

CITY COUNCIL MINUTES

City of Hillsdale
 June 20, 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 Timothy Dixon, Ward 2 Bruce Sharp, Ward 3 Matthew Bell, Ward 4 Patrick Flannery, Ward 4
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Council Members absent:	None
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Also present were: City Manager David Mackie, City Clerk Stephen M. French, City Attorney John Lovinger, City Attorney Tom Thompson, Finance Director Bonnie Tew, Kay Freese (HR), Police Chief Scott Hephner (HCPD), Jake Hammel (DPS), Mike Barber (BPU), Michelle Loren (Recreation Dept.), John Spiteri, Mary Smith, Martha Smith, Ray Warren, and Penny Swan.

Approval of Agenda

Council Member Bell, seconded by Council Member Flannery, moved to approve the June 20, 2016 agenda as presented. By a voice vote, the motion carried unanimously.

Public Comment

No comments were offered.

Consent Agenda

- A. Approval of Bills from claims of June 2, 2016
 - 1. Payroll: \$ 93,015.42
 - 2. Claims: \$ 134,458.03
- B. May 2016 Financial Reports
- C. City Council Meeting Minutes of June 6, 2016
- D. Hillsdale Policy Group Progress Report – May 2016
- E. Checker Records Annual Street Dance – August 6, 2016
- F. Downtown Hillsdale Sidewalk Sales – July 16, 2016
- G. Risner Family Park Use Agreement – Mrs. Stock's Park
- H. 2016 Magic Ride/Walk – 5K Run

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

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

Council Member Watkins	Aye
Mayor Sessions	Aye

Motion passed 7-0.

Communications/Petitions

There were no communications or petitions received by Council.

Introduction and Adoption of Ordinance/Public Hearing

A. Public Hearing for Qualite Sports Lighting, LLC IFT Transfer Application

Mayor Sessions opened a public hearing to receive comments regarding a request from Qualite Sports Lighting, LLC to transfer two Industrial Facilities Tax (IFT) Exemption Certificates that had been previously granted to Recreation Creations, Inc.

No public comments were offered.

Mayor Sessions closed the public hearing.

Council Member Watkins, seconded by Council Member Bell, moved to adopt Resolution 3286 "A Resolution Authorizing a Transfer of Two Industrial Facilities Exemption Certificates for Qualite Sports Lighting, LLC."

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

Motion passed 7-0.

Unfinished Business

There was no Unfinished Business.

Old Business

A. Change Order with BS&A Software

City Manager Mackie reviewed a staff recommendation to approve a change order with BS&A Software in the amount of \$9,215 for continued integration between the BPU and City of Hillsdale financial software packages. City Manager Mackie noted the change ordered included data conversion that was necessary between the old software system and the new BS&A system. City Manager Mackie stated that if the training was not utilized, the Change Order costs would be reduced accordingly.

Council Member Flannery, seconded by Council Member Watkins, moved to approve a change order with BS&A Software in the amount of \$9,215 for continued integration between the BPU and City of Hillsdale financial software packages.

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

Council Member Watkins	Aye
Mayor Sessions	Aye

Motion passed 7-0.

B. BPU - Repairs to Generators #5 & #6

BPU Director Barber reviewed a recommendation from the BPU Board to continue the repairs to Generators #5 & #6 and authorize the expenditure of up-to \$400,000 for the second year of the three-year project. Director Barber stated the allocation would allow the project to continue through the new budget cycle without an interruption in repairs. Director Barber indicated the scope of services included the installation of a cooling tower application, electrical testing of Generator #5 and controls, continued repairs to Generators #5 & #6, completion of the installation of emission monitoring equipment, and EPA emission tests and MISO capacity testing.

Responding to a question from Council Member Bell, BPU Director Barber stated the entire project was on-target to be approximately \$200,000 under budget.

Council Member Watkins, seconded by Council Member Flannery, moved to approve a recommendation from the Hillsdale Board of Public Utilities to authorize the budgeted amount of \$400,000 to continue with the repairs to Generators #5 & #6.

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

Motion passed 7-0.

C. One-year Task/Action Plan

Police Chief Hephner presented the final draft of the "One Year Task/Action Plan" that had been initially presented to Council at the May 16, 2016 meeting. Chief Hephner noted the plan centered on four, major goal areas that included:

1. Infrastructure Improvements
2. Strengthen Sense of Community
3. Destination – Vibrant Downtown
4. Economic Development

Council Member Watkins stated the March meetings were very beneficial, at which the Strategic Plan was developed following discussions with staff and City Council. Council Member Watkins voiced support for the action plan as presented.

City Manager Mackie noted monthly discussions would be held to review the implementation objectives that were included within the Action Plan.

Council Member Bell thanked City Manager Mackie for implementing the changes that had been requested. Council Member Bell voiced support for the Action Plan.

Council Member Stockford advocated for the approval of the Action Plan and commented the document was presented in a very professional manner.

Mayor Sessions also voiced support for the document and thanked everyone who was involved with the development of the Strategic Plan.

Council Member Flannery, seconded by Council Member Sharp, moved to approve the one-year Task/Action Plan as the next step for implementation of the City of Hillsdale 2016-2021 Strategic Plan.

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

Motion passed 7-0.

New Business

A. Resolution 3287: A Resolution for Designation of Street Administrator - Michigan Department of Transportation

City Manager Mackie stated a resolution was necessary to appoint Department of Public Services Director Jake Hammel as the Street Administrator of the City of Hillsdale. City Manager Mackie stated the designation would allow Mr. Hammel to represent the city in all transactions with the Michigan Department of Transportation (MDOT) in accordance with Section 13 of Public Act 51.

Council Member Bell, seconded by Council Member Dixon, moved to adopt Resolution 3287 "A Resolution for Designation of Street Administrator - Michigan Department of Transportation."

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

Motion passed 7-0.

B. Resolution 3288: A Resolution to amend the MERS Defined Benefit Plan Adoption Agreement

City Manager Mackie reported that in the 1990's, the city's pension system had realized a surplus during a period of economic growth, which allowed the city to reduce the employee's contribution to the system from 5% to 3%. City Manager Mackie reported that due to the market downturn during the Great Recession, the pension system had experienced a large unfunded mandate, while the employee contributions had remained at 3%.

City Manager Mackie continued that to help address the pension liability, staff had recommended that the employee contribution be increased from 3% to 4% in FY2017 and from 4% to 5% in FY2018. City Manager Mackie indicated this increase would not affect the police union, as this contribution was included was a negotiated benefit.

Council Member Watkins, seconded by Council Member Flannery, moved to adopt Resolution 3288: "A Resolution to amend the MERS Defined Benefit Plan Adoption Agreement."

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

Council Member Watkins	Aye
Mayor Sessions	Aye

Motion passed 7-0.

C. Resolution 3289: A Resolution to approve the use of the City of Hillsdale volunteer services agreement and to allow the City Manager to sign the individual agreements on behalf of the City

Council Member Dixon questioned what individuals or service groups would be affected by this policy change.

City Attorney Thompson responded that the use of the proposed volunteer service agreement would be used at the discretion of the City Manager. Attorney Thompson stated the agreement was drafted to outline the city's expectations of the volunteer and details of personal conduct, safety precautions, and other stipulations between the city and the volunteer. Attorney Thompson stated Council Members were being asked to approve the proposed volunteer agreement and also authorize the use of the agreement at the discretion of the City Manager.

Responding to a question from Council Member Dixon, Attorney Thompson stated the agreement would provide additional protections to the city that may not be provided under governmental immunity, including such issues as worker's compensation claims.

Council Member Bell indicated the proposed agreement may deter citizens from volunteering for the City of Hillsdale. Council Member Bell noted the city had never been sued by a volunteer, and questioned the need for the agreement.

Council Member Sharp noted that society had become very litigious and the city needed to protect itself from injuries or damages done by volunteers. Council Member Sharp noted similar warnings were printed on the ticket stubs to baseball games to protect the teams from suits resulting from foul balls, etc.

Council Member Stockford questioned the need for a criminal background check for each volunteer. Attorney Thompson stated the city's current policy allowed some discretion on the use of a background check for some volunteers and not for others. Attorney Thompson stated background checks were required for volunteer baseball coaches, while other volunteers were not subject to those reviews.

Council Member Watkins argued the effort to complete the "Volunteer Services Agreement" form was fairly simple and straight-forward and should not deter a person from volunteering their time to the city.

Attorney Thompson noted the agreement would require a volunteer's actual signature and the placement of the volunteer provisions as a notice on the city's web-site or other public posting, would not suffice as ample notice.

Council Member Stockford questioned if citizens serving on advisory boards or commissions would be required to sign the volunteer agreement. Attorney Thompson stated the policy, as drafted, would allow the City Manager the discretion to require this agreement or not.

City Attorney Thompson stated the proposed agreement provided the best protection of the city from liability when accepting services provided by volunteers.

Council Member Flannery voiced support for the recommendation and stated his employer, Hillsdale College, required similar agreements with their volunteers.

City Attorney Thompson stated the City Charter and the form of the city government, authorized the City Manager to administer the city administrative staff, including the implementation of this agreement. Attorney Thompson stated Council did not have to adopt specific guidelines to direct the City Manager when to, or when not to, utilize the volunteer agreement.

Council Member Dixon recommended the resolution be tabled for one month until further clarification could be obtained regarding the discretionary use of the agreement form.

Council Member Bell, seconded by Council Member Flannery, moved to refer this item to the Operations and Governance Committee for further review and discussion. By a voice vote, the motion carried unanimously.

D. FY2016 Budget Amendments

Council Member Watkins, seconded by Council Member Flannery, moved to approve the staff recommended FY2016 budget amendments, as presented.

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

Motion passed 7-0.

E. Roofing Materials Installation and Removal of Warning Siren

Department of Public Services Director Hammel reviewed a staff recommendation to approve a contract in the amount of \$15,640 with Braman Roofing Company for the installation of new roofing materials on City Hall, as well as the removal of the warning siren that was inoperative.

Council Member Watkins questioned if the city could donate the warning siren to the Hillsdale Historical Society or similar organization, considering the age of the equipment. Director Hammel stated the intention was to remove the siren in one piece and transport it to the Public Services yard for the immediate future. Director Hammel stated he would discuss the donation of the siren with various groups.

Council Member Watkins, seconded by Council Member Stockford, moved to approve a contract in the amount of \$15,640 with Braman Roofing Company for the installation of new roofing materials on City Hall, as well as the removal of the warning siren that was inoperative.

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

Motion passed 7-0.

Miscellaneous

- A. Appointments
1. Election Commission

Mayor Sessions requested the appointments to the commission be tabled until the July 18, 2016 Council Meeting due to the absence of completed application forms in the Council packet.

City Clerk French voiced concern at Council's decision to require completed applications for board and commission volunteers following Council's discussions of the volunteer service agreement form. Clerk French noted that if Council felt the service agreement form would deter citizens from volunteering, an application form may result in similar reactions from citizens seeking to serve on boards and commissions.

Council Member Flannery voiced concern at the appointment of two, immediate family members to the three-member board.

It was the consensus of Council to continue the practice of obtaining completed application forms for all boards & commission candidates.

Council Member Bell, seconded by Council Member Stockford, moved to table until the July 18, 2016 meeting, appointments to the Election Commission. By a voice vote, the motion passed unanimously.

B. City Manager's Report

City Manager Mackie reported on the following:

1. Hillsdale College had recently donated a mini-van to the Hillsdale Municipal Airport to be used as a courtesy vehicle for the airport's visitors. City Manager Mackie stated a thank you letter would be sent to the College in the upcoming days.
2. Sandy Beach continued to be very busy during the early summer weeks, taking in over \$3,000 during each weekend.
3. The city continued to receive nominations for the FAIR (Funding Alternatives – Identification and Recommendation) committee membership. City Manager Mackie requested citizens who wished to serve on this committee contact either his office or the City Clerk's Office.
4. The Teamsters union contract had recently been ratified by their membership.
5. City Manager Mackie stated when additional information was received by the city regarding the unfunded pension liabilities, he would meet with city employees to discuss options to address this funding shortfall.

Council Member Flannery questioned if the structure on East Sharp Street, which had been damaged by a recent fire, would be demolished. Police Chief Hephner stated the property owner's insurance carrier is obligated to send a payment to the City of Hillsdale to ensure demolition or renovation occurs following a fire.

Council Member Bell also encouraged the installation of "No Smoking" signs at the Sandy Beach area. Chief Hephner stated five, new signs had been installed and staff has discussed proper enforcement of the ordinance. Chief Hephner stressed all city parks were tobacco-free areas.

General Public Comment

Ms. Mary Smith, 48 Greenwood Street, stated she was disappointed that the city continued with plans to demolish the remaining structures on her Greenwood Street property. Ms. Smith stated her intention was to keep the foundation of her former home on the property and construct a new roof on the foundation.

Chief Hephner stated the "No Parking" signs had been removed from the Fields of Dreams Park on the south side of the entrance drive. Chief Hephner stated city staff would continue to monitor the parking situation at that location.

Council Comments

Council Member Sharp thanked DPS Director Hammel for improvements to the bicycle paths and to Sandy Beach. Council Member Sharp noted the Public Safety Committee had met and discussed a variety of topics, including the dramatic increase in Fire Department calls for service, many of which were for medical emergencies.

Council Member Watkins also commended Department of Public Services Director Hammel for the many improvements to the department.

Council Member Bell thanked Chief Hephner for the response to the parking concerns at Fields of Dreams. Council Member Bell also requested if any progress had been made regarding the situation at 48 Greenwood Avenue.

City Manager Mackie reported city staff had met with Ms. Smith regarding 48 Greenwood Street; however, no resolution had been made regarding the blighted conditions or planned improvements to the site. City Manager Mackie noted complaints about the property had been received by the city beginning in 1997.


Adjournment

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

The meeting adjourned at 8:47 p.m.



Scott M. Sessions, Mayor



Stephen M. French, City Clerk