

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

July 7, 2014  
7:00 p.m.  
(517)437-6441  
[www.cityofhillsdale.org](http://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; Council members Emily Stack-Davis and Bruce Sharp representing Ward Three; and Council members Mary Beth Bail and Patrick Flannery representing Ward Four.

Also present were City Manager Linda Brown, City Attorney Lewis Loren, Deputy Clerk Michelle Loren, Kay Freese (HR), Rick Rose (BPU), Kim Thomas (Assessor), Alan Beeker (Planning/Zoning), Julie Beeker, Jane Stewart, Tim Groves, Denny Groves, Donald Swope, Barb Groves, John Spiteri, Jeff King, Scott Hephner (HCPD), Jane Englehart, Andy Barrant, Shirley VanArtsdalen, Christine Bowman, Tim Bowman, Laura Smith, Pat Ransford, Marion Griffiths, David Griffiths, Rick Roth, Joe Sanford, LeAnn Beckwith (Library), Mary Cooley, Bill Cooley, Anne Fike, Scott Phillips, Megan Gollnick, Richard Smith, Karen Hill, Steve Vear, James Scheibner, Eric Macy, Mary Wolfram (Economic Development), Cec Mead, Glen Ziegler, Fred Fowler, Shirley Fowler, Jim Drews, Tony Ginolfi, Kevin Pauken.

A press release was made by Mayor Scott Sessions regarding the health of City Manager Linda Brown and her need for a medical leave of absence in the next few months. Mayor Sessions stated that, with Council's approval, City Manager Brown has reached out to City of Litchfield Manager Doug Terry to assist before and after her absence in order to maintain continuity of government.

PRESS  
RELEASE  
CIM  
HEALTH

### Approval of Agenda

Mayor Sessions requested *Item C. Doug Terry, Litchfield City Manager* and *Item D. Charter Amendment Ballot Language regarding City Clerk and City Treasurer.*

Motion by Councilperson Watkins, supported by Councilperson Stockford, to approve the agenda of the July 7, 2014 regular meeting.

All ayes.

Motion carried.

### Public Comment

Jeff King, Cambria Township addressed Council regarding the Airport Manager's contract.

Donald Swope, addressed Council regarding the property at 55 S. Broad St.

Fred Fowler, Adams Township Supervisor, addressed Council regarding brush clean up at the airport.

Shirley VanArtsdalen, expressed her concern and condolences for City Manager Brown.

### Consent Agenda

- A. Approval of Bills from claims of June 19, 2014; Claims of \$133,446.04; Payroll of \$88,510.50.
- B. Committee Reports:
  1. BPU Minutes of June 10, 2014
  2. Finance Minutes of March 17, 2014, April 28, 2014, May 27, 2014 & June 23, 2014.
  3. Public Services Minutes of June 17, 2014
  4. Communications Minutes of June 26, 2014
- C. Council Minutes of June 16, 2014

D. Budget Amendments

Motion by Councilperson Sharp, supported by Councilperson Stack-Davis, 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**

- A. John Spiteri, Checker Records requested Council’s approval for the 6<sup>th</sup> Annual Checker Records Street Dance to be held August 9, 2014 from 4:00 p.m. to 11:00 p.m. and to request a street closure on Howell Street, use of street barricades and trash barrels.

JOHN SPITERI  
CHECKER  
RECORDS  
STREET  
DANCE  
APPROVED

Motion by Councilperson Stack-Davis, supported by Councilperson Watkins, to approve the 6<sup>th</sup> Annual Checker Records Street Dance on August 9, 2014. Roll call: Councilpersons Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

Approved 9-0.

Motion carried.

- B. Jane Stewart, Smith’s Flowers, requested Council’s approval for the Hillsdale Business Association to hold their Summer in the City Festival on Friday, July 11 and Saturday, July 12, 2014. Ms. Stewart requested specific street closures as stated in the Right of Way , use of barricades and trash barrels be provided by the City.

JANE STEWART  
HBA  
SUMMER  
IN THE  
CITY EVENT  
APPROVED

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve the HBA Summer in the City Festival and the requests as stipulated in the approved Right of Way Permit. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

Approved 9-0.

Motion carried.

- C. Litchfield City Manager Doug Terry introduced himself to Council and attendees and welcomed questions and comments from Council.

LITCHFIELD  
CM  
DOUG  
TERRY  
INTRODED  
HIMSELF

**Introduction and Adoption of Ordinances/Public Hearings**

- A. Zoning Ordinance Amendments.

Mayor Sessions opened the public hearing regarding Zoning Amendment to Chapter 36, Section 36-32. Zoning Administrator Duties; an amendment to replace language referring to the “building inspector” with “zoning administrator. No public or council comments were made. Mayor Sessions closed the public hearing.

PUBLIC  
HEARINGS:  
ZONING  
AMEND-  
MENT  
CHAPT. 36,  
SEC 36-32.  
ORD #  
2014-1

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve Ordinance #2014 1 to amend Chapter 36, Section 36-32 Zoning Administrator Duties. Roll Call: Councilpersons Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

Approved 9-0.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36, Section 36-34. Zoning Compliance Permit. An amendment to define a zoning compliance permit and when it is required. There was no public comment. Mayor Sessions opened the floor for Council comment. Council person Wells asked for clarification and definition of a zoning compliance permit. Planning and Zoning Administrator provided Mr. Wells with clarification. Mayor Sessions closed the public hearing.

PUBLIC  
HEARING  
ORDINANCE  
#2014-2  
APPROVED

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve Ordinance #2014-2 to amend Chapter 36, Section 36-34 Zoning Compliance Permit. 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.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36-681 Fences. An amendment to replace the existing fence definition and requirements with a more comprehensive description. Seeing no public comment, Mayor Sessions opened the hearing for council comment. Councilperson Stockford questioned the possibility of grandfathering those fences already in place. Zoning Administrator explained that until a resident had to rebuild or make repair to 50% or more of a fence, fences currently in place would remain in place. Mr. Beeker stated the requirements speak largely to fences within commercial districts. Mayor Sessions closed the public hearing.

PUBLIC  
HEARINGS  
CHPT 36-681

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve Ordinance 2014-3 to amend Chapter 36, Section 36-681 Fences. Roll call: Councilpersons Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – no; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – no.

ORD#  
2014-3  
APPROVED

Approved 7-2.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36, Division 15.C-1 College District; an amendment to giving definition and allowance for fraternities and sororities. Mayor Sessions opened the hearing for public comment.

Public  
HEARINGS  
CHPT 36,  
DV. 15.C-1

Resident Marion Griffiths, 258 Union St., expressed her approval of the inclusion of language referring to the intent of the zoning district to preserve the unique character and quality of the physical environment of this area of the city.

BACK TO  
P.C.

Pat Ransford, 250 Union St., expressed her agreement with Marion Griffiths but encouraged Council not to vote for the amendment.

David Griffiths, 258 Union St., expressed his support of the passing of this amendment.

Councilperson Flannery asked Alan Beeker for clarification in regard to the definition of unique character and quality of the physical environment.

Councilperson Stockford made comment the language is too vague and had the potential to become over reaching.

Councilperson Stack-Davis asked for clarification in regard to the intent of the amendmended language. Mr. Beeker explained the intent is solely to ensure that the character of the buildings and additions within the district.

Councilperson Watkins stated that although much of the C-1 District is owned by the College, not all properties are and those homes need to uphold these same expectations and hoped no one saw this as targeting the College.

After much discussion, a motion was made by Councilperson Stack-Davis, supported by Councilperson Flannery, to send this particular amendment back to the Planning Commission. Roll call: Councilperson Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – no.

Approved 8-1.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36, Division 4, RM-1 Multiple-Family District. After no public comment was made, Mayor Sessions opened the hearing for council comment.

PUBLIC  
HEARINGS  
CHPT 36  
DIV 4,  
RM-1  
TABLED

After very long discussion and deliberation, Councilmember Watkins stated it appeared Council did not have the opportunity to properly review the information needed in order to

make proper determinations regarding the proposed amendments. Laura Smith of the Planning Commission suggested tabling the remaining amendments until Council could review the necessary information.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to recess the public hearings on the remaining zoning ordinance amendments to the next regular meeting. Roll call: Mayor Sessions – yes; Councilpersons Bail – no; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes.

Approved 8-1.

Motion carried.

### Unfinished Business

- A. Local Streets Maintenance: None
- B. Code Enforcement.
- C. Clerk/Treasurer Duties and Hours.

### Old Business

- A. 55 S. Broad Street – Request from Property Owner to Remove Order to Demolish. Mayor Sessions gave an overview of the history of the property maintenance and tax delinquency at 55 S. On May 19, 2014 Council passed a resolution declaring the property a public nuisance and ordered the structure demolished. Since that time the owner has contracted with a property manager and has taken steps in an attempt to save the structure from demolition. City Assessor/Code Enforcement Supervisor, Kim Thomas recommended Council lift the order with very specific conditions which were presented to Council. Property Manager Donald Swope, DMS Construction, addressed Council regarding the steps he is taking in overseeing that the proper work is done to the home in a timely manner.

SSS.  
BROAD  
ST.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to lift the demolition order and allow Kim Thomas to negotiate a timeline with DMS Construction with the understanding that should any deadlines be ignored, the demolition order will be reinstated. 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.

### New Business

- A. Hillsdale Community Library – New integrated Library System. Library Director LeAnn Beckwith reported that the Follett Circulation Plus ILS purchased in 1994 was no longer serviceable on computers with operating systems beyond Windows XP making migration to a new system imperative. Ms. Beckwith reported that, after two years of fundraising, the Library had secured the fund to purchase a new ILS, Verso by Auto Graphics. The Hillsdale Community Library Board approved the Auto Graphics Contract at its May 22, 2014 meeting. City Manager Linda Brown recommended Council approve the contract as well and authorize the Mayor and Deputy Clerk's signatures.

CONTRACT  
LIBRARY-  
ILS, VERSO  
BY AUTO  
GRAPHICS  
APPROVED

Motion by Councilperson Watkins, supported by Councilperson Stockford, to approve the Auto Graphics contract and authorize signatures by the Mayor and Deputy Clerk. Roll call: Councilpersons Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilperson Bail – yes.

Approved 9-0.

Motion carried

- B. Planning Commission Annual Report 2013. As per the City of Hillsdale Planning Commission Bylaws, Section XV, the Planning Commission must prepare an annual report. Planning Administrator Alan Beeker presented Council with the 2013 Planning Commission Annual Report.

No action taken.

- C. Airport Manager Contract. A memo by City Manager Linda Brown stated that after extending the airport manager's contract, certain portions of the contract were able to be

MGR.  
AIRPORT  
CONTRACT  
TABLED

worked out. A portion of the contract is now dedicated to a lease agreement regarding certain areas to be leased by Hillsdale Aero to conduct the fixed base operation. This language being necessary as the City cannot allow publicly owned property to be used for private purposes/businesses. Square footage and value of the property being used was established. Mr. Scheibner will be responsible for the lease payment but it will be paid through the revenues generated by fuel sold and hangar rental.

Discussion regarding fuel prices and insurances ensued. City Attorney Loren suggested once again holding off contract approval until these issues can be discussed with City Manager Brown.

Motion by Councilperson Watkins, supported by Councilperson Stockford, to table the approval of the Airport Manager Contract. Roll call: Councilperson Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

Approved 9-0.

Motion carried.

- D. Charter Amendments/Ballot Language – Appointment of City Clerk and Treasurer. Councilperson and O&G Chair, Timothy Wells explained that, after a meeting of the O&G, it was determined that it is necessary for the City to move toward the appointment of a City Clerk and City Treasurer to fill a vacancy should an elected official not be able to complete his/her term. An appointment would hold that office only until the next regular city election. O&G recognized the ramifications for the City (legal and otherwise) in the event of vacancy in the Clerk and Treasurer positions. O&G also recognized the strain of special elections on an already tight budget. Therefore, it was recommended by the Operations and Governance Committee to allow the proposed ballot language to be placed on the November 2014 ballot.

CHARTER  
AMNDMNTS  
BALLOT  
LANGUAGE  
APPT OF  
CLERK &  
TREASURER  
FILL  
VACANCY  
APPT.

Discussion regarding Clerk's duties and salary ensued as well as how the appointment occurs should the proposal pass at the November election.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Resolution No. 3178 amending Section 5.4(b) of the City Charter, filling of a midterm vacancy in the office of the city clerk and approve the ballot language to support. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

APPROVED

RES #  
3178

Approved 9-0.

Motion carried.

Motion by Councilperson Watkins, supported by Councilperson Bail, to adopt Resolution No. 3179 amending Section 5.4(b) of the City Charter, filling of a midterm vacancy in the office of the city treasurer and approve the ballot language to support. Roll call: Councilpersons Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

RES. #  
3179

Approved 9-0.

Motion carried.

### Miscellaneous

- A. Re-appointments as follows:
1. David Foulke, 6 year term to EDC. Term expiring July, 202
  2. Barry Hill, 6 year term to EDC. Term expiring July, 202
  3. David Foulke, 6 year term to Brownfield Redevelopment Authority. Term expiring July, 202
  4. Amanda Janes, 6 year term to Brownfield Redevelopment Authority. Term expiring July, 202

APPT.

Mayor Sessions also requested Councilperson Watkins remain on O&G in an advisory only capacity for a short time to bring new members up to speed.

Motion by Councilperson Kinney, supported by Councilperson Sharp, to approve reappointments as presented.

All ayes.

Motion carried.

**General Public Comment**

Tim Groves addressed Council regarding use and occupancy inspections.

TIM GROVES

Eric Macy updated Council on live streaming information he had gathered.

ERIC MACY

Richard Smith, 63 S. Broad, commented on City inspections and the need for consistency.

RICHARD  
SMITH

Kevin Pauken, Deputy Fire Chief, made comment regarding zoning amendments with regard to housing in RM-1. Mr. Pauken also made suggestions on how to educate and inform people about the city inspection process.

KEVIN  
PAUKEN

Mary Wolfram, Economic Development, gave an update of events being held in the City.

MARY  
WOLFRAM

Fred Fowler, Adams Township Supervisor, commented that Council should consider that the City doesn't need more rules, just sensible enforcement.

FRED  
FOWLER

Cecile Mead also addressed Council regarding inspections. Ms. Mead went on to say the College should be appreciated and worked with.

CECILE  
MEAD

**Council Comment**

Councilperson Sharp stated a Public Safety M

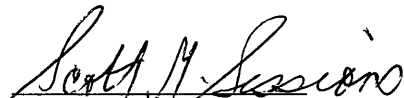
Councilperson Stockford stated he will have banners up welcoming Hillsdale College students and parents.

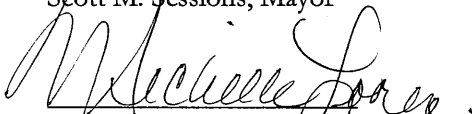
**Adjournment**

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

Motion carried.

9:57 p.m.

  
Scott M. Sessiofis, Mayor

  
Michelle Loren, Deputy City Clerk