

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

March 16, 2015
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.

Roll Call

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

Also present were Acting City Manager Doug Terry, City Clerk Michelle Loren, Bonnie Tew (Finance), Keith Richard (DPS), Scott Hephner (HCPD), James Scheibner (Airport), Kevin Pauken (HCFD), Alan Beeker (Zoning Admin.), Laura Smith (Planning), Jeff King (Airport Advisory), Jeff Bucchop, Jeff Wingard (Fleis & Vandenbrink), Ruth Brown, Jason Walters, Ken & Shelley Downey.

Motion by Councilperson Stockford, supported by Councilperson Watkins, to excuse the absence of Councilperson Bail from the March 2, 2015 meeting.

All ayes.

Motion carried.

Motion by Councilperson Watkins, supported by Councilperson Stockford, to excuse Councilperson Stack-Davis from the March 16, 2015 meeting

All ayes.

Motion carried.

Mayor Sessions deferred to City Manager Doug Terry. Mr. Terry requested Airport Manager James Scheibner please take the podium for discussion. City Manager Terry asked Mr. Scheibner consequence, if any, could be suffered by the City if Council delayed approving the airport parallel construction contract at this evening's meeting in order that the Advisory Committee might review it at their meeting on Saturday, March 21, 2015. Mr. Scheibner explained the State's contract process and explained that this contract in particular is time sensitive. Upon explanation, Mr. Scheibner went on to say that the delay could put the project out another year causing the City to go back out to bid and the cost would most likely be even more.

AIRPORT
PARALLEL
CONSTRUCTION

City Manager Doug Terry stated the contract would not be pulled from the agenda at this time.

Approval of Agenda

Motion by Councilperson Watkins, supported by Councilperson Kinney, to approve the March 16, 2015 Agenda as presented.

All ayes.

Motion carried.

Public Comment

Jeff King, Airport Advisory Chair, addressed Council regarding the Airport Construction Contracts and expressed his frustration with the not being given the opportunity to review the information and advise Council.

Consent Agenda

- A. Approval of Bills from claims of March 12, 2015: payroll \$91,997.97; claims \$83,196.40 and claims from February 12, 2015 \$70,100.05.
- B. Committee Reports: None
- C. Council Minutes of October 20, 2014
- D. Change of Date: Summerfest (Hillsdale County Chamber) to be moved from June 20 to June 6, 2015

Motion by Councilperson Watkins, supported by Councilperson Bail, to approve the Consent Agenda as presented. Roll call: Councilpersons Bail – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes.

Motion carried 7-0.

Communications and Petitions

None

Introduction and Adoption of Ordinances/Public Hearings

- A. Zoning Ordinance Amendments. Zoning Administrator Alan Beeker presented Council with proposed zoning amendments for approval. Mr. Beeker explained that in July, 2014, Council asked that he and the Planning Commission address student housing allowances in all zoning districts within the City. After much work and consideration, the Planning Commission had come to Council now with 6 proposed ordinance amendments to Divisions 5,6,7 and 8 of City Charter for approval.

ORD.
#2015-1
ZONING
ORDINANCE
AMENDMENTS
PASS

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Ordinance 2015-1, an Ordinance to Amend Section 36-6 of Article I of Chapter 36 of the Code of the City of Hillsdale. Roll call: Councilpersons Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilperson Bail – yes.

Motion carried 7-0.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to adopt Ordinance 2015-2, an Ordinance to Amend Sections 36-231 Through and Including 36-235 of Division 5 of Article III of Chapter 36 of the Code of the City of Hillsdale. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes.

ORD.
#2015-2
PASS

Motion carried 7-0.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to adopt Ordinance 2015-3, an Ordinance to Amend Sections 36-251 Through and Including 36-255 of Division 6 of Article III of Chapter 36 of the Code of the City of Hillsdale. Roll call: Councilpersons Sharp – yes; Stockford – no; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes; Kinney – yes.

ORD.
#2015-3
PASS

Motion carried 6-1.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to adopt Ordinance 2015-4, an Ordinance to Amend Sections 36-271 Through and Including 36-274 of Division 7 of the Article III Chapter 36 of the Code of the City of Hillsdale. Roll call: Councilpersons Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes; Kinney – yes; Sharp – yes.

ORD.
#2015-4
PASS

Motion carried 7-0.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Ordinance 2015-5, an Ordinance to Amend Sections 36-291 Through and Including 36-294 of Division 8 of Article III of Chapter 36 of the Code of the City of Hillsdale. Roll call: Councilpersons Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes.

ORD.
#2015-5
PASS

Motion carried 7-0.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Ordinance 2015-6, an Ordinance to Amend the Zoning Classification of Described Parcels of Real Estate; and to Amend the Zoning Districts Map that is Attached to Section 36-143 and Contained in and Part of Chapter 36 of the Code of the City of Hillsdale. Roll call: Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes.

ORD.
#2015-6
PASS

Motion carried 7-0.

Unfinished Business

- A. Local Streets Maintenance:
None
- B. Code Enforcement. Kimberly Thomas, Assessor/Code Official submitted a report to Council including an update on the following properties:

55 Broad St. – Several potential buyers have walked through but unknown if there have been offers for purchase. 2012 & 2013 taxes are paid in full; 2014 taxes not paid as of March 1, 2015 and will be turned over as delinquent. Staff will continue to monitor.

58 N. West St. – Meth lab explosion in 2011. Posted unsafe by County Inspection and Health Departments. Code Enforcement working with the police to issue municipal civil infractions for failure to abate violations in an effort to get an order to repair or demolish from District Court.

60 N. West St. - Posted unsafe for sanitation and structural violations be Code Enforcement in 2014. Working on getting an order to repair or demolish.

48 Greenwood – Extensive fire damage in 2012 as well as unresolved solid waste violations from 2011. Working on an order to demolish and remove solid waste from exterior property area.

- C. Clerk & Treasurer
None

Old Business

None

New Business

- A. Airport Parallel Construction. Hoffman Brothers of Battle Creek, Michigan was awarded the Airport Parallel Construction Contract from MDOT.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to approve the Airport Parallel Construction Contract subject to City Attorney's approval. Roll call – Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

Approved 8-0.

Motion carried.

- B. Flies & Vandenbrink – State Street Reconstruction Project. City Manager Doug Terry reported that reconstruction of State Street from Wolcott Street to east city limits is to be funded through the MDOT Small Urban Program. The City is to be responsible for matching funds. City Manager Terry recommend Council approve the State Street Reconstruction project subject to City Attorney's approval.

Motion by Councilperson Kinney, supported by Councilperson Watkins, to approve the State Street Reconstruction Project subject to City Attorney approval. Roll call

Motion by Councilperson Kinney, supported by Councilperson Stockford, to adopt City Manager Directive #14-01 appointing Sgt. Scott Hephner Chief of Police and Deputy Fire Chief Keven Pauken as Fire Chief.

Approved 8-0.

Motion carried.

- C. Lawn Maintenance Bid. The Department of Public Services recently received bids for a 3 year Lawn Maintenance Contract. Bids were opened Monday, March 9, 2015 at 10:00 a.m. One Bid was received, however; the bid amount was well beyond the limits of the budget for these services. A second bid was received late and was not accepted.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to reject the bid. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes.

Motion carried 7-0.

- D. Sale of Used Fleet Equipment (Bids). Department of Public Services Director Keith Richard reported that on Monday, March 9, 2015 at 10:00 a.m., sealed bids were opened for the sale of various pieces of used equipment owned by the City of Hillsdale. Mr. Richard reported that bids were received on 5 of the 6 items. Mr. Richard recommended the award of bids to 4 of the items and rejection of the bid made on the 1994 F800 Dump Truck.

MDOT
AIRPORT
PARALLEL
CONSTRUCTION
CONTRACT

FLEIS &
VANDEN-
BRINK
STATE ST.
RECONSTRUCTION
PROJECT

LAWN
MAINTENANCE
BID

SALE OF
USED FLEET
EQUIPMENT
BIDS

Motion by Councilperson Watkins, supported by Councilperson Flannery, the award of bids on Items 2,3,5 and 6 and rejection of the bid received on item 1 (1994 F800 Dump Truck). Roll Call: Councilpersons Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes; Kinney – yes.

Motion carried 7-0.

E. Heinowski Appraisal Bid. City Assessor, Kimberly Thomas reported Hillsdale Capitol, LLC Filed an appeal with the full Michigan Tax Tribunal in 2013 of the assessed and taxable values Of four (4) parcels of property owned by them. Submission of complete narrative appraisals for each tax year at issue is required. Ms. Thomas reported a proposal was received by David Heinowski to provide consulting and appraisal services for this appeal in the amount of \$24,000.00 (\$1,200 - \$2,000 per parcel).

HEINOWSKI
APPRAISAL
BID

Motion by Councilperson Watkins, supported by Councilperson Kinney, to approve the Consulting and Appraisal Services Agreement with David Heinowski and authorize signatures by the Mayor and Clerk. Roll call: Councilpersons Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Flannery – yes; Kinney – yes; Sharp – yes.

Motion carried 7-0.

Miscellaneous

A. Appointments:

Reappointment Eldonna Bernath to the Election Commission for a one year term ending January, 2016

APPTS,

Appointments: Julie Beeker to the Election Commission for a one year term ending January, 2016.

Rosemarie Schneider to the Election Commission for a one year term ending January, 2016.

Tim Frosch to the IPMC Board: Alternate for a 3 year term ending January, 2016.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve the reappointment of Laura Smith to Planning Commission and the appointment of Adam Stockford to ZBA.

All Ayes.

Approved.

General Public Comment

Chuck Bianci addressed Council in support of Bill Smith for consideration for the City Manager position.

Ken and Shelley Downey addressed Council again in regard to the recreational burn problem they continue experiencing in their neighborhood. Requested an update as they had not heard anything since they approached Council initially.

Jeff Bucchop, Airport Advisory Committee, submitted his resignation from the committee.

Bill Smith approach Council regarding his application to the City for the position of City Manager.

Kevin Pauken commented that it has been a privilege to work with Acting City Manager Dough Terry and also commented that his experience with Bill Smith has been very good.

Council Comment

Motion by Councilperson Watkins, supported by Councilperson Stockford, to schedule a public safety meeting.

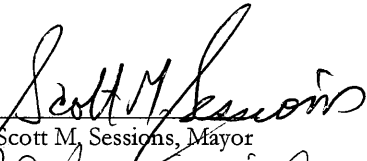
Adjournment

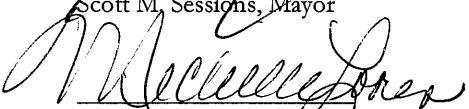
Motion by Councilperson Kinney, supported by Councilperson Watkins, to adjourn.

All ayes.

Meeting adjourned.

8:40 p.m.


Scott M. Sessions, Mayor


Michelle Loren, Deputy City Clerk