

Council Chambers
 Hillsdale City Hall
 97 N. Broad St.
 Hillsdale, MI 49242
www.cityofhillsdale.org

February 1, 2016
 7:00 p.m.
 (517)437-6441

CITY COUNCIL MINUTES

City of Hillsdale
 Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Scott Sessions opened the meeting with the Pledge of Allegiance.

Roll Call

Mayor Scott Sessions called the meeting to order.

Councilmembers present:	Scott M. Sessions, Mayor Brian Watkins, Ward 1 Adam Stockford, Ward 1 Timothy Dixon, Ward 2 Bruce Sharp, Ward 3 Emily Stack-Davis, Ward 3 Patrick Flannery, Ward 4
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Councilmembers absent:	Matthew Bell, Ward 4
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Also present were: City Manager David Mackie, City Clerk Stephen M. French, City Attorney John Lovinger, Kay Freese (HR), Police Chief Scott Hephner (HCPD), Mary Wolfram (HPG), Mike Barber (BPU), Jake Hammel (BPU), Alan Beeker (Planning), Julie Beeker (Treasurer), Dennis Wainscott, Richard Wunsch, Penny Swan, Jason Walters (Patriot Aviation), Jake Hammel (DPS), Jeff King (Aero Data), Tim Novelty (Hillsdale Collegian), Andy Barrand (HDN), Michelle Butters, Christopher Butters, Cory Champion (Fortress Productions), Martha Smith, Dawn Towkey (BPU), Karrie Morts (CNB), and Brian Ricketts.

Excused Absence

Motion by Council Member Watkins, supported by Council Member Stack-Davis, to approve the absence of Council Member Bell. Motion carried unanimously.

Approval of Agenda

Motion by Council Member Watkins, supported by Council Member Stack-Davis, to approve the February 1, 2016 meeting agenda as presented. Motion carried unanimously.

Public Comment

No comments were offered.

Consent Agenda

- A. Approval of Bills from Claims of January 14, 2016: Payroll \$108,286.42; Claims \$150,152.01
- B. Committee Reports
 - 1. Finance Committee Minutes of December 21, 2015, January 4, 2016, and January 18, 2016
- C. Council Minutes of January 18, 2016
- D. Signature Authorization on Financial Account: CNB (Resolution)
- E. Signature Authorization on Financial Account: SMB&T (Resolution)

Motion by Council Member Watkins, supported by Council Member Bell, to approve the Consent Agenda as presented.

Roll call:	Stack-Davis	Yes
	Dixon	Yes
	Flannery	Yes
	Sharp	Yes
	Stockford	Yes
	Watkins	Yes
	Mayor Sessions	Yes

Motion passed 7-0.

Communications/Petitions

Students from the Hillsdale High School "Envirothon" Team and Advanced Placement (AP) Environmental Science Students provided demonstrations of groundwater geological features and the effects of drought and contamination in groundwater. Students discussed the need for proper groundwater protection and highlighted various methods of groundwater conservation. Students utilized groundwater models that had been provided to the local schools using grant funds in cooperation with the Michigan Wellhead Protection Program and the Michigan Department of Environmental Quality (MDEQ).

Zoning Administrator Beeker reported the City's Master Plan had been updated to define and establish the boundaries of the city's Wellhead Protection Areas (WHPA). Mr. Beeker stated a proposed zoning ordinance would be presented to the Council in the near future, which would limit development and impose certain land use restrictions in an effort to protect the city's wellhead protection areas.

Introduction and Adoption of Ordinance/Public Hearing

There were no ordinances or public hearings for consideration.

Old Business**A. Airport Manager Services Contract**

City Manager Mackie presented a staff recommendation to approve an Airport Manager Agreement with JW Enterprises, Inc., doing business under the assumed name Patriot Aviation of Hillsdale and its President, Jason Walters. City Manager Mackie reminded Council Members the Airport Advisory Committee (AAC) had reviewed the three responses to the city's Request for Proposals (RFP's) at their January 16, 2016 meeting, and the AAC had also recommended the contract be awarded to Patriot Aviation.

Responding to a question from Council Member Watkins, City Manager Mackie stated an additional agreement was anticipated between the city and Patriot Aviation in the near future to address the city's responsibility to provide snow removal and grass mowing to the airport facility.

Council Member Sharp voiced support for the recommendation and stated tremendous improvements and progress that had been made to the facility during the past four months that Patriot Aviation had managed the airport. Council Member Sharp commended the vision of Mr. Walters from Patriot Aviation for the airport.

Council Member Stockford also supported the recommendation to approve the contract with Patriot Aviation and stated the tangible improvements made to the facility were highlights for the entire city.

Motion by Council Member Watkins, supported by Council Member Sharp, to approve the Airport Manager Agreement with JW Enterprises, Inc., doing business under the assumed name Patriot Aviation of Hillsdale and its President, Jason Walters

Roll call:	Stack-Davis	Yes
	Dixon	Yes
	Flannery	Yes
	Sharp	Yes
	Stockford	Yes
	Watkins	Yes
	Mayor Sessions	Yes

Motion passed 7-0.

New Business**A. Revocation of Hartzell Veneer IFT Certification No. 2013-460**

Economic Development Coordinator Mary Wolfram reported the Hillsdale City Council had approved an Industrial Facilities Tax (IFT) certificate to Hartzell Veneer in 2013 for personal property at their 282 Industrial Drive facility. Ms. Wolfram noted, however, the company had ceased all operations as of October 31, 2015, which allowed the city to request revocation of the tax abatement from the Michigan Tax Tribunal, in hopes of recouping nearly \$31,000 in abated taxes.

Motion by Council Member Sharp, supported by Council Member Stack-Davis, to adopt Resolution No. 3264: "Resolution Revoking An Industrial Facilities Exemption Certificate",

revoking Industrial Facilities Exemption Certificate Number 2013-460 and further recommend that the Council direct the City Manager, upon receipt of an order from the State Tax Commission revoking the certificate, to invoke the clawback provision contained within Item Number 6 of the agreement between the City of Hillsdale and Hartzell Veneer Products.

Roll call:	Stack-Davis	Yes
	Dixon	Yes
	Flannery	Yes
	Sharp	Yes
	Stockford	Yes
	Watkins	Yes
	Mayor Sessions	Yes

Motion passed 7-0.

B. ADA Complaint Policy

City Manager Mackie stated the State of Michigan had requested all jurisdictions receiving Federal Transportation Administration (FTA) funds adopt an American Disability Act (ADA) Complaint Policy to allow for the processing and tracking of ADA complaints. City Manager Mackie stated the State of Michigan had reviewed the city's draft policy and reported the policy included all of the required elements that was necessary for final adoption by the City Council.

Motion by Council Member Watkins, supported by Council Member Flannery, to adopt Resolution No. 3265 to adopt a plan in accordance with Title II and III of the American Disability Act of 1990 (ADA).

Roll call:	Stack-Davis	Yes
	Dixon	Yes
	Flannery	Yes
	Sharp	Yes
	Stockford	Yes
	Watkins	Yes
	Mayor Sessions	Yes

Motion passed 7-0.

C. Strategic Planning Facilitation Proposal

City Manager Mackie provided a strategic planning facilitation proposal from Dr. Lewis Bender to provide professional services to assist the establishment of strategic directions and goals for the City of Hillsdale. City Manager Mackie stated the strategic planning process was recommended in part, due to a large number of new city employees and Council Members. City Manager Mackie stated the process would be held over a two-day period and would review the state of the city, create a shared vision for the city, identify and help develop strategic goal areas and ultimately, culminate with the City staff creating an action plan to be approved by the City Council. City Manager Mackie recommended the proposal from Dr. Bender, as well as March 11-12, 2016 as the session dates.

Responding to a question from Council Member Sharp, City Manager Mackie stated the cost for Dr. Bender's services was \$4,300.

City Manager Mackie stated the various boards and committees, such as the Tax Increment Financing Authority (TIFA) and the Planning Commission, would be represented at the planning session by the chairperson associated with the board.

Council Member Stockford objected to the costs of the proposal and stated a strategic plan and action plan could be developed using the knowledge and abilities of Council Members and staff.

Council Member Dixon voiced support for the proposal and stressed the importance of boards, commissions, and staff to work together and towards a common purpose.

Council Member Stack-Davis stated she had spoken with a colleague who highly recommended Dr. Bender as a professional facilitator. Council Member Stack-Davis stated that with all of the recent changes that the city had in recent times, it would be beneficial for the city's stakeholders to meet to discuss common goals and strategies for the future.

Mayor Sessions also voiced support for the proposal and stated the planning session could be used to drive the city forward and form common goals.

Council Member Sharp stated a similar planning session had been held years ago in the City of Hillsdale and the implementation of the plan had quickly disappeared following an enthusiastic

start. Council Member Sharp hoped the utilization of the action plan would be fully implemented and the cost of the facilitator would not be money wasted for the city.

Council Member Flannery moved, seconded by Council Member Watkins, to approve a proposal from Dr. Lewis Bender in the amount of \$4,300 to provide professional facilitation services to assist the establishment of a strategic direction and goal for the City of Hillsdale, and to select March 11-12, 2016 as the session dates.

Roll call:	Stack-Davis	Yes
	Dixon	Yes
	Flannery	Yes
	Sharp	Yes
	Stockford	No
	Watkins	Yes
	Mayor Sessions	Yes

Motion passed 6-1.

D. TCO 2016-3: No Parking on the west side of Union Street between Mead St. and Garden St.

Chief of Police Scott Hephner presented a recommendation to limit parking on Union Street between Mead St. and Garden St., due to traffic hazards. Chief Hephner stated traffic traveling southbound cannot see if there are any northbound vehicles traveling towards them and must travel across the double yellow center line when vehicles are parked on the west side of the street. Chief Hephner stated he had made contact with the home owners in the area and none had objected to the proposed change order.

Responding to a question from Council Member Stack-Davis, Chief Hephner stated there had been no accidents in that area to his recollection. Chief Hephner stated City Council had discussed this traffic control order in 2007, but the minutes of those meetings were not clear as to why Council failed to take action on the traffic order.

Chief Hephner also stated the residents had indicated it was difficult to exit their driveways if a vehicle was parked on that particular area of Union Street.

Council Member Dixon stated he had driven that area in the past and it was indeed difficult to see on-coming traffic around the curve if any vehicles were parked on the west side of the roadway.

Council Member Watkins moved, supported by Council Member Stockford, to adopt Resolution No. 3266: "Traffic Control Order 2016-03", prohibiting parking on the west side of Union Street between Mead Street and Garden Street.

Roll call:	Stack-Davis	No
	Dixon	Yes
	Flannery	Yes
	Sharp	Yes
	Stockford	Yes
	Watkins	Yes
	Mayor Sessions	Yes

Motion passed 6-1.

E. TIFA Downtown Traffic Study

City Manager Mackie stated the TIFA Board had met on January 19, 2016 and approved funding for a traffic study to review the flow of traffic on Broad Street throughout the downtown area. City Manager Mackie stated the TIFA had discussed the traffic changes authorized by MDOT in 2006 that had improved the speed and efficiency of traffic through the downtown area, but created a number of pedestrian issues in the area. City Manager Mackie stated the proposal received by Wade-Trim would be an initial step in having a comprehensive review of the traffic flow that could result in vehicular and pedestrian improvements. City Manager Mackie stressed the funding for the traffic study had been approved by TIFA, and the traffic study proposal was being provided to Council for informational purposes only.

Economic Development Coordinator Wolfram discussed the access of the downtown from Hillsdale College and the problems associated with the present traffic patterns. Ms. Wolfram also noted the disadvantages of the current traffic problem associated with pedestrian safety and "walkability" in the downtown area.

Zoning Administrator Beeker discussed the traffic changes made in the City of Jackson, which has altered the traffic loop around the Jackson to reduce the number of driving lanes, added on-street parking, lowered traffic speeds, and provided economic incentives to the downtown area.

Council Member Sharp noted the importance of attracting businesses to the downtown area, especially those businesses that would attract the college students.

City Manager Mackie discussed the many incentives and programs offered by TIFA to the downtown businesses including façade grants, traffic studies, and other business retention programs.

Council Member Stack-Davis noted the economic development seen in the City of Ferndale, when city leaders there reduced Woodward Drive to two-lanes, in an attempt to promote “walkability”, green space, and outdoor dining & shopping.

Miscellaneous

Appointments:

Council Member Watkins moved, supported by Council Member Flannery, to approve:

1. The appointment of Ms. Beverly Fall to the Elections Commission for a 1 year term ending January 2017.
2. The re-appointment of Ms. Rosemary Schneider to the Elections Commission for a 1 year term ending January 2017.
3. The re-appointment of Ms. Julie Beeker to the Elections Commission for a 1 year term ending January 2017.
4. The appointment of Mr. Jacob Hammel to the Shade Tree Commission and the Cemetery Board to fill vacancies on an interim basis.

Roll was called. Motion passed unanimously.

Information Only:

City Manager Mackie noted free tax had been offered by the Community Action Agency.

BPU Director Barber discussed a recent sewer overflow that occurred on Monday, January 25, 2016 near the intersection of Willow and Oak Street. Mr. Barber reported the BPU responded to an odor investigation at approximately 9:00 a.m. and found that a manhole was backing up into the St. Joseph River. Mr. Barber stated city staff notified the DEQ within minutes, and were instructed by their officials to clear the manhole and begin clean-up of the affected area. Mr. Barber stated the manhole was cleared by 10:40 a.m. and normal flow in the area was resumed. Mr. Barber stated the clean-up of the area was completed by 2:00 p.m. when the Health Department and the media was notified.

DPU Director Barber stated the blockage was most likely caused by sticks that were purposely dropped into the manhole, which caused a blockage of the line. Mr. Barber reported the city did not expect to be fined by the DEQ for this overflow, or for the overflow that had occurred in July 2015 at a different location. Mr. Barber stressed that there was no overflow at the plant, but only near the manhole.

DPU Director Barber then provided information on the water quality offered by the BPU and their commitment to quality drinking water. Mr. Barber reported the water exceeded all state and federal standards for appearance and safety, and that the annual customer confidence report included the results of the laboratory tests conducted on the water.

City Manager's Report

City Manager Mackie stated the Operations and Government Committee would hold a meeting on February 16, 2016 and the agenda would include discussion of the City Manager review form as well as continued review of the Council's Rules of Procedure.

City Manager Mackie also reported he would be out of the office on Wednesday and Thursday, February 3-4, 2016 attending a professional development conference.

General Public Comment

Mr. Richard Wunsch, 98 ½ North Broad Street, encouraged the Council Members not to adopt zoning ordinances which placed additional zoning restrictions and burdens on property owners. Mr. Wunsch also encouraged the Council to maintain the existing rules for public comment during the Council meetings and not to adopt proposed changes that had been posted on social media during the past week.

Mr. Dennis Wainscott, 34 Garden St., also encouraged the Council not to change the rules for public comment section of the Council meetings.

Mr. Joseph Hendee, 181 Rea Street, stated that he felt the citizens were being left behind by public services offered by the city, including brush pickup and street maintenance.

Mr. Jeff King, Aerodata, voiced support for the upcoming strategic planning session scheduled for March 2016. Mr. King also encouraged the city to support the existing businesses that are in the City of Hillsdale, not just those businesses that are receiving tax abatements or employ large numbers of employees. Mr. King stated the most important issues facing the downtown included a walkable downtown, a business incubator, and more restaurants.

Ms. Penny Swan, 205 North Manning, voiced concern regarding the delay in providing the public and media with information following the recent sewer overflow. Ms. Swan also questioned how long the overflow had lasted prior to being found by the DPU employees.

Council Comments

Council Member Sharp discussed the quick response of city departments to odor investigations, especially those associated with a sewer overflow or blockage.

Council Member Stack-Davis questioned what changes had been proposed in regards to the public comment sections of the Council rules. Council Member Watkins stated that he had recently posted proposed changes to the public comment rules on social media for community discussion. Council Member Watkins stated there seemed to be an overwhelming negative response to the proposed changes, and he would not be presenting those proposals to Council for consideration.


Council Member Stack-Davis also encouraged Council to amend the public comment rules for Council meetings, to allow citizens to speak on non-agenda items at the opening of the meeting, instead of forcing residents to wait until the end of the meeting. Council Member Flannery stated the Operations and Government Committee would discuss this issue at their upcoming meeting.

Adjournment

Motion by Council Member Watkins, supported by Council Member Stockford, to adjourn the meeting. Motion passed unanimously.

The meeting adjourned at 8:40 p.m.


Scott M. Sessions, Mayor


Stephen M. French, City Clerk