

CITY COUNCIL MINUTES

City of Hillsdale

April 4, 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 Timothy Dixon, Ward 2 Bruce Sharp, Ward 3 Matthew Bell, Ward 4 Patrick Flannery, Ward 4
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Councilmembers absent:	Brian Watkins, Ward 1
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Also present were: City Manager David Mackie, City Clerk Stephen M. French, City Attorney John Lovinger, City Attorney Tom Thompson, Kay Freese (HR), Police Chief Scott Hephner (HCPD), Mike Barber (BPU), Julie Beeker (Treasurer), Alan Becker (Zoning), Jason Walters (Patriot Aviation), Jake Hammel (DPS), Bonnie Tew (Finance), Julian Kast, Tom Novelly (Hillsdale Collegian), Nick Treloar, Dawn Treloar, Richard Wunsch, Rich Pewe, Michelle Loren (Recreation), Alexis Kozub, and Dennis Wainscott.

Council Member Excused

Mayor Sessions stated he had received correspondence from Council Member Watkins that he would not be able to attend the meeting due to a family health matter.

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

Approval of Agenda

City Manager Mackie noted that Council Member Stockford had requested the appointment of Mr. Curtis Sarles to the Airport Advisory Committee, be added to the meeting agenda

Council Member Dixon moved, seconded by Council Member Flannery, to approve the April 4, 2016 meeting agenda with the appointment of Mr. Sarles added to the agenda. Motion carried unanimously.

Public Comment

No public comments were received.

Consent Agenda

- A. Approval of Bills from claims of March 24, 2016
 - 1. Payroll: \$95,240.66
 - 2. Claims: \$149,426.40

- B. Council Minutes of March 21, 2016
- C. 2015 Airport Advisory Committee Report

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

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

Motion passed 6-0.

Communications/Petitions

There were no communications or petitions.

Introduction and Adoption of Ordinance/Public Hearing

- A. Section 6-61 Property Maintenance Code Ordinance

Council Member Sharp requested clarification on the enclosure requirements of Section 303.2 "Swimming Pools, Spas, and Hot Tubs." Zoning Administrator Beeker stated the requirements to construct a fence around these enclosures were only applicable to those pools that exceeded a certain size.

Responding to a question from Council Member Bell, Zoning Administrator Beeker stated the recommended ordinance would allow the City to utilize the most recent update to the International Property Maintenance Code (IPMC). Mr. Beeker stated the most recent update had previously been adopted by Hillsdale County and the State of Michigan, so the approval on the city level would allow each entity to have uniform enforcement mechanisms. Mr. Beeker noted the 2012 update was the most up-to-date version of the IMPC.

Zoning Administrator Beeker stated the most noticeable change within the code for city residents would be the renaming of the "Use and Occupancy *Certificate*" to a "Use and Occupancy *Permit*", as the actual certificate was now issued by Hillsdale County and not the city.

Council Member Sharp noted the ordinance amendment was similar to other construction codes that are periodically updated by monitoring organizations or trade-specific entities. Council Member Sharp stated the updates are usually mundane and address new trends or safety issues in the trade.

Council Member Ball requested clarification on the approval of the IPMC by the state, county, and city. Zoning Administrator Beeker stated the three approvals would not unnecessarily duplicate property owner's requirements, but instead would provide a uniform standard for property maintenance. Mr. Beeker stated that although all three entities adopted the same enforcement code, the potential enforcement of a violation would only be handled by a single entity, most likely the City of Hillsdale. Mr. Beeker noted a single violation of the proposed code could not be enforced individually by three different entities, resulting in multiple violations for one offense.

Council Member Bell stated the city should adopt a new paradigm that stressed liberty and self-government, instead of imposing additional requirements that are written by public leaders or bureaucrats.

Council Member Stockford voiced support for the comments offered by Council Member Bell.

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Council Member Flannery moved, seconded by Council Member Dixon, to adopt Ordinance 2006-4: An Ordinance to Amend Section 6-61 through and including 6-69 and Section 6-122 of Article II of the Code of the City of Hillsdale.

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

Motion passed 4-2.

B. Set Public Hearing for 2016-17 City Budget

City Manager Mackie recommended a minimum of two, Council work sessions to review the 2016-2017 proposed budget, with the public hearing and final adoption scheduled for May 16, 2016 at 7:00 p.m. City Manager Mackie stated the budget review would be presented to Council as a whole, and not limited to the Council's Budget Committee.

Council Member Flannery moved, seconded by Council Member Bell, to schedule a public hearing for May 16, 2016 at 7:00 p.m. for final adoption of the 2016-2017 municipal budget. By a voice vote, the motion passed unanimously.

Unfinished Business

There was no Unfinished Business on the agenda

Old Business

There was no Old Business on the agenda

New Business

A. Hillsdale College Noise Variance Request

Mayor Sessions reviewed a request from Hillsdale College for a noise variance on April 30, 2016 from 7:00 p.m. to 12:00 midnight for their Centralhallapalooza Party. Mayor Sessions stated a temporary traffic order and right-of-way permit had already been approved by city staff for the event.

Council Member Bell and Council Member Flannery both announced they would abstain from discussion and voting on the request, as both were employees of Hillsdale College.

Council Member Dixon moved, seconded by Council Member Stockford, to approve a noise variance on April 30, 2016 from 7:00 p.m. to 12:00 midnight for the Hillsdale College Centralhallapalooza Party.

Roll call:	Council Member Stockford	Aye
	Council Member Dixon	Aye
	Council Member Sharp	No
	Mayor Sessions	Aye

Motion passed 3-1.

B. Recreation Department: Concussion Policy

City Recreation Director Loren reviewed a recommended Concussion Management Policy, which was intended to make coaches, parents, and athletes aware and informed of signs of concussions and how to act accordingly should an occurrence arise. Ms. Loren added the concussion policy would be utilized with new equipment that had been purchased to reduce the likelihood of injury to the athletes. Ms. Loren noted the training was free of charge and could be completed in approximately 45 minutes.

Law Director Lovinger noted a concussion policy was required by the State of Michigan.

Council Member Sharp noted his son had received five concussions throughout his life, and he strongly supported the policy and noted the importance of properly treating concussions.

Council Member Sharp moved, seconded by Council Member Stockford, at approve the City of Hillsdale Recreation Concussion Management Policy as presented.

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

Motion passed 6-0.

C. Fixed Base Operator Agreement

Responding to a question from Council Member Flannery, City Manager Mackie reported the per-gallon cost for Avgas was \$1.9827 and the cost per gallon for jet fuel was \$3.14861. City Manager Mackie also stated the Fixed Base Operator (FBO) agreement would require Patriot Aviation and Jason Walters to be responsible for all snow removal operations, maintenance/repair of the city's on-site equipment, and the mowing & trimming of grass. City Manager Mackie stated the FBO would permit Patriot Aviation to be responsible for airplane hangar rentals, the aircraft repair and maintenance shop, the sale of aviation fuel, the sale of airplanes, parts, & accessories, pilot training, and conference rooms.

City Manager Mackie stated the agreement would require Patriot Aviation to purchase aviation fuel and provide the City of Hillsdale with a flowage fee of \$0.10 per gallon of fuel sold.

Council Member Sharp commended Jason Walters and Patriot Aviation on the excellent improvements that had been made at the airport in recent months.

Council Member Flannery moved, seconded by Council Member Sharp, to approve the Fixed Base Operator (FBO) agreement with the Hillsdale Airport and Jason Walter's Patriot Aviation.

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

Motion passed 6-0.

D. Resolution #3274: Resolution to call a Special Election to fill a Vacancy on Council for Ward III

Mayor Sessions reported Council Member Emily Stack-Davis had resigned from Council, as she had moved to a new home outside of the City of Hillsdale.

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Council Member Flannery moved, seconded by Council Member Stockford, to accept the resignation of Ward III Council Member Stack-Davis. By a voice vote, the motion passed unanimously.

Law Director Lovinger discussed a 2006 legal opinion from then-City Law Director Lewis Loren that stated the City Charter three-year and six-month residency requirements could be deemed unconstitutional and invalid if challenged in court. Mr. Lovinger stated recent legal decisions had upheld multi-year residency requirements for eligible voters who wished to run for municipal offices.

Council Member Flannery moved, seconded by Council Member Stockford, to adopt a "Resolution to call a Special Election to fill a Vacancy on Council for Ward III."

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

Motion passed 6-0.

Miscellaneous

A. Appointments

Mayor Sessions reported Council Member Stockford had submitted his resignation from the Airport Advisory Committee.

Council Member Flannery moved, seconded by Council Member Bell, to accept the resignation of Council Member Stockford from the Airport Advisory Committee. By a voice vote, the motion passed unanimously.

Council Member Flannery moved, seconded by Council Member Stockford to appoint:

- Ms. Cynthia Netcher to the Headwaters Recreation Authority for a partial term ending April 2017
- Mr. Curtis Sarles to the Airport Advisory Committee for a partial term ending November 2016

By a voice vote, the motion passed unanimously.

B. Information Only

1. Traffic Control Order 2016-05 for HC Centralhallapalooza

City Manager's Report

City Manager Mackie stated a city staff group, led by Police Chief Hephner, had begun to develop an action plan following the Council work session that was held April 11-12, 2016.

City Manager Mackie reported negotiations would soon begin with all of the employee unions, as those agreements were set to expire in the upcoming months.

City Manager Mackie stated there would be a ground breaking ceremony on April 5, 2016 at 4:30 p.m. for the new Hillsdale County Dispatch Center.

City Manager Mackie stated he would be out of the office on Monday-Wednesday, April 10-12, 2016, attending a professional conference.

General Public Comment

Ms. Mary Wolfram encouraged everyone to participate in the upcoming "Art Around Town" on Thursday, April 28, 2016 from 5-7 p.m. Ms. Wolfram stated businesses would be open during this time in the downtown area and would feature local artists and their work.

Council Comments

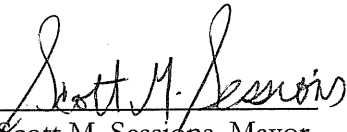
Council Member Sharp discussed the ground breaking for the Hillsdale County Dispatch Center. Council Member Sharp also acknowledged the excellent leadership of Jake Hammel and the hard work being performed by the Public Services Department.

Council Member Stockford requested business cards be printed for each Council Member and be made available to the public at City Hall.

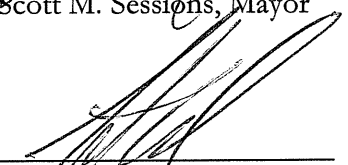
Adjournment

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

The meeting adjourned at 8:05 p.m.



Scott M. Sessions, Mayor



Stephen M. French, City Clerk