

CITY COUNCIL MINUTES

City of Hillsdale
May 16, 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.

Council Members present:	Scott M. Sessions, Mayor Adam Stockford, Ward 1 Brian Watkins, Ward 1 Bruce Sharp, Ward 3 Matthew Bell, Ward 4 Patrick Flannery, Ward 4
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Council Members absent:	Timothy Dixon, Ward 2
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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), Kim Thomas (Assessing), Jake Hammel (DPS), Andy Barrand (Hillsdale Daily News), Mary Wolfram (Economic Development), Joe Poston, Mary Smith, Ray Warren, Julian Kast, Richard Wunsch, Dennis Wainscott, Bill Zeiser, and Penny Swan.

Council Member Excused

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

Approval of Agenda

City Manager Mackie requested the agenda be amended to include a request from Council Member Sharp to hold a Safety Committee meeting.

Council Member Watkins, seconded by Council Member Stockford, moved to amend the meeting agenda to include the request for a Safety Committee meeting. By a voice vote, the motion carried unanimously.

Council Member Watkins, seconded by Council Member Stockford, moved to approve the May 16, 2016 agenda as amended. By a voice vote, the motion carried unanimously.

Public Comment

No public comments were received.

Consent Agenda

- A. Approval of Bills from claims of May 5, 2016
 1. Payroll: \$ 90,366.21
 2. Claims: \$ 227,374.30

- B. City Council Meeting Minutes
 - 1. May 2, 2016 Regular Meeting
 - 2. May 9, 2016 Special Meeting
- C. EDC - Architectural Control Committee Minutes - March 9, 2016
- D. April 2016 Code Enforcement Report
- E. Hillsdale Policy Group – April 2016 Progress Report

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

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

Motion passed 6-0.

Communications/Petitions

There were no communications or petitions received by Council.

Introduction and Adoption of Ordinance/Public Hearing

- A. Public Hearing: 2016-2017 City Budget

City Manager Mackie provided a brief review of the FY2017 budget, which totaled \$9,328,870 in expenditures included in 22 different funds. City Manager Mackie stated the 2016-2017 was approximately 11% less than the previous year, primarily due to the airport expansion project that had been completed in FY2016. City Manager Mackie stated the staffing levels remained consistent from previous years, while an additional \$300,000 had been earmarked for road improvements projects within the city. City Manager Mackie reported two areas of most concern for the city administration in upcoming budget cycles were funding necessary road reconstruction projects, as well as the city's growing, unfunded pension liabilities.

Council Member Stockford commended the City Manager and city staff for their development of the budget and lauded the inclusion of road reconstruction funding in the FY2017 budget.

Council Member Sharp thanked City Manager Mackie for reformatting the budget work sessions, which allowed Council Members to have open dialogue with the city's department heads and staff members.

Council Member Bell echoed the sentiments of Council Members Stockford and Sharp.

Mayor Sessions thanked City Manager Mackie for the development of the budget.

No public comments were received during the public hearing.

Unfinished Business

- A. City Action Plan – Police Chief Hephner

Police Chief Hephner provided the Strategic Plan – One Year Task Force Action Plan that had been developed by city staff representatives following the City Council's planning sessions held in March 2016. Chief Hephner noted the action plan closely followed the four, central components of the Strategic Plan that included: (1) Infrastructure Improvements; (2) Strengthen Sense of Community; (3) Destination – Vibrant Downtown; and (4) Economic Development.

City Manager Mackie stated staff would receive Council comments throughout the next two weeks, while formal adoption of the plan was planned for the June 20, 2016 Council meeting.

B. Authorization for Hazardous Materials Assessment Contracts

City Assessor Kim Thomas reported the city had solicited bids for licensed firms that could provide hazardous material assessments for three, on-going demolition locations, as well as to have a qualified contractor under contract on an as-needed basis. Ms. Thomas stated a second bid request had been solicited for emergency asbestos assessment and abatement services that would be utilized if the first assessment had missed a hazardous material assessment and asbestos was located during the actual demolition of a structure.

City Assessor Thomas stated that due to staff's confusion on the bid response documents, only the first contract was being recommended for approval at the current meeting. Ms. Thomas stated the second contract for emergency asbestos assessment and abatement services would be presented to Council at a future meeting.

City Assessor Thomas recommended Council approve a contract with Triterra of Lansing hazardous material assessments in the amount of \$405-525 per inspection.

Council Member Stockford noted the potential need for the contractual services, but objected to the use of these services for the demolition scheduled for 48 Greenwood.

Council Member Bell asked if the contract could be approved without the inclusion of 48 Greenwood. City Assessor Thomas stated it had been the decision of Council to continue demolition plans for the property, and to remove the order for 48 Greenwood Street would require a vote to reconsider by Council.

Council Member Watkins, seconded by Council Member Flannery, moved to approve a contract with Triterra of Lansing for hazardous material assessments in the amount of \$405-525 per inspection.

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

Motion passed 5-1.

Old Business

City Assessor Thomas reported three properties within the city had received Obsolete Property Rehabilitation Act (OPRA) Exemption Certificates, but had not been completed within the allotted time period. Ms. Thomas reported the Nonik Holdings and Thorny Ash Development projects had not yet commenced, while the project for Alan K. Williams continued with an estimated completion date in 2016.

Council Member Watkins, seconded by Council Member Flannery, to adopt Resolution 3278: "A resolution revoking Obsolete Property Rehabilitation Act (OPRA) Exemption Certificate 3-14-0016 for Nonik Holdings, LLC."

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

Motion passed 6-0.

Council Member Bell, seconded by Council Member Flannery, to adopt Resolution 3279: "A resolution revoking Obsolete Property Rehabilitation Act (OPRA) Exemption Certificate 3-15-0005 for Thorny Ash Development LLC."

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

Motion passed 6-0.

Council Member Bell, seconded by Council Member Flannery, to adopt Resolution 3280: "A resolution extending construction period allowed for Obsolete Property Rehabilitation Act (OPRA) exemption Certificate 3-14-0017 for Alan K. Williams."

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

Motion passed 6-0.

New Business

A. BS&A software system purchase – BPU

City Manager Mackie reviewed the staff recommendation to approve a contract with BS&A Software in the amount of \$103,825 for the purchase, installation, and training of a new accounting software for the BPU department. City Manager Mackie stated the new software package was from the same vendor that was used by other city departments and would allow administrative efficiencies to continue between the two entities.

BPU Director Barber stated the new modules being purchased with this contract could be utilized by the City of Hillsdale, while the BPU could then utilize the modules that had already been implemented by the City. BPU Director Barber stated the software support costs for the entire package would be split evenly between the City of Hillsdale and the BPU in future years.

City Manager Mackie noted the accounting software currently used by the BPU included annual maintenance fees of nearly \$90,000, while the new software contract would reduce this cost to less than \$20,000 for the entire package.

Council Member Stockford, seconded by Council Member Flannery, moved to approve a contract with BS&A Software in the amount of \$103,825 for the purchase, installation, and training of a new accounting software for the BPU department.

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

Motion passed 6-0.

B. Contract Renewal with HydroCorp – BPU

BPU Director Barber presented a staff recommendation to renew a contract with HydroCorp for a four-year period in the total amount of \$63,984.00. Mr. Barber stated the company provided the BPU with necessary data and information to maintain compliance with the Michigan Department of Environmental Quality (MDEQ) Water Bureau Cross Contamination Control (CCC) Regulations.

Council Member Bell questioned if the BPU staff looked at other vendors to competitively bid this contract. BPU Director Bell stated the contract was not released for bid, as HydroCorp had provided excellent service during the previous contract and had maintained their existing pricing for the new renewal period.

Council Member Bell, seconded by Council Member Watkins, moved to approve a four-year contract with HydroCorp in the amount of \$63,984.00 to maintain compliance with the Michigan Department of Environmental Quality (MDEQ) Water Bureau Cross Contamination Control (CCC) Regulations.

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

Motion passed 6-0.

C. Resolution 3281: A resolution to recognize Hospice of Hillsdale County as a non-profit agency and approve their fund raising raffle

City Manager Mackie stated Hospice of Hillsdale County had requested the City Council adopt a state resolution, which would allow them to hold a fund-raising raffle during the annual Hillsdale County Fair. City Manager Mackie stated the resolution would affirm Hospice of Hillsdale County was a non-profit organization operating within the City of Hillsdale.

Council Member Bell, seconded by Council Member Stockford, moved to approve Resolution 3281: “A resolution to recognize Hospice of Hillsdale County as a non-profit agency and approve their fund raising raffle.”

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

Motion passed 6-0.

D. Resolution 3282: A resolution to authorize the mayor to submit an application to the Michigan Economic Development Corporation (MEDC) for an Infrastructure Capacity Enhancement Grant

City Manager Mackie presented a recommended resolution to permit the Mayor to submit an application to the MEDC for an Infrastructure Capacity Enhancement Grant. City Manager Mackie stated the grant would be directed towards the Garden Street-Vine Street-Mead Street reconstruction project which was anticipated to total approximately \$1,000,000. City Manager Mackie indicated the city and BPU contributions to the project would be 10-20% of the total contract costs.

Council Member Bell noted the resolution was added to the agenda late Friday afternoon, following the release of the first version of the Council meeting packet on Wednesday. Council Member Bell recommended no changes be made to the meeting agenda following its Wednesday afternoon release, unless that change was made at the following Monday evening Council Meeting.

Council Member Sharp noted the Council had very rarely amended the original agenda in recent months, and noted the timely adoption of the resolution was necessary for an important grant application.

City Manager Mackie noted one provision of the grant application was the requirement to be a member of the Redevelopment Ready Committee process, which greatly improved the city's chances at receiving this grant.

Economic Development Director Wolfram requested the resolution be amended to include the following wording to comply with the grant requirements:

WHEREAS, the funding shall be available and committed to the Garden, Mead, and Vine Street Projects.

Responding to a question from Council Member Stockford, City Manager Mackie stated the city's chances of receiving the grant funding was fairly good, as the city was a member of the Redevelopment Ready Committee process and was included in the "low-to-moderate income" community classification.

Council Member Bell, seconded by Council Member Watkins, moved to amend the proposed resolution to include the following wording:

WHEREAS, the funding shall be available and committed to the Garden, Mead, and Vine Street Projects.

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

Motion passed 6-0.

Council Member Bell, seconded by Council Member Sharp, moved to approve Resolution 3282: "A resolution to authorize the mayor to submit an application to the Michigan Economic Development Corporation (MEDC) for an Infrastructure Capacity Enhancement Grant."

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

Motion passed 6-0.

E. Safety Committee Meeting

Council Member Watkins, seconded by Council Member Stockford, moved to have a Safety Committee meeting scheduled. By a voice vote, the motion passed unanimously.

Miscellaneous**A. Appointments**

Council Member Watkins, seconded by Council Member Sharp, moved to appoint Mr. Eric Swisher to the Zoning Board of Appeals (ZBA) for a three-year term expiring November 2018.

Council Member Flannery objected to the appointment, in part due to comments made by Mr. Swisher at previous Council Meetings. Council Member Flannery stated Mr. Swisher was not the best candidate for this committee.

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

Motion passed 5-1.

B. Information Only

Mayor Sessions presented the "First Quarter 2016 Police Department Report" and the "City Wide Garage Sales – June 16-18, 2016" for informational purposes.

City Manager's Report

City Manager Mackie reported:

1. A special, road funding committee would be assembled to discuss funding options for road improvements. City Manager Mackie encouraged Council Members to forward recommendations to his office for committee members.
2. The Litchfield Power Plant would discontinue operations on May 31, 2016.
3. He would be out of office Wednesday & Thursday, May 18-19, 2016 at a "Redevelopment Ready" training session.

General Public Comment

Ms. Mary Smith, 48 Greenwood, requested Council Members reconsider their decision to authorize demolition and clean-up of her property on Greenwood Street.

Mr. Richard Wunsch, 98 ½ North Broad, voiced support for Ms. Smith and her desire to maintain control of her property. Mr. Wunsch also discussed his concern regarding a lawsuit that had been recently received by city staff and the potential, financial impact of the lawsuit on the city. Mr. Wunsch indicated city staff should have alerted Council Members and city residents of the lawsuit when it was received, instead of having the public informed of the suit through a newspaper article or by social media.

Mr. Joe Poston, 49 Carriage Park, discussed his continuing problems obtaining transportation via the Dial-A-Ride service during certain times of the day. Mr. Poston stated the alternatives offered by City Manager Mackie via the Hillsdale Senior Center were not acceptable.

Mr. Dennis Wainscott, 34 Garden Street, voiced support for the planned road improvements in the Vine-Garden-Mead Street area. Mr. Wainscott also indicated the need for Council to be more forthcoming with the information related to the Hart v Hillsdale County, et al lawsuit.

Mr. Richard Wunsch stated a city-operated transportation service should have operating hours throughout the entire day, and should not stop service during the lunch hour.

Council Comments

Council Member Bell discussed the closing of the Litchfield Power Plant and the negative impact EPA regulations had on the decision to close the plant. Council Member Bell voiced support for the Road Funding Committee, but objected to any new taxes to support additional road improvements. Council Member Bell also requested the Council Rules be amended to restrict the changes that could be allowed to the Council agendas prior to the meeting. Council Member Bell then discussed the Hart v Hillsdale County, et al lawsuit and noted the Council Members should have been briefed on the lawsuit in a timely manner.

City Clerk French noted he, and other city staff members, had been served in regards to Hart v Hillsdale County, et al on April 14, 2016 and not in January, which had been alleged by a number of speakers at the meeting.

Council Member Flannery noted May 2016 was "Foster Care Month" in the State of Michigan and discussed the need for foster care support in Hillsdale County.

Council Member Bell discussed the concerns raised by Mr. Poston and the Dial-A-Ride service. City Manager Mackie stated city staff had reviewed various options related to Mr. Poston's concerns, but noted the Dial-A-Ride service could not meet everyone's needs all of the time. Council Member Bell also discussed the issue regarding 48 Greenwood Street and the difficult situation that was created.

Mayor Sessions requested Council Members return their completed City Manager evaluations to him by Thursday, May 19, 2016 at 4:00 p.m.


Adjournment

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

The meeting adjourned at 8:26 p.m.



Scott M. Sessions, Mayor



Stephen M. French, City Clerk