

CITY COUNCIL MINUTES

City of Hillsdale
May 16, 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
Cynthia Pratt, Ward 2
Bruce Sharp, Ward 3
Bill Zeiser, Ward 3
Robert Socha, Ward 4
Raymond Briner, Ward 4

Council Members absent: William Morrissey, Ward 2

Also Present: David Mackie (City Manager), Attorney Tom Thompson, Katy Price (City Clerk), Jason Blake (DPS Director), Scott Hephner (HCPD/HCFD), Frank Engle (City Sexton), Penny Swan, Keith O'Neil, Steve Stoll, Tammie Henderson, Richard Curtis, Kevin Conant, Karla Adams, Dustin Adams, CJ Toncray, Gordon Thompson.

Approval of Agenda

City Manager Mackie requested to add Consent agenda Item I. Request for Noise Variance from Pub 'N Grub for their 12th Anniversary celebration and Old Business A. Use of Vacant Land Agreement.

Motion by Council Member Socha, Seconded by Council Member Vear to add both requested items to the agenda.

By a voice vote, the motion passed unanimously.

Motion by Council Member Sharp, seconded by Council Member Pratt to approve the agenda as amended.

By a voice vote, the motion passed unanimously.

Public Comment

None

Consent Agenda

- A. Approval of Bills
 - 1. City and BPU Claims of April 28, 2022: \$932,248.00
 - 2. Payroll of April 28, 2022: \$167,440.58
- B. City Council Minutes of May 2, 2022
- C. Budget Workshop Minutes of April 28, 2022
- D. Cemetery Minutes of May 4, 2022
- E. Morry Street Water Main
- F. Street Closure Request: Pub N Grub
- G. Here's to You Pub & Grub Street Closure Agreement

- H. MSCPA Proposed Revisions to Bylaws and Articles of Incorporation
- I. Request for Noise Variance from Here's To You Pub N Grub for their 12th Anniversary Celebration

Motion by Council Member Stuchell, seconded by Council Member Pratt to approve the consent agenda as presented.

Roll call:

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

Motion passed 8-0

Communications/Petitions

- A. Retirement: Kathy Flaughner
- B. Keith O'Neil- REU Executive Director
- C. Comcast Letter

Keith O'Neil introduced himself as the new REU Executive Director and gave brief overview of his department.

All items presented for the purpose of information only.

Introduction and Adoption of Ordinances/Public Hearings

- A. Public Hearing – FY 2022-23 City Budget Application

On April 4, 2022 Council and the public received the proposed 2022-23 fiscal year budget covering the period from July 1, 2022 – June 30, 2023. Members of the Council held a budget workshop on April 28th with staff. After the public hearing the final budget will be prepared for June 6th adoption.

In accordance with Section 8.3 of the City Charter, a public hearing must be held prior to the budget's final adoption. The Public Hearing is the time set aside for members of the public to express their opinions regarding the budget, which has been available on the City's website and with the City Clerk since April 4th.

City Manager Mackie gave a brief overview of the budget and process.

Council discussion ensued on legal fee increases due to a rise in lawsuits and the substantial cost to the City and taxpayers.

Mayor Stockford opened podium at 7:39 p.m. for public comment.

Karla Adams, resident, stated she is upset with City Council for accepting the ARPA (American Rescue Plan Act) money and read aloud some contingencies for funds.

With no other public comment, Mayor Stockford closed podium at 7:42 p.m.

Council delayed action until the June 6, 2022 meeting, at which time various resolutions will be presented to approve the 2022-23 fiscal year budget and to levy the taxes to pay for the expenditures contained therein.

- B. Public Hearing - Ordinance Amendment- Cemetery Animal Ban

Jason Blake, DPS Director, reported dogs in city cemeteries has been an ongoing concern for some time now. Owners use the cemeteries as dog runs, allowing their pets to run unleashed throughout the premises. Ordinance No. 2017-01 is currently in place allowing animals as long as they are leashed/controlled and also limiting them to the roadways within. The ordinance has consistently been ignored. As expected, animals are relieving themselves on head stones and various other places within the cemeteries whether leashed or unleashed. Not only is this very disrespectful to the deceased, but their families as well. In an attempt to remedy the situation, the Cemetery Board has requested the City Attorney draft an amended ordinance prohibiting all animals from being in the cemeteries.

Council discussion ensued about residents that walk their dogs and abide with the rules and regulations in the Cemeteries. Council showed concern and disgust with residents that allow dogs to run and leave excrement on graves. Mayor Stockford asked about increasing fines for those that allow dogs to relieve themselves in the cemeteries.

Mayor Stockford opened podium at 8:01 p.m. for public comment.

Karla Adams commented that the cemeteries are not only memorial sites for residents but for pets as well and is not in favor for a domestic animal ban at the cemeteries. She asked about a cleanup for the cemeteries.

Penny Swan commented that many people take their dogs through the cemeteries as she did as it was a safe place to walk her dog that was leashed. Swan asked Council if there could be more Public Service Announcements about leashing, walking dogs and do's and don'ts in the cemeteries.

Richard Smith, Cemetery Board Trustee, stated that rules and regulations are posted at a few locations in the cemeteries. He stated it has been hard to enforce the current ordinance of having dogs on leashes and not roaming free. He stated the cemeteries are sacred grounds and should not allow domestic animals in them. He stated that it might also be a liability to the City if dogs are not leashed and come up to another resident and become aggressive.

Frank Engle, City Sexton, commented that signs are posted and have been ignored. He urged Council to pass the amendment to ban domestic animals at the cemeteries as they sacred grounds and many veterans are buried there as well. The cemeteries are not dog parks they are sacred.

With no more public comment Mayor Stockford closed podium at 8:15 p.m.

Motion by Council Member Stuchell, seconded by Council Member Vear to approve the ordinance amendment for animal ban.

Roll call:

Council Member Stuchell	Aye
Council Member Briner	Nay
Mayor Stockford	Nay
Council Member Vear	Aye
Council Member Sharp	Nay
Council Member Zeiser	Nay
Council Member Socha	Aye
Council Member Pratt	Nay

Motion failed 3-5

Mayor asked to have the Public Services Committee team up with the Cemetery Board to hold a joint meeting to discuss options for domestic animal issues in the cemeteries.

C Adoption of Ordinance – Rezoning of 901 Development Drive

Alan Beeker, Zoning Administrator, reported the City has entered into a purchase agreement with a developer to purchase property, located at 901 Development Drive, in the manufacturing park. One of the conditions is to rezone the property from I-1, Industrial, to R-1, Single-family Residential. The Planning Commission has reviewed the proposal to rezone. The public hearing was held on May 11, 2022. At the conclusion of the public hearing, the Planning Commission voted unanimously

to recommend the rezoning of 901 Development Dr. contingent on the completion of the sale of the property.

Motion by Council Member Socha, seconded by Council Member Sharp to the rezoning of 901 Development Drive from I-1 to R-1 contingent on the completion of the sale of property. **Ordinance 2022-01.**

Roll call:

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

Motion passed 8-0

Old Business

A Use Agreement for Vacant Land with the Hillsdale Acres LLC (Resolution)

Motion by Council Member Stuchell, seconded by Council Member Socha to approve the vacant land use agreement for 10 years to Hillsdale Acres LLC. **Resolution 3502.**

Roll call:

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

Motion passed 8-0

New Business

A. Budget Amendments for FY 2022 City Budget (Resolution)

The Uniform Budget and Accounting Act of 1968, as amended, requires the City to make amendments to the budget when appropriations exceed the current budget. These amendments must be approved by the City Council.

In the General Fund, the City Council adopts a budget for each department so the amendments address any budget needs by department, rather than by fund total. For all non-General Funds, a budget amendment is only necessary if the City finds the total fund appropriation will exceed the budget adopted by Council.

Motion by Council Member Vear, seconded by Council Member Morrisey to adopt the budget amendments for FY 2022 as presented. **Resolution 3499.**

Roll call:

Council Member Stuchell	Aye
Council Member Briner	Aye

Mayor Stockford	Aye
Council Member Vear	Aye
Council Member Sharp	Aye
Council Member Zeiser	Aye
Council Member Socha	Aye
Council Member Pratt	Aye

Motion passed 8-0

B Financial Reports for Quarterly Ending 3/31/22

The financial reports were submitted to Council for the 3rd quarter ending March 31, 2022. The statements cover the period beginning July 1, 2021 and ending March 31, 2022. Highlights of the financial statements were presented

Motion by Council Member Socha, seconded by Council Member Sharp to approve the financial report.

Roll call:

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

Motion passed 8-0

C. Traffic Control Order 2022-09 (Resolution)

In accordance with the Michigan Motor Vehicle Code 257.674 (1) (p) there shall be no parking in the parking space directly in front of the entrance doors to the Dawn Theater located at 110 N. Broad Street.

The parking space south of the above prohibited parking space on the west side of N. Broad Street directly in front of 106 N. Broad Street will be identified by a 30 minute loading – unloading zone sign. Sign shall include: This side of sign.

Motion by Council Member Sharp, seconded by Council Member Pratt to approve the Traffic Control Order 2022-09. **Resolution #3501.**

By a voice vote, the motion passed unanimously.

D. Appointment of Alternate Commissioner to the MSCPA (Resolution)

The BPU and City are required to appoint a commissioner and alternate to the Michigan South Central Power Agency (MSCPA). City Manager Mackie currently serves as the commissioner to MSCPA. Jake Hammel needs to be appointed as the alternate commissioner.

Motion by Council Member Socha, seconded by Council Member Stuchell to appointment Jake Hammel as alternate commissioner to MSCPA. **Resolution #3500.**

By a voice vote, the motion passed unanimously.

Miscellaneous Reports

- A. Proclamation – None
- B. Appointments—BPU Board – Philip McDowell

Motion by Council Member Socha, seconded by Council Member Pratt to approved the appointment of Philip McDowell to BPU Board.

By a voice vote, the motion passed unanimously.

- C. Other – None

General Public Comment

Karla Adams, ward four, commented on her FOIA request asking for the BPU Round Up Policy and received mostly meeting minutes and a few other documents not really what she was asking for. She paid \$75 and wants to appeal it and request a refund.

Robert Eichler, Scipio Township, reported on an incident that occurred at the County Commissioners office as he had an issue with the way the police handled his situation.

City Manager’s Report

Manager Mackie shared the Heritage Association Mural unveiling would be on Tuesday, May 17, 2022 at the Wedge in downtown Hillsdale.

There may be a potential power shortage across Michigan this summer as a press release indicated.

The insurance carrier for the Airport has denied claims of flooding.

Legal costs accrue with depositions and such as it is the nature of lawsuits.

Modern Waste approached the City and asked about purchasing the Transfer Station. A purchase agreement is being worked on and will potentially have the agreement at the next Council meeting.

Council Comments

Mayor Stockford thanked City Manager Mackie for all the good work that’s been recently done.

Council Member Socha commented about the Round Up Program and asked if BPU is making modifications to the form used.

Council Member Briner commented on the 901 Development Drive and inquired about a small portion that is farmland and asked if that portion is available for purchase. Mr. Mackie stated that it was purchased by Stoll Construction for development as well.


Mayor Stockford stated that Library Board Member Josh Paladino and his wife are in need of prayers as their one year old daughter has a serious health concern.

Adjournment

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

By a voice vote, the motion passed unanimously. The meeting adjourned at 8:11 p.m.


Adam L. Stockford, Mayor


Katy Pace, City Clerk