

CITY COUNCIL MINUTES

City of Hillsdale
September 18, 2023
7:00 P.M.

Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Stockford opened the meeting with the Pledge of Allegiance.

Roll Call

Mayor 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 Cynthia Pratt, Ward 2 Bruce Sharp, Ward 3 Gary Wolfram, Ward 3 Joshua Paladino, Ward 4 Robert Socha, Ward 4
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Council Members absent:	None
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Also Present: Attorney Tom Thomson, Katy Price (City Clerk), Jason Blake (DPS Director), Scott Hephner (Chief HCPD/HCFD), Abe Dane, Corrie Conant, James Edward Thomas, Ray Briner, CJ Toncray, Mark Nichols, Ginger Novak, Joan Harvey, Dennis Wainscott, Jean Heise.

Approval of Agenda

Motion by Councilman Sharp support by Councilmember Pratt to add Right of Way Permit for Hillsdale Community Schools for Homecoming Parade as Consent agenda item I.

By a voice vote, the motion passed unanimously.

Motion by Councilman Morrissey support by Councilmember Pratt to approve the September 18, 2023 agenda as amended.

By a voice vote, the motion passed unanimously.

Public Comment

Ginger Novak, Ward 4, commented on the food truck discussion item.

Ray Briner, Ward 4, commented on the Fair Parade and the fees associated with special events in the City.

James Edward Thomas, 2200 Barr St., commented he was in favor of a Drive in theater.

Jean Heise, Ward 4, commented on the food truck discussion item.

Consent Agenda

- A. Approval of Bills
 1. City and BPU Claims of August 31, 2023: \$308,847.58
 2. Payroll of August 31, 2023: \$184,070.72
- B. City Council Minutes of September 5, 2023
- C. Finance Minutes of September 5, 2023
- D. Public Services Committee Minutes of September 11, 2023
- E. Hillsdale College Noise Variance Request Drive-In Movie

- F. American Legion Fall Freedom Run 5k
- G. Right of Way Use- Shawn’s 5K Walk/Run for Cancer Event
- H. Hillsdale County Fair Parade Use Agreement
- I. Right of Way Permit- Hillsdale Schools Homecoming Parade

Council discussion ensued on right of way fees for special events in the community.

Motion by Councilmember Sharp seconded by Councilmember Morrisey to send the fee schedule to the Public Services Committee to review.

By a voice vote, the motion passed unanimously.

Motion by Councilmember Morrisey seconded by Councilmember Sharp to approve the consent agenda as presented.

Roll Call:

Council Member Paladino	Aye
Council Member Vear	Aye
Council Member Sharp	Aye
Council Member Wolfram	Aye
Council Member Pratt	Aye
Council Member Socha	Aye
Mayor Stockford	Aye
Council Member Morrisey	Aye
Council Member Stuchell	Aye

Motion passed 9-0

Communications/Petitions

- A. Comcast Letter
- B. Assessment Roll PA 660 Audit Results
- C. Village of Clinton Letter
- D. Street Light Letter from James Edward & Kristine Thomas

Information is presented for information only.

Introduction and Adoption of Ordinances/Public Hearings

- A. Set Public Hearing to Prohibit Pets from Entering City Cemeteries

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. During regular City Council meeting on May 16, 2022 this item was sent to Public Services Committee for review and recommendation. Public Services Committee met on September 11, 2023 and recommended to send this item to City Council to schedule a Public Hearing for October 16, 2023 to receive public input.

Motion by Councilmember Socha seconded by Councilmember Sharp to set a public hearing for October 16, 2023 at 7:00 p.m. for prohibiting pets from entering City cemeteries ordinance amendment.

By a voice vote, the motion passed unanimously.

Old Business

- A. Assessing/Code Enforcement Vehicle

Jason Blake, DPS Director stated after the last Council meeting he run the usage numbers on the three retired police vehicles used by other departments. Police and DPS operational vehicles are not used like a personal vehicle. The miles on the odometers are only one part of the wear and tear on these vehicles. Below are the numbers from the retired police vehicles. The “miles equivalent” the City has gotten more than its money worth out of all of these vehicles.

2015 Explorer – Code Enforcement
116,535 miles on odometer
13,000 hours at idle
450,000 miles equivalent

2016 Explorer – Engineering
117,974 miles on odometer
17,275 hours at idle
560,475 miles equivalent

2014 Explorer – Airport
113,559 miles on odometer
11,100 hours at idle
402,400 miles equivalent

The City budgeted \$30,000 to replace the Assessing/Code Enforcement vehicle. Used vehicles with 40,000-50,000 miles, 2-3 years old, are going for \$22,000+. The low bid we had for a new vehicle with full warranty was \$29,541.

Councilmember Stuchell asked how many employees would use this vehicle. Blake answered four – six employees.

Councilmember Sharp asked what was wrong with the current vehicle. Blake stated it was off the road in the shop for repair and have been there for two months. Sharp inquired about limiting options and getting a lower priced model. Blake mentioned standard vehicles include those options now a days.

Councilmember Vear stated the vehicle was budgeted for in the amount of \$30,000.00.

Councilmember Wolfram is in favor of purchasing a new vehicle over used due to good pricing.

Councilmember Paladino is not in favor of the purchase due to limited mileage use throughout the year, he would rather see the vehicle driven until it goes out of commission.

Further Council discussion ensued.

Motion by Council Member Wolfram seconded by Council Member Vear to approve the vehicle purchase to Stillwell Ford in the amount \$29,541.00.

Roll Call:

Council Member Pratt	Nay
Council Member Sharp	Nay
Council Member Socha	Nay
Council Member Stuchell	Nay
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Nay
Council Member Morrissey	Nay
Council Member Paladino	Nay

Motion failed 2-7

B. Progress Report- 61 S. Howell St.
Alan Beeker, Zoning Administrator reported in November 2022, the structure located at 61 S Howell experienced a devastating fire. Unfortunately, the homeowner did not have insurance and

was not able to repair or replace the damaged structure. In the spring of 2023, Code Enforcement contacted three excavation companies to supply quotes for the demolition of the structure. One contractor did not respond, one responded that he would not be supplying a quote and one submitted a quote. Due to budget constraints, the expenditure was postponed until the 2023-24 FY. Parrish is ready to start asbestos abatement on September 28, 2023.

Council discussion ensued on the poor condition of property and the lack of bids.

Motion by Council Member Sharp seconded by Council Member Stuchell to approve the demolish process at 61 S. Howell St. and award to Parrish Excavating in the amount of \$38,316.30.

Roll Call:

Council Member Sharp	Aye
Council Member Socha	Aye
Council Member Stuchell	Aye
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Aye
Council Member Morrisey	Aye
Council Member Paladino	Aye
Council Member Pratt	Aye

Motion passed 9-0

New Business

A. Accelerated Forfeiture Abandon Property (Resolution)

The schedule for foreclosure of tax delinquent real property under the provisions of the General Property Tax Act is as follows:

- March 1, 2024 Unpaid 2023 Summer & Winter taxes returned to county treasurer as delinquent
- March 1, 2025 Properties with 2023 or prior taxes remaining unpaid are forfeited to the county treasurer (subject to redemption by payment of taxes & fees)
- March 1, 2026 Properties with 2023 or prior taxes remaining unpaid are subject to foreclosure proceedings

Public Act 132 of 1999, the Certification of Abandoned Property for Accelerated Forfeiture Act (Michigan Compiled Law Sections 211.961-211.966) allows for cities, villages and townships to certify property as abandoned for the purpose of accelerating the property tax forfeiture and foreclosure process under the provisions of the General Property Tax Act. If property is certified as abandoned, the forfeiture for unpaid 2023 taxes would become effective March 1, 2024 and the foreclosure would be accelerated by 1 year to March 1, 2025.

Motion by Council Member Vear, seconded by Council Member Sharp to adopt the accelerated forfeiture abandon property resolution. **Resolution #3573.**

Roll call:

Council Member Socha	Aye
Council Member Stuchell	Aye
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Nay
Council Member Morrisey	Aye
Council Member Paladino	Aye
Council Member Pratt	Aye
Council Member Sharp	Aye

Motion passed 8-1

B. Joint Early Voting Site Agreement

Katy Price, City Clerk reported in November 2022 Proposal 2022-2 was passed requiring additional early in-person voting. The County and each of the 22 municipalities have been working together for the purpose of operating a joint early voting site. The local clerks and County came up with a nine day early voting site agreement to help alleviate staffing issues and aid in cost saving measures. Each municipality will share in the expense of the early voting site.

The Hillsdale County Election Commission has set days and times by resolution for the early voting site as follows:

- 8:00 a.m. to 4:00 p.m. each Saturday;
- 12:00 p.m. to 8:00 p.m. each Sunday;
- 9:00 a.m. to 5:00 p.m. on Monday, Tuesday, Wednesday and Friday;
- 11:00 a.m. to 7:00 p.m. on Thursday

Area clerks will serve as on site supervisors on those days of service and will provide his/her own election inspectors.

Mayor Stockford asked where it would the early voting site be held, Clerk Price responded at the Courthouse, Room 2.

Councilmember Vear asked about the Sunday hours.

County Chief Deputy Clerk Abe Dane, reviewed the cost of the site and also the procedure of nine days early voting. Nine Day voting site would be

Mayor Stockford stated he would like to see the City have its own early voting site and see the option of hiring a deputy clerk to help elevate staffing issues.

Further Council discussion ensued.

Motion by Council Member Vear, seconded by Council Member Sharp to approve the joint early voting site agreement with the County and authorize City Clerk Price to sign on behalf of the City.

Roll call:

Council Member Stuchell	Aye
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Nay
Council Member Morrissey	Aye
Council Member Paladino	Nay
Council Member Pratt	Aye
Council Member Sharp	Aye
Council Member Socha	Aye

Motion passed 7-2

C Dial A Ride Title VI Program Revisions

Jason Blake, DPS Director reported in September 2020 the City Council adopted a Title VI Program for Dial-A-Ride as required by Michigan Department of Transportation (MDOT). The Title VI program is required by the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VI provides that "No person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

The City of Hillsdale has and does receive federal funding as a sub-recipient through MDOT for the transportation services provided by Dial-A-Ride and is therefore subject to compliance with this

federal law. Updates to the Title VI are required triannual by MDOT. The attachment contains the revisions and has been approved by MDOT.

Council discussion ensued on resolution and a few spelling errors.

Motion by Council Member Morrissey, seconded by Council Member Vear to approve the Dial A Ride Title VI Discrimination Plan. **Resolution # 3574.**

Roll call:

Council Member Stuchell	Aye
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Aye
Council Member Morrissey	Aye
Council Member Paladino	Nay
Council Member Pratt	Aye
Council Member Sharp	Aye
Council Member Socha	Aye

Motion passed 8-1

D Parking Lot Preservation Bid Award

Jason Blake, DPS Director stated City owned parking lots are on a 5 year cycle to clean pavement cracks and apply overband crack filling in addition to applying two coats of sealer and reestablishing existing pavement markings.

Sealed bids were returned and opened on July 27, 2023. The 1 bid that was received was rejected as it was over the budget amount of \$35,000 that was approved by Council in the 23-24 budget year. This project was rebid on August 16, 2023 with an extended completion date of June 14, 2024 in addition to removing 5 of the 10 parking lots from the scope of the project. Sealed bids were received and opened on September 6, 2023 with the following bids:

K& B Asphalt \$25,178.39
Slusarski Excavating and Paving Inc \$48,534.26

Parking lots Included in Project: Parking Lot A – 45 S. Howell St.,
Parking Lot C – 15 N. Manning St.
Parking Lot G – North St. (Adjacent to Post Office)
Parking Lot J – Carleton/Union St.
City Hall Parking Lot.

Motion by Council Member Morrissey, seconded by Council Member Pratt to approve the contract to K & B Asphalt in the amount of \$25,178.39.

Roll call:

Council Member Stuchell	Aye
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Aye
Council Member Morrissey	Aye
Council Member Paladino	Aye
Council Member Pratt	Aye
Council Member Sharp	Aye
Council Member Socha	Aye

Motion passed 9-0

E. City Hall ADA Automated Door Opener Bid Award

Jason Blake, DPS Director stated the Department of Public Services received two bids to install three (3) new Automated Door Openers on the City Hall main entry doors. Installation of

Automated Door Openers will improve ADA access into City Hall. The approved budget amount for this work is \$17,000. This work was budgeted over the current fiscal year. The low bid came in \$1,500 under the budget amount.

Motion by Council Member Sharp, seconded by Council Member Stuchell to approve the contract with Clark Electric in the amount of \$15,500.00.

Roll call:

Council Member Stuchell	Aye
Council Member Vear	Aye
Council Member Wolfram	Aye
Mayor Stockford	Aye
Council Member Morrissey	Aye
Council Member Paladino	Aye
Council Member Pratt	Aye
Council Member Sharp	Aye
Council Member Socha	Aye

Motion passed 9-0

E. Food Truck Discussion

Council Member Vear asked Council to have this item sent back to Public Services to review and discuss more options.

No action taken.

F. Street Closure- Scarecrow Fest

Chief Hephner spoke on the Traffic Control Order 2023-43 request, didn't have much information to report on. Corrie from Pub N. Grub gave a brief overview of the event that will close off streets in downtown Hillsdale.

Motion by Council Member Socha, seconded by Council Member Stuchell to approve the TCO 2023-43 for the Scarecrow Fest event in downtown Hillsdale.

By a voice vote, the motion passed unanimously.

Miscellaneous Reports

- A. Proclamations – None
- B. Appointments- None
- C. Other- None

General Public Comment

James Edwards, 2200 Barr St., thanked Council for the help on his street light issue.

Jack McLain, Hillsdale Twp., thanked for Council for the Automatic door openers, asked to move parking lot at City Hall to have handicap section to switch where the police park, also commented on Keefer House Hotel LLC and Mr. Edwards street light issue.

CJ Toncray, asked about information on County Commissioners meeting.

City Manager's Report

None

Council Comments

Council Member Morrissey reported sidewalk on south side on west Fayette St bushes grew up and over sidewalk and DPS cleared it up. Thanked Public Services for getting that fixed.

Council Member Sharp asked about the next train event. October 7th & 8th.

Mayor Stockford stated he wished the City would have a had a single early voting site and get City Clerk some permanent help with elections and in the office.

Adjournment

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

By a voice vote, one nay, roll call vote

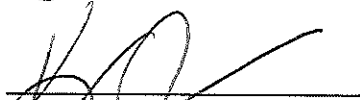
Roll call:

Council Member Stuchell	Aye
Council Member Vear	Nay
Council Member Wolfram	Aye
Mayor Stockford	Aye
Council Member Morrissey	Aye
Council Member Paladino	Nay
Council Member Pratt	Aye
Council Member Sharp	Aye
Council Member Socha	Nay

Motion passed 6-3

The meeting adjourned at 8:46 p.m.


Adam Stockford, Mayor


Katy Price, City Clerk