

CITY COUNCIL MINUTES

City of Hillsdale

April 18, 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 Patrick Flannery, Ward 4
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Councilmembers absent:	Matthew Bell, Ward 4
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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), Ray Taylor (Hillsdale County Inspection), Jake Hammel (DPS), Ray Warren, Mary Smith, Bill Zeiser, Julian Kast, Andy Barrand (Hillsdale Daily News), Mary Wolfram (Economic Development), Dr. Gary Wolfram, Cindy Bieszk, Richard Wunsch, Penny Swan, Pamela Beck, Nic Ronan (Hillsdale Collegian).

Council Member Excused

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

Approval of Agenda

City Manager Mackie requested agenda item X-(B) "Resolution to Declare a Public Nuisance – 240 E South Street" be removed from the meeting agenda. City Manager Mackie stated the property owner had agreed to sign the demolition agreement and waiver, which would allow the city to move forward with the demolition at 128 South Manning.

Council Member Flannery, seconded by Council Member Watkins, moved to approve the April 18, 2016 meeting agenda with the above item removed from the agenda. By a voice vote, the motion carried unanimously.

Public Comment

No public comments were received.

Consent Agenda

- A. Approval of Bills from claims of April 7, 2016
 - 1. Payroll: \$90,335.90
 - 2. Claims: \$127,341.71

- B. Council Minutes of April 4, 2016
- C. 2016 Assessor's Report
- D. Quarterly Investment Report March 31, 2016
- E. March 2016 Financial Report
- F. Code Enforcement Report: March 2016
- G. Hillsdale Policy Group Update Report: March 2016

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

Roll call:	Council Member Stockford	Aye
	Council Member Watkins	Aye
	Council Member Dixon	Aye
	Council Member Sharp	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. Public Hearing: Demolition Residential Structure(s): 48 Greenwood St.

Mayor Session opened a public hearing to receive public comments in regards to a staff recommendation to have structures situated on 48 Greenwood Street demolished by the Department of Public Services, as those structures have been condemned as a public nuisance and ordered abated in Resolution No. 3267.

Ms. Mary Smith, property owner of 48 Greenwood Street, spoke at length about the history of the property and her financial constraints following the death of her husband in 2014. Ms. Smith stated clean-up had continued throughout the past two or three weeks and requested additional time for this clean-up to be completed. Ms. Smith also discussed her desire to keep the existing foundation and garage structure that remained on the site.

Responding to a question from Council Member Stockford, Ms. Smith stated that she was currently living at 141 Griswold, which was adjacent to the Greenwood Street site.

City Attorney Tom Thompson addressed Council on the history of the property and the violations that had been levied against the property owners. Attorney Thompson stated the property was in violation of the city's maintenance code for at least fifteen (15) years and had been posted as unsafe in May 2012 following a large fire. Attorney Thompson reported the owners were ordered to demolish the remainder of the structure and clean-up the property following the fire, but had failed to comply with the order. Attorney Thompson added legal proceedings continued through July 2015 when District Court Judge Sara Lisznyai found the owner to be in violation of the International Property Maintenance Code (IPMC). Attorney Thompson reported Council passed Resolution 3267 on February 15, 2016 giving the property owner 60 days to abate the hazardous and nuisance conditions on the site after months of little or no activity on the clean-up.

Attorney Thompson stated the city had obtained a grant from the Michigan Blight Elimination Program to pay 75% of the estimated cost of the demolition, but required permission from the owner to have access to the property during the clean-up and demolition. Attorney Thompson stated the property owner had refused the city's request to have access to the property, so the proposed resolution was necessary to impose city control of the property during the clean-up period.

Responding to a question from Council Member Stockford, City Assessor Thomas stated it was her professional opinion that the remaining garage-type structure was not salvageable due to damaged incurred during the fire.

Mr. Robert Bolenbaugh, son of the property owner, stated a lot of clean-up had been completed in the past couple of weeks and requested more time for additional clean-up to continue. Mr. Bolenbaugh stated the remaining garage structure was stable and the family was planning to construct a new roof on the garage.

Responding to a question from Council Member Stockford, City Attorney Lovinger stated the city would not receive the grant funding from the Blight Elimination Fund if the recommended resolution was not adopted by Council.

Council Member Flannery, seconded by Council Member Watkins, moved to adopt a resolution pursuant to Section 11.4 of the Hillsdale City Charter determining that the residential structures situated on the lot located at 48 Greenwood within the City of Hillsdale, Michigan, having been condemned as a public nuisance and ordered abated in Resolution No. 3267 of the City Council adopted on February 15, 2016, have not been brought into compliance with City Ordinance as required by the Resolution, and ordering that the structures situated on the property be demolished by the Department of Public Services and/or by a contractor as determined by the City's Code Official, consistent with Sections 14.31 through 14.36 of the Hillsdale Municipal Code and consistent with the terms of any grant received for such purpose through the Michigan Land Bank Fast Track Authority.

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

Motion passed 5-1.

Unfinished Business

There was no Unfinished Business on the agenda

Old Business

There was no Old Business on the agenda

New Business

A. 2016 Blight Elimination Program: Michigan Land Bank Fast Track Authority

Council Member Sharp questioned why a fence had not been constructed around the open basement at 128 South Manning Street. City Assessor Thomas stated the city had requested the property owner install a fence around the basement for safety reasons, but the owner had not complied with this request.

Council Member Watkins, seconded by Council Member Flannery, moved to approve a "Demolition Agreement, Waiver, and Grant of Lien" for properties located at 128 South Manning Street and 240 East South Street.

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

Motion passed 6-0.

B. Appointment of Mr. Jacob Hammel as Department of Public Services Director

City Manager Mackie recommended the appointment of Mr. Jacob Hammel as the Director of the Department of Public Services. City Manager Mackie stated Mr. Hammel had been working as the Interim Director for a number of months, and had served with excellence during that time.

Council Member Sharp and Council Member Watkins both expressed support for the appointment of Mr. Hammel.

Council Member Watkins, seconded by Council Member Sharp, moved to appoint Mr. Jacob Hammel as the Director of the Department of Public Services effective April 18, 2016.

Miscellaneous

A. Appointments

Council Member Stockford expressed concern at the apparent conflict of interest between Dr. Wolfram and the Board of Public Utilities (BPU), due to Dr. Wolfram's financial interest in an on-going contract between the BPU and the Hillsdale Policy Group. Council Member Stockford noted Dr. Wolfram's extensive knowledge and commitment to the City of Hillsdale, but opposed the recommended appointment due to this conflict of interest.

City Attorney Lovinger stated there would not be a conflict of interest between Dr. Wolfram and the BPU, if Dr. Wolfram simply recused himself from being a part of any discussions or voting on matters involving the Hillsdale Policy Group.

Council Member Flannery moved, seconded by Council Member Dixon to appoint Dr. Gary Wolfram to Board of Public Utilities for a term ending May 2018.

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

Motion failed by a vote of 3-3.

City Manager's Report

City Manager Mackie noted:

- Department head evaluations would begin in the near future and requested Council provide any feedback regarding this matter to his office.
- Union negotiations would begin the week of April 25, 2016
- Budget meetings had been scheduled for April 25, 2016 and May 9, 2016 and both meetings were open to the general public.

April 18, 2016

Regular Meeting

- The city continued to work with the Michigan Economic Development Corporation (MEDC) regarding an infrastructure grant for road and utility improvements.
- The public was invited to participate in the “Art Around Town” event scheduled for Thursday, April 28, 2016 from 5-7 p.m.

General Public Comment

Ms. Pamela Beck, candidate for Hillsdale County Treasurer, introduced herself to the audience and requested support in the August primary.

Mr. Joe Poston, 49 Carriage Park, discussed on-going problems with Dial-A-Ride availability during the lunch hour and during the times the buses were transporting students to/from school.

Ms. Cindy Bieszk, owner of The Filling Station in Hillsdale, applauded the appointment of Mr. Hammel as Director of the Public Services Department and commended Mr. Hammel for his interaction with the city’s business owners.

Mr. Richard Wunsch, 98 ½ North Broad Street, noted the importance of an effective public transportation system in the City of Hillsdale.

Council Comments

Council Member Sharp requested additional information from City Manager Mackie regarding the Dial-A-Ride issues raised by Mr. Poston. City Manager Mackie stated Dial-A-Ride received 40-50% of their ridership revenues from the transportation of children to-and-from school, which required substantial resources during those times in the day. City Manager Mackie stated other resident’s transportation needs may have to be delayed during the times Dial-A-Ride were transporting students. City Manager Mackie reported he would review staggering lunch breaks for staff, which may allow Dial-A-Ride to provide service during these times.

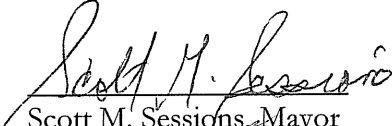
Council Member Watkins discussed his vote against the appointment of Dr. Wolfram to the BPU board. Council Member Watkins expressed his utmost respect for Dr. Wolfram and his abilities, but noted the historical conflicts between City Council and the general public regarding conflicts of interest.


Council Member Sharp also discussed the recommendation to appoint Dr. Wolfram to the BPU board and the questions raised about conflicts of interest. Council Member Sharp noted the excellent qualifications of Dr. Wolfram and his dedication to the City of Hillsdale.

Adjournment

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

The meeting adjourned at 8:18 p.m.


Scott M. Sessions, Mayor


Stephen M. French, City Clerk

