

CITY COUNCIL MINUTES

City of Hillsdale

March 7, 2016

7:00 P.M.

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 Adam Stockford, Ward 1 *Brian Watkins, Ward 1 Timothy Dixon, Ward 2 Bruce Sharp, Ward 3 **Matthew Bell, Ward 4 Patrick Flannery, Ward 4
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Councilmembers absent:	Emily Stack-Davis, Ward 3
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Also present were: City Manager David Mackie, City Clerk Stephen M. French, City Attorney John Lovinger, Police Chief Scott Hephner (HCPD), Fire Chief Kevin Pauken (HCFD), Alan Beeker (Planning), Amy Sobieralski (Domestic Harmony), Mike Barber (BPU), Thomas Novelty (Hillsdale Collegian), Chris Sumnar (Sumnar-Scholl), Julia Denig (Domestic Harmony), Nichole Dunlop (Domestic Harmony), Linda Gravel (Domestic Harmony), Kristin Lucas (Domestic Harmony), Jake Hammel (DPS), Mary Wolfram (Economic Development), Martha Smith, Penny Swan, Laura Smith (Planning Commission), Alexis Kozut, Kristen Lucas, Eric Coykendall, Kelly Robinson, and Michael Mitchell.

Excused Absence

Council Member Watkins moved, seconded by Council Member Flannery, to approve the absence of Council Member Stack-Davis. Motion carried unanimously.

Approval of Agenda

Council Member Bell moved, seconded by Council Member Watkins, to approve the March 7, 2016 meeting agenda as presented. Motion carried unanimously.

Public Comment

Ms. Laura Smith, 136 Hillcrest Drive, Chairperson of the City Planning Commission, encouraged the City Council to adopt the three zoning ordinances as presented and noted how the draft ordinances reflected the city's Master Plan that had been previously adopted by Council. Ms. Smith discussed the continuing education that was received by all members of the Planning Commission and the appropriate legal review that had been performed on the recommendations. Ms. Smith stated the ordinance allowed the city to remain friendly to businesses, employers, and families.

Mr. Eric Coykendall, 74 South Broad Street, voiced support for the tree ordinance, but recommended the city consult with the nearby property owners when removing or planting a tree in the nearby rights-of-way. Mr. Coykendall voiced concern regarding various sections of Section 36-149 of Ordinance 2016-003 and questioned if adoption of the ordinance would impose sanctions on home owners who violated even the most mundane interpretations of the new rules.

Mr. Kelly Robinson, 21 North Norwood, disputed the need for the new ordinances and questioned if the new requirements would have a positive impact on the City of Hillsdale. Mr. Robinson noted that when a disease or parasite is found in a tree, the most effective remedy required a wide application to surrounding trees, which would require many property owners to become involved. Mr. Robinson argued the existing zoning ordinances were adequate for the City of Hillsdale.

Ms. Amy Sobieralski, 108 East Sharp Street, encouraged the Council Members to support the funding request from Domestic Harmony and noted the negative effects the issues of domestic violence had on the city's children.

Ms. Penny Swan, 205 ½ North Manning, objected to the three, proposed Zoning Ordinances and encouraged the city to enforce the current ordinances that are in effect.

Ms. Mary Wolfram, noted the proposed zoning ordinance amendments would only apply to new commercial and residential construction that required site plan approval. Ms. Wolfram also indicated the zoning amendments had been recommended within the State of Michigan's "Redevelopment Ready Communities Program" that had been awarded to the city.

Mr. Kelly Robinson questioned if the new zoning ordinance was good policy for the city and stated many unanswered questions remained regarding the legislation.

Consent Agenda

- A. Approval of Bills from claims of February 25, 2016
 - 1. Payroll: \$94,310.41
 - 2. Claims: \$198,563.54
- B. Committee Reports (Pending Approval):
 - 1. Planning Commission Minutes of January 19, 2016
 - 2. Shade Tree Minutes of February 3, 2016
 - 3. Local Advisory Committee Minutes of February 9, 2016
 - 4. Operations & Governance Minutes of February 16, 2016
 - 5. Finance Committee Minutes of February 1 & 15, 2016
- C. Council Minutes of February 15, 2016
- D. February 2016 Financial Report

Council Member Watkins moved, seconded by Council Member Flannery, to approve the Consent Agenda as presented.

Roll call:	Council Member Stockford	Yes
	Council Member Watkin	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Bell	Yes
	Council Member Flannery	Yes
	Mayor Sessions	Yes

Motion passed 7-0.

Communications/Petitions

There were no communications or petitions.

Introduction and Adoption of Ordinance/Public Hearing

Council Member Bell objected to the proposed ordinances and questioned the impact of the new regulations on existing businesses and homeowners within the city. Council Member Bell stated the ordinances were very voluminous and were not written as "business friendly".

*Council Member Bell left the meeting at 7:32 p.m.

Law Director Lovinger reported state regulations prohibited the imposition of new, zoning regulations on existing properties. Mr. Lovinger noted this issue was termed "non-conforming use" and did not have to be explicitly included within specific ordinances to be effective in zoning ordinances.

Council Member Watkins voiced support for the ordinance and stated the proposed ordinances provided guidance on what the City of Hillsdale should strive to be. Council Member Watkins described a new development near Ann Arbor that, due to zoning restrictions, included green spaces and more pleasant appearances, than what similar shopping centers would normally provide.

Council Member Watkins moved, seconded by Council Member Flannery, to adopt Ordinance 2016-001, "An ordinance to amend Sections 14-101 through and including 14-119 of Article IV of Chapter 14 of the Code of the City of Hillsdale."

Roll call:	Council Member Stockford	No
	Council Member Watkin	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Flannery	Yes
	Mayor Sessions	Yes

Motion passed 5-1.

Council Member Flannery moved, seconded by Council Member Watkins, to adopt Ordinance 2016-002, "An ordinance to amend Sections 36-711 through and including 36-715 of Article X of Chapter 36 of the code of the City of Hillsdale."

Roll call:	Council Member Stockford	No
	Council Member Watkin	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Flannery	Yes
	Mayor Sessions	Yes

Motion passed 5-1.

Council Member Watkins moved, seconded by Council Member Flannery, to adopt Ordinance 2016-003, "An ordinance to amend Sections 36-148 through and including 36-152 of Division 1 of Article III of Chapter 36 of the code of the City of Hillsdale."

Roll call:	Council Member Stockford	No
	Council Member Watkin	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Flannery	Yes
	Mayor Sessions	Yes

Motion passed 5-1.

**Council Member Watkins left the meeting at 7:50 p.m.

- D. Establish a Public Hearing on March 21, 2016 for a USDA-Rural Development Community Facilities Grant request

City Manager Mackie stated the grant request would fund the purchase of a new police cruiser and related equipment.

Council Member Stockford moved, seconded by Council Member Flannery, to establish a Public Hearing on March 21, 2016 for a USDA-Rural Development Community Facilities Grant request. By a voice vote, the motion passed unanimously.

Unfinished Business

- A. Resolution to call a Special Election for Ward 2

City Manager Mackie presented a draft resolution that would call a special election for Tuesday, August 2, 2016 to fill the vacant Council seat in Ward 2. City Manager Mackie stated the deadline to submit nominating petitions to the City Clerk's Office would be April 19, 2016 at 4:00 p.m.

City Clerk French noted the cost of the election would be minimal as the state-wide primary election was already scheduled for that day.

Council Member Watkins moved, seconded by Council Member Flannery, to adopt Resolution 3272 – "A resolution to call a special election to fill a vacancy on the Hillsdale City Council for Ward 2"

Roll call:	Council Member Stockford	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Flannery	Yes
	Mayor Sessions	Yes

Motion passed 5-0.

Old Business

There was no Old Business on the agenda

New Business

A. Resolution to approve changes to Record and Disposal Schedule #23 (Election Records)

City Clerk French presented a draft resolution which would amend the city's Record and Disposal Schedule #23 for Election Records. City Clerk French stated the changes were necessary to comply with the new retention guidelines that had recently been imposed by the federal government.

Council Member Watkins moved, seconded by Council Member Flannery, to adopt Resolution 3273 – "A resolution to adopt General Record Retention and Disposal Schedule #34 (Election Records)"

Roll call:	Council Member Stockford	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Flannery	Yes
	Mayor Sessions	Yes

Motion passed 5-0.

B. Contract with Domestic Harmony

Ms. Julia Denig, Executive Director of Domestic Harmony, requested Council Members support a \$5,000 request to help in funding the operations of Hillsdale County's only domestic violence shelter. Ms. Denig provided some fiscal year statistics of their operations that included 291 total clients, 162 hotline calls, and 1,020 shelter nights. Ms. Denig stated that although Domestic Harmony served the entire county, 46% of the shelter's services went to serving clients who were residents of the City of Hillsdale. Ms. Denig stated the \$5,000 contract would represent 1.8% of the organization's total budget for the fiscal year.

Council Member Flannery acknowledged the important services provided by Domestic Harmony, but objected to the use of public funds given to private non-profit organizations.

Council Member Stockford voiced support for the contract and noted the shelter was a resource for the Police Department, and the services provided were vital to citizen's safety.

Council Member Dixon recommended the approval of the contract and stated the State of Michigan had recently allowed municipalities to legally fund domestic violence shelters that were operated by private, non-profit organizations.

Kristin Lucas, founder and board chair of Domestic Harmony, noted the life-saving services offered by the service and encouraged Council support of the contract.

Council Member Sharp moved, seconded by Council Member Dixon, to approve a one-year contract with Domestic Harmony in the amount of \$5,000 for domestic violence services including shelter, counseling, prevention, and legal advocacy.

Roll call:	Council Member Stockford	Yes
	Council Member Dixon	Yes
	Council Member Sharp	Yes
	Council Member Flannery	No
	Mayor Sessions	Yes

Motion passed 4-1.

C. Staff Report- Annual Cost for Residential Brush, Leaf, and Compost Site

Interim DPS Director Hammel presented a staff report that detailed the costs associated with residential brush collection, parks & cemetery brush collection, and compost site operations. Mr. Hammel stated the annual costs for this service exceeded \$137,000 per year and could be dramatically increased due to a proposed MDEQ registration increase for compost sites. Mr. Hammel noted the city's cost to provide one, city-wide brush collection was approximately \$5,500; and, the city provided four such collections each year. Mr. Hammel recommended the City of Hillsdale look to an alternative program for operating the compost site, due to the high costs and due to the requests of residents to continue the annual brush, leaf, and Christmas Tree collections.

D. Memo from Council Member Flannery – Infrastructure Funding

Council Member Flannery provided a detailed memo dated March 1, 2016 which outlined a number of private, local organizations which assisted the city in providing resources for community-wide initiatives. Council Member Flannery stated residents could donate to the following organizations which provided support to various community programs:

1. **Hillsdale County Community Foundation** (provides funding for Fields of Dreams Endowment, the Hillsdale Community Library Endowment Fund, the Hillsdale Rotary Bike Path Maintenance Fund, and the Hillsdale Rotary Club Project Fund)
2. **Mrs. Stock's Park Committee** (at City Hall, which provides for upkeep and improvements to the park)
3. **Hillsdale Kiwanis Club** (Provides funding for renovation and expansion of Cold Springs Park)

Council Member Flannery noted the funds provide for infrastructure that were normally supported by the General Fund or Library Fund of the city. Council Member Flannery encouraged the list be disseminated to individuals and businesses in the city for their review and consideration.

Miscellaneous

A. Appointments

Council Member Stockford moved, seconded by Council Member Flannery, to reappoint Mr. John Debacker to the Zoning Board of Appeals for a three-year term ending November 2018. By a voice vote, the motion passed unanimously.

B. Information Only

Police Chief Hepner reported the "Call and Go Now" taxicab service had recently received a permit to operate within the City of Hillsdale. Chief Hepner stated the business had provided all necessary paperwork including proof of insurance, payment of the permit fee, and proper installation of a taxi-cab meter in the vehicle.

City Manager's Report

City Manager Mackie:

1. Reported the Dial-A-Ride Manager would be in attendance at the March 21, 2016 Council Meeting
2. Reminded Council of the Planning Session scheduled for Friday, March 11, 2016 and Saturday, March 12, 2016 at the library.
3. Reported sign-ups continued for various summer programs and sports through the city's Park and Recreation Department
4. Indicated staff continued to partner with other community organization to promote economic development initiatives in the city.

Council Comments

No Council comments were offered.

General Public Comment

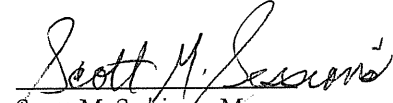
Mr. Kelly Robinson, 21 North Norwood, objected to the use of public funds to support a private non-profit organization, such as Domestic Harmony. Mr. Robinson also questioned if Council Member Dixon had a conflict of interest in the matter by serving on the organization's Board of Directors.

Ms. Penny Swan thanked Council for providing financial support for Domestic Harmony.

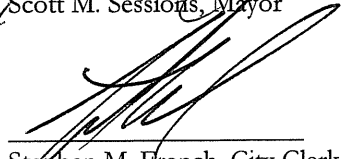
Adjournment

Motion by Council Member Stockford, seconded by Council Member Flannery, to adjourn the meeting. Motion passed unanimously.

The meeting adjourned at 8:38 p.m.



Scott M. Sessions, Mayor



Stephen M. French, City Clerk