amount of \$500.00 a month to the City and further improvement options and goals for the building. City Manager Mackie suggested the long term goal for the building be sent to the Community Development Committee and also to review the agreement that was presented to Council.

Motion by Council Member Socha, seconded by Council Member Sharp to move item to Community Development to discuss options on Mitchell Research Center and bring recommendations to Council.

By a voice vote, the motion passed unanimously.

Council discussion followed on the Lashaway letter about code enforcement inspections and a proposed use and occupancy permit ordinance change to allow private contractors to submit inspection reports to city code enforcement for business use. Lashaway had a private contractor/inspector do a building inspection and would like to have that report be a sufficient inspection report for his permit for his building.

Further discussion ensued with Council, City Attorney, City Manager and Mr. Lashaway.

City Manager Mackie stated Lashaway needs to call the Code Enforcement office and schedule an inspection from the City for his building.

Mayor Stockford stated he is moving in the agenda due to banter back and forth.

All items presented for the purpose of information only.

**Introduction and Adoption of Ordinances/Public Hearings**

None

**Old Business**

A. 4<sup>th</sup> of July Parade Event Right of Way Applications

Mayor Stockford reported that the City received two applications, project plans and fee receipts for this year's 4th of July Parade. The first request was submitted by Theresa Rutan and the second by Hillsdale Hospital. So it has been brought to Council to discuss options for solution as there is no policy in place.

Council discussion ensued about the Republican Party hosting or not hosting the parade and whether or not it would exclude anyone from the parade as it may be seen as a political parade.

Council Member Sharp stated he would like to see both groups work together to make it happen.

Council Member Vear stated that he it would seem like both parties could work together to have a great event, parade and after party.

Council Member Morrissey stated if it's not broke why fix it. One should do the parade and then other should do after party.

Council Member Stuchell stated that the Republican Party organizers have done a great job in prior years. But the County is divided as political parties may not be the best option to organize the parade. He is afraid it may exclude some people from participating if it's a political party. If the hospital did the parade it would include everyone.

Council Member Briner agreed with Stuchell stating some businesses may not participate due to a political party affliction.

City Manager Mackie mentioned that Theresa Rutan filed first and whom files first typically get the permit as has been done in the past.

Mayor Stockford read John Rutan's email aloud as request.

City Attorney Thompson stated to Council that they would need to be careful if they aren't granting a permit under certain criteria specifically under someone's viewpoint, such as a political viewpoint, etc.

More information was discussed.

Motion by Council Member Socha, seconded by Council Member Morrissey to table the parade application process until the next council meeting.

By a voice vote, the motion passed unanimously.

**New Business**

A. Addendum to Cleaning Contract – East 2 West Enterprises Inc

City Manager Mackie stated City staff put out a Cleaning RFP on February 15, 2019. Four companies submitted bids at the time. East 2 West Enterprises, Inc. was awarded the contract for three years. The agreement will expire on April 30, 2022 and may be extended for additional two (1) year periods. Both parties would like to extend the agreement for the same amount.

Motion by Council Member Sharp, seconded by Council Member Vear to approve the extension of contract to East 2 West Enterprises, Inc for two additional one (1) year terms.

Roll call:

Council Member Stuchell	Aye
Council Member Morrissey	Aye
Mayor Stockford	Aye
Council Member Vear	Aye
Council Member Sharp	Aye
Council Member Briner	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye

Motion passed 8-0

B. Land Division 237 E. South St.

The owner of parcel number 006-426-402-07 located at 237 E. South St. would like to divide and sell the rear of the lot. Hillsdale Municipal Code, Chapter 18, Division 3 outlines the procedure required to divide a platted parcel in the City. The owner submitted the application to divide the parent parcel on March 3, 2022. The Ordinance dictates that the application must be approved by the Planning Commission and recommended to City Council for final approval. The Planning Commission reviewed the application at their regular meeting on March 16, 2022.

Motion by Council Member Socha, seconded by Council Member Vear to approve the land division request at 237 E South St.

Roll call:

Council Member Stuchell	Aye
Council Member Morrissey	Aye
Mayor Stockford	Aye
Council Member Vear	Aye
Council Member Sharp	Aye
Council Member Briner	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye

Motion passed 8-0

C. Freedom of Information Act Appeal – Joseph Hendee

Mayor Stockford asked if there was a Right of Way application submitted for the parade.

Manager Mackie mentioned that Mr. Hendee’s FOIA appeal letter and invoice associated with the FOIA he’s appealing. Additionally, I’ve attached and highlighted the two FOIA requests mentioned in his letter. In response to the current FOIA, Mr. Hendee was provided everything the City received from Plante Moran. Processing the FOIA included work by the City Clerk, HR Director, City Attorney, Plante Moran, IT Department and City Manager. Mr. Hendee was invoiced for 5 hours at \$18 per hour and 800 copy pages at .10 per copy for a total of \$170. Based on the FOIA statue the City can only charge our lowest administrative wage for FOIA processing work, which is \$18 per hour.

Mr. Hendee stated that items weren't redacted originally that had requested and shared his displeasure with the process of his two FOIA request along with the cost.

City Manager Mackie stated he had asked for two separate items.

Banter ensued between Mr. Hendee, Council and Manager Mackie.

Mayor Stockford shared his discontentment with the outbursts and behavior during the meeting.

Further council discussion ensued.

Motion by Council Member Socha, seconded by Council Member Sharp to deny the Freedom of Information Act Appeal by Hendee for amount charged.

By a voice vote, the motion passed unanimously.

**Miscellaneous Reports**

A. Proclamation – None

B. Appointments—Donald Germann – Economic Development Corporation  
Martin Beeker Jr – Airport Advisory Committee  
Jacob Bruns – Zoning Board of Appeals

Motion by Council Member Briner, seconded by Council Member Sharp to appointment all three appointments to appropriate boards.

By a voice vote, the motion passed unanimously.

C. Other – None

**General Public Comment**

Jack McLain commented that he will help with the cost of parade if that is needed from one of the applicants. He mentioned there needs to be less social problems and less of a divide in the City. He suggested that the TIFA Board purchase the Mitchell Research Building and then let the Friends of the Mitchell run the building.

Joseph Hendee commented on the Airport Advisory Committee and mentioned that Martin Beeker from the area and asked if there were requirements to be on that committee. He also stated there is so much divide because there are so many so called Christians.

Robert Eichler asked Council to extend the amount of time needed for public comments for those that are disabled and handicap.

**City Manager's Report**

Manager Mackie shared that the 2022-23 City proposed budget will be presented to Council at the next meeting.

Both purchases in the Industrial Park land sales are moving forward and looking to close tentatively for May.

The City will be getting a sound system proposal shortly by gentlemen that originally installed the sound system in Council chambers.

There will be a public hearing the first week in May for the City to apply for a \$2 million dollar CBDG grant to replace water main within the community.

The first claim was submitted to the City for the flood issue in the Wildwood subdivision and submitted to the insurance company for review.

**Council Comments**

Council Member Socha stated he was inclined to vote for Rutan's application for the parade as they have done a stellar job in the past. He hopes that both parties can work together and make it

happen. He stated that code enforcement needs to make sure that all codes are equally assessed. Additionally stated that Council is not a corrupt body of government and each member volunteer their time to serve and better the City in the best of their abilities. He mentioned that the Hope House was in the wrong location and asked Mr. Lashaway to look for a better location for the Hope House to be a good neighbor for other local businesses downtown.

Council Member Morrissey stated that the Industrial Park Land purchase subdivision was presented to the Planning Commission and looks like a really nice plan.

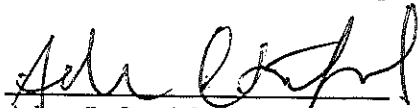
Council Member Socha asked residents if they wanted anything to be added to the agenda please submit request before day of meeting.

**Adjournment**

Motion by Council Member Sharp, seconded by Council Member Morrissey moved to adjourn the meeting.

By a voice vote, the motion passed unanimously.

The meeting adjourned at 9:07 p.m.

  
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Adam L. Stockford, Mayor  
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Katy Price, City Clerk