

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

February 17, 2014
7:00 p.m.
(517)437-6441
www.cityofhillsdale.org

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.

Motion by Councilperson Stack Davis, supported by Councilperson Watkins, to excuse the absence of Councilperson Flannery from the February 17, 2014 Council Meeting.

All Ayes.

Motion carried.

Roll Call

Mayor Scott Sessions called the meeting to order with the following Council members present: Council members Brian Watkins and Adam Stockford representing Ward One; Councilmember Sally Kinney representing Ward Two; Councilmember Emily Stack Davis representing Ward Three; and Councilmember Mary Beth Bail representing Ward Four.

Also present were City Manager Linda Brown, City Attorney Lewis Loren, Michelle Loren, Kim Thomas (Assessor), Bonnie Tew (City Finance), Kay Freese (HR), Keith Richard (DPS), Rick Rose (BPU), Nate Rusk (BPU), Matt Durr (Hillsdale Daily News), Ruth Brown, Judy Buzo (Dial-A-Ride), Cheryl Cox (Dial-A-Ride), Mary Wolfram (ED), Samuel Nutter, Taylor Knopf, Brad Benzing.

Approval of Agenda

City Manager Linda Brown requested *Item A. Deputy Clerk* under Communications be added to the agenda as well as the addition of *Property Nuisance Claim* under Code Enforcement.

Councilperson Watkins requested the removal of *Public Services Committee Minutes of January 16, 2014* from the Consent Agenda until corrections have been made.

Motion by Councilperson Watkins, supported by Councilperson Stack Davis, to remove the Public Services Committee Minutes of January 16, 2014 until revised. All Ayes. Motion carried.

All ayes.

Motion carried.

Approval of Agenda:

All ayes

Public Comment

Ruth Brown, 45 Apple Run, addressed Council regarding local streets maintenance; let the idea of income tax go, street maintenance plan/funding, maintenance plan for Charles Street. Ms. Brown commended City Manager Linda Brown for her ability to listen to residents and respond with the development of a street plan. Ms. Brown offered suggestions for funding and how Council could go about accomplishing the street maintenance issue.

Consent Agenda

- A. Approval of Bills from January 30, 2014: Claims of \$247,741.30 Payroll of \$93,636.43
- B. Committee Reports:
 1. Cemetery Minutes of February 5, 2014
- C. Council Minutes of February 3, 2014
- D. Depository memo & Resolution # 3164

E. January, 2014 Financial Reports

Roll call: Councilpersons Stack Davis – yes; Kinney – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Bail – yes.

Approved 6-0.

Motion carried.

Communications and Petitions

- CITY CLERK APPOINTS DEPUTY MICHELLE LOREN
- A. Confirmation of Deputy Clerk. Mayor Sessions read an email message he and City Manager Linda Brown received from City Clerk Robilyn Swisher on Friday, February 14, 2014 requesting the appointment of Michelle Loren as Deputy Clerk. City Manager Brown stated that while Michelle Loren meets the criteria, she is a department head within the City and her busy season is coming soon. Ms. Brown suggested the duties to be performed under deputy status be limited and under emergencies only. These duties would include taking minutes at council meetings and signing documents and would not include those duties that are performed as regular maintenance of the clerk's office.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to accept the appointment of Michelle Loren as Deputy Clerk for the purpose of signing documents and taking minutes in emergency situations. Roll Call: Councilpersons Kinney – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack Davis – yes.

Approved 6-0.

Motion carried.

Introduction and Adoption of Ordinances/Public Hearings

None

Unfinished Business

- PUBLIC NUISANCE 22 MORRY ST.
- A. Local Streets Maintenance. City Manager Brown reported that, possibly due indirectly to the reconstruction of Buena Vista, a water main froze. When Buena Vista was rebuilt, some of the groundcover had been removed. This, coupled with the extreme cold, could have been the cause. City Manager Brown reported the BPU acted quickly and resolved the matter.
- B. Code Enforcement - Property Nuisance Claim. City Manager Linda Brown reported there had been an ongoing code enforcement issue with a residence at 22 Morry St. Ms. Brown stated the condition had potential to cause a threat to the health and safety of those residing in the area. Acting Code Official Kim Thomas gave a history of the claim. Ms. Thomas concurred with City Manager Brown's recommendation that Council declare the property a nuisance and require the property owner to have the premises cleaned up within 24 hours. If the owner does not comply, the City will do the necessary clean up at a cost to the property owner.

Motion by Councilperson Watkins, supported by Councilperson Stack Davis, to declare the property a nuisance. All ayes.

Approved.

Motion carried.

Motion by Councilperson Stack Davis, supported by Councilperson Stockford, to: declare 22 Morry St. a danger to the health and safety of the inhabitants of the City; issue an order to the resident of 22 Morry St. stating premises shall be cleaned within 48 hours; if premises is not cleaned within the 48 hours, the City shall order clean-up, the cost of which shall be placed on the tax roll. All Ayes

Approved.

Motion carried.

Old Business

- A. Deputy Treasurer. City Manager Linda Brown stated that since the confirmation of the appointment of the Deputy Treasurer she learned that Ms. Price was not a resident of the City and asked the opinion of the City Attorney regarding her eligibility to serve in that capacity. Council members received a copy of the opinion. City Manager Brown recommended Council rescind the prior confirmation of Ms. Price as Deputy Treasurer for the reasons stated in the opinion and follow the suggested method proposed for the collection of taxes.

DEPUTY
TREASURER
KATY
PRICE

Council discussed the matter at length with the City Attorney. If the confirmation were rescinded, Ms. Price would still be able to carry out the same duties (time/date stamp receipt of payment except cash) as originally specified but without title and without the expense of a bond. If Council chose to disregard the opinion, the deputy title would remain in place, payments (except cash) would be accepted and time/date stamped, and a bond issued.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to rescind the confirmation of the Deputy Treasurer and follow the City Attorney's proposed method for the collection of taxes. Roll call: Councilperson Watkins - yes; Mayor Sessions - no; Councilpersons Bail - no; Stack Davis - no; Kinney - yes; Stockford - no.

Disapproved 2-4.

Motion Failed.

Motion by Councilperson Watkins, supported by Councilperson Stack Davis, to refer the matter of policy review of offices of elected officials to the Operations and Governance.

All ayes.

Motion carried.

New Business

- A. Dial-A-Ride Funding (Resolution # 3165). City Manager Linda Brown stated each year the City must submit an application to MDOT to fund DART operations for the coming year. By passing the Resolution, the City indicates intent to provide public transportation services, apply for state financial assistance, and appoint the City Manager as the Transportation Coordinator.

RES
#3165

Motion by Councilperson Watkins, supported by Councilperson Bail, to adopt Resolution # 3165 for Dial-A-Ride funding. Roll Call: Mayor Sessions - yes; Councilpersons Bail - yes; Stack Davis - yes; Stockford - yes; Watkins - yes.

Approved 6-0.

Motion carried.

Miscellaneous

None

General Public Comment

Ruth Brown, 45 Apple Run, addressed Council regarding the need to obtain audit services locally. Ms. Brown also stated she really likes Granicus and the transparency it provides. Finally, Ms. Brown both sympathized with and commended Council for the job they do.

Judy Buzo, Dial-A-Ride, thanked Council for their support of Dial-A-Ride by securing funding for the upcoming year. Ms. Buzo gave an overview of the changes within Dial-A-Ride over the last 40 years and explained that all those at Dial-A-Ride strive to provide a good service at minimal cost to the City.

Samuel Nutter, 194 Spring St., Calvary Baptist Church., wanted to publicly thank and express gratitude to the BPU for their outstanding work and having gone above and beyond in order to restore water to the church over the past weekend.

Michelle Loren, Recreation Director, addressed Council regarding the appointments of City staff to deputy positions.

Council Comment

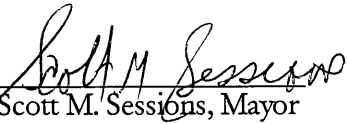
Councilperson Watkins wanted to make it clear that as Council is discussing the different elected officials in regard to the various policies or conduct, they are not necessarily referring to the individual who holds office but to the office itself; present and future.

Adjournment

Motion by Councilmember Kinney, seconded by Councilmember Bail, to adjourn.

Motion carried.

8:28 p.m.


Scott M. Sessions, Mayor

Michelle Loren, Deputy City Clerk