

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

June 16, 2014
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 Scott Sessions opened the meeting with the pledge of allegiance.

Roll Call

Mayor Scott Sessions called the meeting to order with the following Council members present: Council members Brian Watkins and Adam Stockford representing Ward One; Council members Sally Kinney and Timothy Wells representing Ward Two; Councilmember Bruce Sharp representing Ward Three; and Council members Mary Beth Bail and Patrick Flannery representing Ward Four.

Ward III Councilperson Stack-Davis absent.

Also present were City Manager Linda Brown, City Attorney Lewis Loren, Deputy Clerk Michelle Loren, Bonnie Tew (City Finance), Kay Freese (HR), Judy Buzo (Dial-A-Ride), Rick Rose (BPU), Jum Drews II, Jane Engelhart, Linda Hartley, Alan Beeker (Planning/Zoning), Julie Beeker, Jeff King, Andy Barrand (HDN), Russ Martin (WCSR).

Approval of Agenda

Motion by Councilperson Watkins, supported by Councilperson Kinney, approve the agenda of the June 16, 2014 regular meeting.

All ayes.

Motion carried.

Public Comment

None

Consent Agenda

- A. Approval of Bills from claims of June 5, 2014; Claims of \$200,000; Payroll of \$88,164.40.
- B. Committee Reports: None
- C. Council Minutes of June 2, 2014
- D. Budget Amendments

Councilperson Stack-Davis arrived at 7:05p.m.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve the Consent Agenda as presented.

Roll call: Councilpersons Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Bail – yes.

Approved 9-0.

Motion carried.

Communications and Petitions

Motion carried.

Introduction and Adoption of Ordinances/Public Hearings

- A. Public Hearing – IFT Metallist, Inc. City Manager Brown reported that at the May 19, 2014 meeting, Council set June 2, 2014 as the date to hold a public hearing to allow public input regarding the application of Metallist, Inc. for an Industrial Facilities Tax Exemption. City Manager Brown reported that the EDC Review Committee met and reviewed the application and recommend Council approve the requested transfers. Information from the Assessor was also presented.

PUBLIC
HEARING
IFT.
METALLIST
INC
APPROVED

Mayor Sessions opened the hearing to receive comment from the public; none was made.

Motion by Councilperson Flannery, supported by Councilperson Sharp, to adopt Resolution #3176 approving an Industrial Facilities Tax Exemption to Metallist, Inc. for 12 years. Roll call: Councilpersons Flannery – yes; Kinney – yes; Sharp – yes; Stackford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

RES.
3176

Approved 9-0.

Motion carried.

Unfinished Business

- A. Local Streets Maintenance: None
- B. Code Enforcement. City Manager Linda Brown reported on the nuisance properties at 17 Ludlam and 55 S. Broad. City Manager Brown reported cleanup had been done on at 17 Ludlam to eliminate the odor and also stated that an individual has approached the City with the desire to buy the property at 17 Ludlam with the intention of demolishing the current residence. City Manager Brown explained that the citations will remain with the property after the sale and the new owners will have to abide by Council's orders for teardown.

CODE
ENFORCE-
MENT
17 LUDLAM ST

City Assessor Kim Thomas reported that, in regard to 55 S. Broad St., the owner had made contact with her office since the teardown order was made. The owner states she does not want the residence demolished and would like to make arrangements to make the necessary repairs. Ms. Thomas advised the teardown order remained in effect. The homeowner had a deadline of June 20, 2014 to pull permits for teardown. Ms. Thomas requested Council grant permission for her office to move forward and seek bids from contractors for teardown.

55 S. BROAD
ST.

Councilperson Watkins inquired about how the tax lien works in regard to these properties. City Manager Brown explained the lien would remain until the sale of the house. Kim Thomas went further to say that those taxes owed would roll over to the County, the City would receive reimbursement through the tax settlement in March, 2015. The lien would then remain with the property at the County level.

Further discussion initiated by Councilperson Stack-Davis regarding cost effectiveness of demolition sooner than later and timelines for demolition and receipt of tax liens and responsibility and accountability of out of state property owners.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to go out for bid for demolition to the property at 55 S. Broad St. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – no; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

Approved 8-1.

Motion carried.

Motion by Councilperson Watkins to amend the preceding motion to include obtaining a court order for demolition on the 55 S. Broad St. property. Roll call: Councilpersons Sharp – yes; Stockford – no; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

Approved 8-1.

Motion carried.

Councilperson Stockford expressed his displeasure with the current code enforcement process siting it as overzealous. Mr. Stockford expressed Code Enforcement should concentrate on the larger blight issues rather than paint peeling and other lesser issues. Councilperson Stack-Davis agreed and gave an example within her neighborhood as well. City Manager Brown and Councilperson Watkins both gave explanation of the history of code enforcement within the City.

Lengthy discussion ensued. Further explanation was given by Alan Beeker and Kim Thomas as to code enforcement procedure. The department is very willing to work with residents as long as progress is being made toward necessary improvements and if the resident makes contact with the code enforcement office to make such arrangements. Discussion covered an array of topics regarding code enforcement and expectation of home owners within city limits.

- C. Clerk/Treasurer Duties and Hours. City Manager Brown reported that she had conversation with the legal department at the Bureau of Elections. Given the recurring turnover of the Clerk's position, they strongly recommend the City move, by charter, that Council begin appointing people into both the clerk's and treasurer's (at the very least the clerk's position) positions to fill vacancies. Both positions hold very important roles within the City, and with the way Charter is at this time, the City is left in a compromising position when the elected official terminates before the term is filled.

CLERK & TREASURER DUTIES & HOURS

The history of the change in charter prohibiting Council from appointing a replacement of a resigned elected official until the next regular election was discussed at length. Pros and cons and legalities were discussed as well as procedure for proposing ballot language for the November election.

Mayor Sessions requested a meeting of the Ordinance and Governance Committee be held in order to bring everyone up to speed on this topic, discuss and recommend a direction for Council to take regarding the matter of possible appointments of the clerk and treasurer.

Old Business

None

New Business

- A. Ordinance Amendments. City Manager Linda Brown reported to Council the Planning Commission had been working on various ordinance changes within Chapters 26 and 36 of the City of Hillsdale Code of Ordinances. City Manager Brown asked that Council set July 7, 2014 at 7:00 p.m. as the time and date for a hearing on the proposed amendments.

ORDINANCE AMENDMENTS PC CHAPTERS 26 & 36 CODE OF ORDINANCES TO HOLD HEARINGS

Motion by Councilperson Stack-Davis, supported by Councilperson Stockford, to receive the proposed amendments, set July 7, 2014 at 7:00 p.m. as the time and date for a public hearing and authorization for publication.

All ayes.

Motion carried.

- B. Contract for Professional Engineering Services RS&H Michigan, Inc. - Airport. City Manager Linda Brown presented Council had recently entered into a contract with MDOT Aeronautics to fund the engineering for the entrance road and partial parallel taxiway. City Manager Brown presented Council with the engineering contract for such services with RS&H Michigan, Inc.

PROFESSIONAL ENGINEERING SERVICE RS&H MICHIGAN INC - AIRPORT CONTRACT APPROVED

Motion by Councilperson Stockford, supported by Councilperson Bail, to approve the contract with RS&H Michigan, Inc. and authorized signatures by the Mayor and Clerk. Roll Call: Councilpersons Stockford - yes; Watkins - yes; Wells - yes; Mayor

Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes.

Approved 9-0.

Motion carried.

- C. Granicus. City Manager Brown stated that, during budget discussion, the cost and need of Granicus was brought up. The cost per year is \$12,000.00 and is on a month to month basis. City Manager Brown asked that Council give authorization to discontinue Granicus services.

Councilperson Watkins stated he had been doing some research on alternatives for live streaming meetings and shared his findings with Council. Discussion followed and all of Council agreed on the importance of transparency and the desire to continue live streaming council meetings was shared. Councilperson Stack-Davis suggested that, for the next month or so, committee meetings be held in Council Chambers in order to record them on Granicus.

DISCUSSION ON GRANICUS & FEES

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to refer the matter to the Communications Committee for further discussion and recommendation. Roll call: Councilpersons Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes.

Approved 9-0.

Motion carried.

- D. City of Hillsdale Clean Water State Revolving Fund Project Plan (Resolution). City Manager Linda Brown reported that presentation had been made by Fleis & Vandenbrink at a meeting held on Tuesday, June 10, 2014. At that time, five (5) proposals were presented regarding how the required improvements at the wastewater treatment plant must be made. Following explanations and a public hearing, the Board of Public Utilities chose Alternative #4 as the adopted plan and asked that Council do so as well and adopt the plan by resolution.

CLEAN WATER STATE REVOLVING FUND PROJECT PLAN

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to adopt Resolution #3177 approving the plan and naming Nate Rusk, BPU System Manager, as the authorized representative for all activities associated with the referenced project. Roll call: Councilpersons Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes.

RESOLUTION #3177

Approved 9-0.

Motion carried.

- E. Contract for Brush Grinding and Removal. City Manager Brown presented Council with a proposed contract for VanBrunt Transport, Inc. to perform brush grinding and removal of brush and the DPS compost site. Questions were asked and answered regarding the necessity of this service.

BRUSH GRINDING & REMOVAL VANBRUNT TRANSPORT INC CONTRACT APPROVED

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve the contract for brush grinding and removal by VanBrunt Transport, Inc. in the amount of \$11,650.00 and authorize signatures by the Mayor and Clerk. Roll call: Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes.

Approved 9-0.

Motion carried.

- F. Great American Parade. City Manager Linda Brown stated that, as in years past, the Great American Parade is planned to be held on July 3rd in conjunction with the All American Celebration held at the fairgrounds. City Manager Brown further stated the required Temporary Traffic Control Order had been prepared by police staff and

GREAT AMERICAN PARADE APPROVED

a right-of-way permit had been issued authorizing barricades to be dropped off and picked up. The All American Celebration Committee provided a copy of the Agreement with the company conducting the fireworks display and the required insurance as well as the permit issued by the State's Department of Licensing & Regulatory Affairs.

Great American Parade representative, Aimee England gave Council an overview of the events.

Motion by Councilperson Stockford, supported by Councilperson Kinney, to approve the Great American Parade and the fireworks display and authorize the Mayor and Clerk's signatures on all required documents. Roll call: Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp- yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes.

Approved 9-0.

Motion carried.

- G. Hillsdale Business Association Cruise-in – Agreement for Use/Portion of Street. City Manager Brown reported the Hillsdale Business Association requested permission to use certain streets in connection with its annual cruise-in schedule for June 20, 2014. The required Temporary Traffic Control Order has been issued by Chief Gutowski and a right-of-way permit issued by DPS Director Keith Richard. City Manager Brown presented Council with a Use Agreement for their approval.

HILLSDALE
BUSINESS
ASSOCIATION
CRUISE-IN
AGREEMENT
APPROVED

Motion by Councilperson Stockford, supported by Councilperson Watkins, to approve the event and authorize the Mayors and Deputy Clerk's signatures subject to legal approval. Roll call: Councilpersons Stack-Davis – yes; Flannery – yes; Kiney –yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilperson Bail – yes.

Approved 9-0.

Motion carried.

Miscellaneous

None

General Public Comment

Jeff King, Cambria Township, stated he knew of several different alternatives to Granicus and was willing to share his information.

JEFF
KING

Jim Drews, Drews Realty, stated he hoped Council will not back off code enforcement.

JIM DREWS

Council Comment

Councilperson Stack-Davis reminded everyone the Public Services meeting would be held at the Dial-A-Ride location. This led to discussion with and a reminder by City Attorney Loren regarding OMA violations and using caution when Council members meet in numbers outside of Council. City Attorney Loren advised "be cautious and prudent".

Councilperson Watkins mentioned the need for the no smoking signs to be posted at Sandy Beach.

Adjournment

Motion by Councilmember Watkins, seconded by Councilmember Stockford, to adjourn.

Motion carried.

9:58 p.m.

Scott M. Sessions
Scott M. Sessions, Mayor

Michelle Loren
Michelle Loren, Deputy City Clerk