

CITY COUNCIL MINUTES

City of Hillsdale

March 20, 2017

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.

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| Council Members present: | Scott M. Sessions, Mayor Adam Stockford, Ward 1 Timothy Dixon, Ward 2 William Morrissey, Ward 2 Bruce Sharp, Ward 3 William Zeiser, Ward 3 Patrick Flannery, Ward 4 |
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| Council Members absent: | Brian Watkins, Ward 1 Matthew Bell, Ward 4 |
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Also present were: City Manager David Mackie, City Clerk Stephen M. French, City Attorney Tom Thompson, Bonnie Tew (Finance), Kay Freese (HR), Scott Hephner (HCPD/HCFD), Jeff Hawkins (HCFD), Mike Barber (BPU), Chris McArthur (BPU), Jake Hammel (DPS), Matt Taylor (Engineering), Alan Beeker (Zoning Administrator), Corey Murray (Hillsdale Daily News), Nic Rowan (Hillsdale Collegian), Joseph Hendee, Penny Swan, Dennis Wainscott, Kristin Lucas, Julia Denig, Michael Mitchell, David Roberts, and Ray Briner.

Council Member Excused

Mayor Sessions reported Council Member Bell would not be at the meeting due a family obligation and Council Member Watkins would not be at the meeting due to work obligations.

Council Member Zeiser, seconded by Council Member Flannery, moved to excuse the absence of Council Member Bell and Council Member Watkins from the meeting. By a voice vote, the motion passed unanimously.

Approval of Agenda

Council Member Flannery, seconded by Council Member Dixon, moved to approve the March 20, 2017 agenda as submitted. By a voice vote, the motion carried unanimously.

Public Comment

Mr. Joseph Hendee, 181 Rea Street, argued the meeting was being held in violation of the Open Meetings Act, as the annual meeting notice for the City Council meetings did not include the address of the meeting's location as well as the city's telephone number.

Consent Agenda

- A. Approval of Bills
 - 1. City Claims of March 10, 2017: \$96,478.84
 - 2. BPU Claims of March 10, 2017: \$284,967.37
 - 3. Payroll of: \$153,143.45
- B. City Council Minutes:
 - 1. Regular Meeting of March 6, 2017
 - 2. Special Meeting of March 14, 2017 (Open & Closed Sessions)
- C. F.A.I.R. Committee Minutes of January 16, 2017
- D. Financial Reports for period ending February 28, 2017

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

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| Roll call: | Council Member Dixon | Aye |
| | Council Member Flannery | Aye |
| | Council Member Morrissey | Aye |
| | Council Member Sharp | Aye |
| | Council Member Stockford | Aye |
| | Council Member Zeiser | Aye |
| | Mayor Sessions | Aye |

Motion passed 7-0.

Communications/Petitions

- A. Resignation of Library Director LeAnn Beckwith

Mayor Sessions provided the communication for informational purposes only.

- B. Hillsdale High School Presentation – Wellhead Protection

Students from Hillsdale High School provided demonstrations of groundwater geological features and the effects of contamination in groundwater. Students discussed the need for proper groundwater protection and highlighted various methods of groundwater conservation. Students utilized a groundwater model 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).

- C. 2017 Brush Collection Notice

DPS Director Hammel reported the city would provide the first of four, quarterly curbside collections of brush and leaves beginning on Monday, April 3, 2017 for all city wards. Mr. Hammel encouraged residents to have their brush and leaves placed near the roadway for pickup by Monday morning, April 3rd.

- D. 2016 Bowhunting Program Report

Chief Hephner provided a report on the 2016 bow hunting program that cultivated 33 deer, which was 10 more than what was taken in 2015. Chief Hephner stated the 2016 program did not have as much available property for hunting than what was available in previous years due to PA425 property being reverted back to the jurisdictions of surrounding townships. Chief Hephner stated the expansion of uses within the Industrial Park and continued build-out of Three Meadows would further restrict available hunting areas with the city limits. Chief Hephner then provided information on the difference between the 2016 program and the deer culls that had been directed by the city in previous years.

E. Right-of-Way Application – Gina Relays – April 27-29, 2017 (Information Only)

Chief Hephner reviewed the staff approval of a right-of-way application from Hillsdale College to restrict parking on the east side of Union Street between E. College Street and Barber Drive on April 27-29, 2017 for the Gina Relays. Chief Hephner noted the restriction of public parking would permit team buses to park in those designated areas during that time. Chief Hephner also indicated the change from the west side of the street to the east side of the road was in response to safety issues raised by neighbors following the same event in 2015.

Introduction and Adoption of Ordinance/Public Hearing

A. Resolution #3303: A Resolution Establishing City of Hillsdale Neighborhood Enterprise Zone #3 Pursuant to P.A. 147 of 1992

Mayor Sessions opened a public hearing at 7:32 p.m. to receive public comment regarding the establishment of a Neighborhood Enterprise Zone on N. West Street in the City of Hillsdale.

No public comments were offered.

Mayor Sessions closed the public hearing at 7:33 p.m.

Council Member Morrissey, seconded by Council Member Flannery, moved to confirm the staff recommendation regarding this district; and, to consider adoption of the proposed resolution at the April 17, 2017 Council Meeting.

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| Roll call: | Council Member Dixon | Aye |
| | Council Member Flannery | Aye |
| | Council Member Morrissey | Aye |
| | Council Member Sharp | Aye |
| | Council Member Stockford | Aye |
| | Council Member Zeiser | Aye |
| | Mayor Sessions | Aye |

Motion passed 7-0.

Unfinished Business

There was no Unfinished Business on the agenda.

Old Business

There was no Old Business on the agenda.

New Business

A. Approve the Updated Capital Improvement Plan for the City of Hillsdale and Establish a Public Hearing for the Garden/Vine/Mead/Rippon Project Grant

DPS Director Hammel and City Engineer Taylor reviewed the staff recommendation to update the Capital Improvement Plan for the City of Hillsdale by including Vine Street as a 2018 reconstruction project. Director Hammel then reviewed the scope of the Garden/Vine/Mead project, which had recently been expanded to include sanitary sewer improvements throughout a portion of Rippon Street. Director Hammel stated an Infrastructure Capacity Enhancement (I.C.E.) grant for the project would be submitted to the State of Michigan following a public hearing that would be scheduled for April 3, 2017, pending Council approval.

Council Member Flannery, seconded by Council Member Sharp, moved to approve the updated Capital Improvement Plan for the City of Hillsdale as presented.

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| Roll call: | Council Member Dixon | Aye |
| | Council Member Flannery | Aye |
| | Council Member Morrissey | Aye |
| | Council Member Sharp | Aye |
| | Council Member Stockford | Aye |
| | Council Member Zeiser | Aye |
| | Mayor Sessions | Aye |

Motion passed 7-0.

Council Member Flannery, seconded by Council Member Sharp, moved to schedule a public hearing for April 3, 2017 in regards to the Infrastructure Capacity Enhancement (I.C.E.) grant application for the Garden/Vine/Mead/Rippon Project. By a voice vote, the motion passed unanimously.

B. 2017 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 shelter to 52 adults and 43 children, supportive services to 131 non-residential clients, and 367 hotline calls. 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 1.6% of the organization's total budget for the fiscal year.

Council Member Flannery objected to the contract as presented, as the services offered by Domestic Harmony were offered free to city residents. Council Member Flannery also indicated the requested funding could be used by city offices, which had been instructed to cut expense budgets in FY2018.

Council Member Dixon reported he was a volunteer board member for Domestic Harmony. Council Member Dixon recommended the approval of the contract and stated the State of Michigan had recently allowed cities and townships to fund domestic violence shelters that were operated by private, non-profit organizations.

Responding to a question from Council Member Morrissey, Police Chief Hephner stated the Domestic Harmony shelter was an absolute asset to the community that provided a unique service to the area.

Council Member Sharp stated a small group of Council Members had recently toured Domestic Harmony and found the location to be very clean and welcoming, while also having excellent security for the individuals who stayed at the location.

Council Member Stockford thanked Ms. Denig for her leadership and the valuable services offered by Domestic Harmony.

Council Member Sharp, seconded by Council Member Flannery, moved 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.

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| Roll call: | Council Member Dixon | Aye |
| | Council Member Flannery | No |
| | Council Member Morrissey | Aye |
| | Council Member Sharp | Aye |
| | Council Member Stockford | Aye |
| | Council Member Zeiser | Aye |
| | Mayor Sessions | Aye |

Motion passed 6-1.

C. 2017-2021 Audit Contract with Condon, Hecht, Bisher, Wade & Co. P.C.

City Manager Mackie stated the city had solicited bids for auditing services starting July 1, 2017 through June 30, 2021. City Manager Mackie stated the city had received three bids, with the lowest bid being received from Condon, Hecht, Bisher, Wade & Co. P.C. in the amount of \$122,005.

Council Member Flannery, seconded by Council Member Dixon, moved to approve the 2017-2021 Audit Contract with Condon, Hecht, Bisher, Wade & Co. P.C. at a total cost of \$122,005.

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| Roll call: | Council Member Dixon | Aye |
| | Council Member Flannery | Aye |
| | Council Member Morrissey | Aye |
| | Council Member Sharp | Aye |
| | Council Member Stockford | Aye |
| | Council Member Zeiser | Aye |
| | Mayor Sessions | Aye |

Motion passed 7-0.

D. Amendment to No Smoking and Tobacco Use Policy

City Manager Mackie stated city staff recommended an amendment to the City of Hillsdale Employee Handbook that would prohibit smoking, and the use of any form of tobacco, in all city-owned buildings and vehicles. City Manager Mackie stated the existing policy permitted the use of tobacco products in city-owned vehicles that had a gross vehicle weight of 10,000 or more pounds.

Council Member Flannery, seconded by Council Member Dixon, moved to approve an amendment to the City of Hillsdale Employee Handbook that would prohibit smoking and the use of any form of tobacco in all city-owned buildings and vehicles.

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| Roll call: | Council Member Dixon | Aye |
| | Council Member Flannery | Aye |
| | Council Member Morrissey | Aye |
| | Council Member Sharp | Aye |
| | Council Member Stockford | No |
| | Council Member Zeiser | Aye |
| | Mayor Sessions | Aye |

Motion passed 6-1.

Miscellaneous

A. Board & Committee Appointments

Council Member Flannery, seconded by Council Member Zeiser, moved to approve the appointment of Council Member Sharp to Airport Advisory Committee. By a voice vote, the motion passed unanimously.

City Manager's Report

City Manager Mackie reported:

1. Council work-sessions for the FY2018 budget had been tentatively scheduled for Tuesday, April 18 and Monday, April 24, 2017
2. Approval for construction of the new apron at the airport would be placed on the April 3, 2017 Council agenda
3. The Funding Alternatives Identification & Recommendation (F.A.I.R.) Committee had met on March 13, 2017 and had recommended Council include a 3-mil levy within the FY2018 budget that would be designated for road improvement projects.

City Manager Mackie stated the implementation of the 3-mil levy would generate approximately \$360,000 per year that could be used for capital improvements to city streets.

4. The Planning Commission had scheduled a meeting for Tuesday, March 21, 2017 at 5:30 p.m. to gather information on the state regulations involving medical marijuana businesses. City Manager Mackie stated the new state laws required local units to “opt-in” by December 31, 2017 if medical marijuana businesses were to be permitted within the city limits.

Council Member Stockford noted the 2008 election that permitted medical marijuana had been supported by the citizens of Hillsdale in comparable percentages than what had been approved throughout the rest of the state. Council Member Stockford and Council Member Sharp both expressed an interest in obtaining additional information on the topic before determining their position on medical marijuana businesses within the city.

Council Member Zeiser also encouraged the city staff and Council to solicit the input from area law enforcement agencies when determining the appropriateness of medical marijuana businesses in the city. Council Member Zeiser also commented on the Open Meeting Act allegation made by Mr. Hendee and encouraged city staff to strive for excellence when complying with state laws and regulations.

General Public Comment

Ms. Penny Swan discussed the importance of having biographies for all board & commission appointments, even if the appointment was an existing City Council member. Ms. Swan also questioned the effect on the decisions made by Council at the meeting if the Open Meetings Act was violated, as alleged by Mr. Hendee.

Mr. Dennis Wainscott thanked Council for approving the contract with Domestic Harmony and encouraged city residents to support this organization with their monetary donations.

Council Comments


Council Member Sharp congratulated the Pittsford High School women’s basketball team on winning their second-consecutive state championship.

Adjournment

Council Member Zeiser, seconded by Council Member Flannery, moved to adjourn the meeting. By a voice vote, the motion passed unanimously.

The meeting adjourned at 8:13 p.m.


Scott M. Sessions, Mayor


Stephen M. French, City Clerk