

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

May 6, 2013
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 Douglas Moon opened the meeting with the pledge of allegiance.

Roll Call

Motion by Councilperson Kinney, supported by Councilperson Sullivan, to excuse the absence of Councilperson Watkins from the May 6, 2013 meeting.

All ayes.

Motion carried.

Mayor Moon called the meeting to order with the following Council members present: Council member Casey Sullivan representing Ward One; Council members Ruth Brown and Sally Kinney representing Ward Two; Council members Scott Sessions and Mary Wolfram representing Ward Three; and Council members William Arnold and Mary Beth Bail representing Ward 4.

Also present were City Manager Linda Brown, Deputy City Clerk Michelle Loren, Keith Richard, Rick Rose, Matt Durr (Hillsdale Daily News), Alexis Kozub, Eldonna Bernath, Aimee England, Jacob Nieuwsma, Richard Smith, James Knox (Knox Ventures).

Approval of Agenda

Motion by Councilperson Sessions, supported by Councilperson Sullivan, to approve the May 6, 2013 Agenda as presented.

All ayes.

Motion carried.

Public Comment

Aimee England, 100 S. West St., commented that with all of the problems with blight perhaps the City could consider a city-wide clean up.

Richard Smith, 63 S. Broad St., addressed Council with code enforcement issues regarding properties at 55 and 72 S. Broad St. Mr. Smith questioned how long the code enforcement process takes before a property owner is made to do something with the property. City Manager Brown stated she will look into the matter and will make contact with him regarding the matter.

Consent Agenda

The items listed in the Consent Agenda are considered to be routine by the City Council and the City Manager and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Councilmember. In this event, the item will be removed from the Consent Agenda and Council action will be taken separately on said item.

- A. Approval of Bills from April 25, 2013: Claims of \$15,551; Payroll of \$84,762.07.
- B. Committee Reports (Pending Approval):
 - 1. O&G Minutes of February 8, 2013 & April 23, 2013
 - 2. Community Development Committee Minutes of April 25, 2013
 - 3. Finance Minutes of April 15, 2013 & April 29, 2013
 - 4. ZBA Minutes of April 23, 2013
- C. Council Minutes of April 15, 2013
- D. Quarterly Investments of April 15, 2013

Motion by Councilperson Brown, supported by Councilperson Sessions, to approve the Consent agenda as presented. Roll call: Councilpersons Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Arnold – yes.

Approved 8-0.

Motion carried.

Communications

None

Introduction and Adoption of Ordinances/Public Hearings

KNOX VENTURES CRE RESOLUTION #3131

- A. Knox Ventures Commercial Rehabilitation Exemption (Public Hearing) (Resolution). City Manager Brown stated that on March 14, 2013 the City Clerk received an application from Knox Ventures for a Commercial Rehab Exemption. At the last regular meeting, Council set a public hearing to be held at the May 6, 2013 meeting. City Manager Brown reported notice and publication requirements had been met and the EDC also met and recommended the exemption be granted for a term of ten years. City Manager Brown recommended that, following the public hearing, Council adopt the resolution granting the exemption for a period of ten years.

Mayor Moon opened the public hearing. After no comment was made by the public, Mayor Moon offered Council to comment. No public or council comment was made.

Motion by Councilperson Sessions, supported by Councilperson Brown, to adopt Resolution #3131, Knox Ventures Commercial Rehabilitation Exemption for a period of 10 years. Roll call: Councilpersons Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes.

Approved 8-0

Motion carried.

COBRA MOTO, LLC IFT RESOLUTION #3132

- B. Cobra Moto, LLC Industrial Facilities Tax Exemption (Resolution). City Manager Linda Brown stated that on March 28, 2013, the City Clerk received an application from Cobra Moto, LLC for an Industrial Facilities Tax Exemption. At the April 15, 2013 council meeting May 6, 2013 was established as the date to hold a public hearing regarding the exemption. City Manager Brown recommended Council adopt Resolution #3132 and grant Cobra Moto, LLC a 12 year Industrial Facilities Tax Exemption.

Mayor Moon opened the public hearing for public comment as well as council comment. No comment was made.

Motion by Councilperson Sullivan, supported by Councilperson Kinney, to adopt Resolution #3132, Cobra Moto, LLC Industrial Tax Exemption. Roll call: Councilpersons Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes.

Approved 8-0.

Motion carried.

ORDINANCE 2013-1 REZONE PROPERTY I-1 TO RM-1

- C. Ordinance to Rezone Properties from I-1 Light Industrial to RM – 1 Multiple Family Residential. City Manager Brown stated that, on April 15, 2013 Council received a proposed ordinance to rezone properties from I-1 to RM-1. On April 8, 2013, the Planning Commission acting upon its own recommendation, voted to approve the rezoning of properties located at 42 Union Street, 52 Union Street and 71 Hillsdale Street. A public hearing was held to receive input. Following the closing of the public hearing, the Planning Commission voted to approve the rezoning. City Manager Brown recommended Council pass the ordinance at the May 15, 2013 meeting.

Motion by Councilperson Sullivan, supported by Councilperson Brown, to pass Ordinance #2013-1, Rezone I-1 Light Industrial to RM-1 Multiple Family, and authorize the mayor and Clerk's signatures on the Ordinance and send for publication. Roll call:

Councilpersons Sessions – yes; Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes;

Approved 8-0.

Motion carried.

- D. Ordinance to Amend Section 20-31, Division 1, Article II, Chapter 28 Regarding Municipal Civil Infractions. City Manager Brown presented Council with a proposed ordinance which contains a definition clearly identifying individuals authorized to issue civil infractions.

Motion by Councilperson Sullivan, supported by Councilperson Wolfram, to receive the proposed Ordinance #2013-2, set a public hearing for May 20, 2013 and order its publication. Roll call: Councilpersons Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Arnold – no; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes.

Approved 7-1.

Motion carried.

- E. Ordinance to Amend Sections 28-32, 28-34, 28-42, and 28-44 of Article II of Chapter 28 Regarding Collection and Disposal of Solid Waste and yard Rubbish. City Manager Brown explained that as the process for dealing with accumulation of solid waste and yard rubbish has been scrutinized, the need for some revisions to the ordinance became apparent. City Manager Brown presented Council with amendments to four Sections of Article II of Chapter 28 Regarding Collection and Disposal of Solid Waste and Yard Rubbish. City Manager Brown recommended Council receive the ordinance as a proposed ordinance, set public hearing for May 20, 2013 and order its publication as such.

Motion by Councilperson Bail, supported by Councilperson Sullivan, to receive proposed Ordinance #2013-3, set a public hearing for May 02, 2013 and order its publication. Roll call: Councilpersons Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – no; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes.

Approved 7-1.

Motion carried.

- F. Budget for fiscal year 2013-2014 (Public Hearing) (Resolutions) City manager Brown stated Council was presented with the proposed 2013-2014 budget document at its April 1, 2013 meeting. The public hearing was set by Council for May 6, 2013 at 7:00 p.m. The document was posted for public review and posted on the City website.

Mayor Moon opened the public hearing for comment. No public comment was received. Councilperson Sullivan made comment that, after all of the community discussion about the trimming of the budget, he did not see anyone from the public attend the budget meetings in order to find solution. Councilperson Wolfram fully agreed with Councilperson Sullivan and stated Council should consider holding off the adoption of the budget until the next meeting giving the community another chance to come forward to review the budget and offer any suggestions they might have to trim it. Mayor Moon stated the community has had ample time to participate in the budget process and that time has gone.

Motion by Councilperson Wolfram, supported by Councilperson Sessions, to table the adoption of the 2013-2014 budget until the May 20, 2013 meeting. Roll call: Mayor Moon – no; Councilpersons Arnold – no; Bail – yes; Brown – yes; Kinney – no; Sessions – no; Sullivan – yes; Wolfram – yes.

Motion Failed 4-4.

Motion by Councilperson Wolfram, supported by Councilperson Sessions, to adopt Resolution #3133, Adopt the 2013-2014 Budget and Resolution #3134, Levy Taxes.

ORDINANCE # 2013-2 AMEND SEC 20-31 DIV. I ART. II CHPT. 28 CIVIL INFRACTION

ORDINANCE # 2013-3 AMEND SEC 28-32, 28-34, 28-42, 28-44 ART. II CHPT. 28 YARD RUBBISH

2013-2014 BUDGET RESOLUTION # 3133 RESOLUTION # 3134 LEVY TAXES

Motion by Councilperson Brown, supported by Councilperson Arnold, to adopt Resolution #3133, 2013-2014 Budget. Roll call: Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – no.

Approved 7-1.

Motion carried.

Motion by Councilperson Brown, supported by Councilperson Arnold, to adopt Resolution #3134, Levy Taxes. Roll call: Councilpersons Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – no.

Approved 8-0.

Motion carried.

Unfinished Business

- A. Local Streets Maintenance. None
- B. Code Enforcement.

Old Business

- A. CGI Proposal for Video Services. City Manager Linda Brown stated that, at the April 15, 2013 meeting she presented Council with an offer made to the City by CGI Communications, Inc for the purpose of entering into a collaborative agreement with the National League of Cities and the US Conference of Mayors to provide video services. After a video presentation regarding the services and viewing websites, Mayor Moon requested that Council be given time to review the agreement and submit all questions to the City Manager not later than Friday, April 19, 2013. City Manager Brown reported she heard only from Councilperson Watkins.

*CGI
COMMUNICATIONS
AGREEMENT
APPROVED*

Motion by Councilperson Sullivan, supported by Councilperson Kinney, to approve the CGI Communications agreement as presented and authorize signatures on the necessary documents. Roll call: Councilperson Brown – no; Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – no; Bail – yes.

Approved 6-2.

Motion carried.

New Business

- A. Closed Session Pursuant to P.A. 267 of 1976, Section 15.268, Sec 8(d)

Motion by Councilperson Kinney, supported by Councilperson Brown, to go into Closed Session Pursuant to P.A. 267 of 1976, Section 15.268, Sec 8(d).

All ayes.

Motion carried.

Motion by Councilperson Arnold, supported by Councilperson Sullivan, to adopt Resolution #3135.

- B. Hillsdale County Parks Commission Request for Donation. City Manager Brown stated that Councilperson Watkins requested Council give thought to the Adopt a Pier at Lewis Emery Park consideration. County Parks Commissioner dropped off a flyer regarding the project. City Manager Brown forwarded the information to Michigan Municipal League Sue Jeffers regarding the expenditure. It was determined this would be an unlawful expenditure.

Motion by Councilperson Wolfram, supported by Councilperson Sullivan, to right a letter of explanation to Parks Commissioner Ted Jansen.

All ayes.

*CLOSED
SESSION*

*RESOLUTION
#3135*

*HILLSDALE CO.
PARKS REQUEST
FOR
DONATION*

Motion carried.

- C. Park usage Agreement – Indiana Outboard Races. City Manager Brown reported that, as in the past, Indiana Outboard Races has again requested use of Owen Memorial Park as their launch site for racing events July 19-21 and Sept. 6-8.

INDIANA
OUTBOARD
RACES
AGREEMENT

Motion by Councilperson Sullivan, supported by Councilperson Arnold, to approve the Indiana Outboard Races Use Agreement as presented and authorize the Mayor and Clerk's signatures. Roll call: Councilpersons Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes.

Approved 8-0.

Motion carried.

- D. Contract for Jenkins Engineering, LLC for Millpond Dam Inspection and DEQ Permitting. City Manager Brown stated the dam located on South Street at the millpond is required to be inspected every four years. A proposal was presented to prepare report for inspection of the dam and to necessitate the acquisition of a permit from DEQ.

JENKINS
ENGINEERING
LLC

Motion by Councilperson Brown, supported by Councilperson Sullivan, to approve the agreement as presented and authorize the Mayor and Clerk's signatures on agreement. Roll call: Councilpersons Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes.

Approved 8-0.

Motion carried.

- E. Proposed Ordinance Amendments for Beach. City Manager Brown suggested amendment changes be made in order to insure the investment in the improvements made at Sandy Beach by the Rotary and the City be safeguarded. City Manager Brown list examples of the amendments and asked that permission be given to forward the suggested changes to the City Attorney for preparation and presentation to Council.

Motion by Councilperson Kinney, supported by Councilperson Sullivan, to refer the amendment changes to the City Attorney for preparation.

All ayes.

Motion carried.

Miscellaneous

- A. Appointments - None

Department Reports

None

Public Comment

None

Council Comment

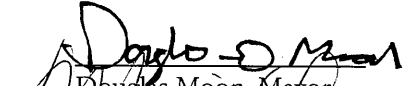
Councilperson Mary Wolfram reported a May 22nd I Geek Entrepreneur event at the Hillsdale Community Library.

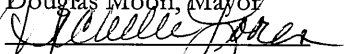
Adjournment

Motion by Councilmember Arnold, seconded by Councilmember Sullivan, to adjourn.

Motion carried.

9:47 p.m.


Douglas Moon, Mayor


Michelle Loren, Deputy Clerk