

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

September 15, 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 Adam Stockford and Brian Watkins representing Ward One; Councilmember Sally Kinney 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 Attorney Kevin Shirk, Deputy Clerk Michelle Loren, Kay Freese (HR), Bonnie Tew (Finance), Keith Richard (DPS), Rick Rose (BPU), Nate Rusk (BPU), Juday Buzo (Dial-A-Ride), Scott Hephner (HCPD), Jane Engelhart, Kevin Pauken (HCFD), Ruth Brown, Sharon Sheerer (GAMPCO), Doug Terry (City of Litchfield), Cindy Bieszk (owner, Hillsdale Filling Station), Andy Barrand (HDN), Bob Flynn (WCSR), Patty Trevathan, Jeff King, James Scheibner (Airport Manager).

Approval of Agenda

Councilperson Stack Davis requested *Old Business C., Acting City Manager* and add O & G Minutes of September 4, 2014 and September 8, 2014 to the Consent Agenda.

Councilperson Watkins requested *New Business B., Public Safety Committee Recommendations –Purchase of New Police Vehicle*.

Mayor Sessions requested *Old Business Item B. Safety Director/Chief of Police/Fire Chief* and *New Business Item C. No Parking on McCollum*.

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve the September 15, 2014 Agenda as amended.

All ayes.

Motion carried.

Public Comment

Cindy Bieszk, Hillsdale Filling Station, commented on the removal of three parking spaces near her place of business on the north side of McCollum St. Ms. Bieszk stated that she understood why it occurred, but didn't care for how notice was/was not given by the City.

Consent Agenda

- A. Approval of Bills from September 11, 2014; Claims of \$93,066.37; Payroll of \$93,215.01.
- B. Committee Reports:
 1. Finance Minutes of June 23, 2014
 2. Finance Minutes of August 18, 2014
 3. Public Services Minutes of August 19, 2014
 4. Operations and Governance Minutes of September 4, 2014 and September 8, 2014
- C. Council Minutes of September 2, 2014

Motion by Councilperson Watkins, 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; Mayor Sessions – yes; Bail – yes.

Approved 8-0.

Motion carried.

Communications and Petitions

None

Introduction and Adoption of Ordinances/Public Hearings

- A. Public Hearing – GAMPCO IFT Transfer. Mayor Sessions opened the public hearing for comment regarding the transfer of an Industrial Facility Tax Exemption from Scranton Machine Products, Inc. to General Automatic Machine Products Company (GAMPCO). No public comment was made. No council comment was made.

PUBLIC
HEARING
IFT TRANSFER
GAMPCO

Motion by Councilperson Watkins, supported by Councilperson Sharp, to adopt Resolution #3189 granting the transfer of an Industrial Facility Tax Exemption from Scranton Machine Products, Inc. to General Automatic Machine Products Company. Roll call: Councilpersons Flannery, yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

Approved 8-0.

Motion carried.

Unfinished Business

- A. Local Streets Maintenance:

None

- B. Code Enforcement.

The August, 2014 Code Enforcement report was presented to Council with special note made regarding the property at 55 S. Broad St. City Assessor/Code Official Kim Thomas reported the following: A. Owner has set up a payment plan with the County for delinquent taxes and has made one payment. B. Owner has signed a listing agreement with realtor Don Helton but has not supplied him with keys leaving him unable to show the house. C. Donald Swope is no longer the local contact. D. County Treasurer expressed concerns regarding the ability to recoup the special assessment should the City proceed the demolition and the owner is unable to pay the cost before the property is foreclosed for the delinquent taxes.

Alan Becker also reported that he had been in contact with realtor Don Helton and was informed that until a temporary staircase is installed, he will not show the property due to liability. After reviewing the circumstances surrounding this property, Mr. Becker recommended Council reinstate the demolition order.

The report also contained updated information regarding properties 12 Ludlam and 22 Morry.

Discussion ensued regarding 55 S. Broad St. Attorney Kevin Shirk interjected that if Council chose to reinstate the demolition order, they might consider ticketing for failure to abate. Mr. Shirk gave explanation of the procedure and what failure to abate entails.

Councilpersons Stockford, Flannery and Stack-Davis felt that although the owner has done only the bare minimum, she has still taken action.

Councilperson Stack-Davis asked for clarification of “failure to abate”.

Councilperson Watkins reminded Council of their duty to the public as council members.

More discussion and questions of Kim Thomas.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to authorize the City police to issue a ticket for failure to abate to the property owner. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – no.

Approved 7-1.

Motion carried.

Old Business

- A. Public Services Recommendation regarding Airport Advisory Committee. Councilperson Stockford reported that at the last Public Services Committee meeting held at the Hillsdale Municipal Airport a document had been drawn up with regard to an airport advisory committee, its regulations and membership. Councilperson Stockford engaged Attorney Shirk in conversation regarding the document asking for direction with how to proceed and make the proper corrections. Attorney Shirk explained in fair detail how and why some

AIRPORT
ADVISORY
COMMITTEE
FORMATION

CODE
ENFORCE.
55 S.
BROAD
ST.

points in the document needed to be looked at more closely and corrections made. Mr. Shirk offered to rewrite the resolution and present it to Council.

During discussion it was also mentioned that the process for appointing members needed to be opened up to the public and given more time to get the word out for possible members.

Motion by Councilperson Flannery, supported by Councilperson Sharp, to authorize the City Attorney to draft a resolution (requiring 9 members) to be presented to Council for approval. Roll call: Councilpersons Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

Approved 8-0.

Motion carried.

- B. Safety Director/Chief of Police/Fire Chief. After having consulted with the City Attorney's office and the City Labor Attorney, Mayor Sessions stated that, based on the need for continuity of service and to establish a chain of command in the police and fire departments, it is within his authority to appoint department heads who can make decisions for the respective departments.

Mayor Sessions appointed Sergeant Scott Hephner as Acting Chief of Police to fill a temporary position for a maximum of 60 days. No additional compensation will be given and he will be in charge of, make decisions for and have the responsibility of overseeing the Police Department while maintaining current duties. Sgt. Hephner will remain in the Union and will have no involvement in the grievance process.

Mayor Sessions appointed Deputy Fire Chief Kevin Pauken as Acting Fire Chief to fill a temporary position for a maximum of 60 days. No additional compensation will be given and he will be in charge of, make decisions for and have the responsibility of overseeing the Fire Department while maintaining current duties. Deputy Chief Pauken will remain in the Union and will have no involvement in the grievance process.

All conditions are contingent upon whether or not the MERS retirement plan will be affected.

Motion by Councilperson Flannery, supported by Councilperson Sharp, to appoint Sgt. Scott Hephner Acting Chief of Police and Deputy Chief of Police Acting Fire Chief with the above stated conditions. Roll call: Councilperson Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack –Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes.

APPOINT
SGT.
HEPHNER
TO ACTING
POLICE
CHIEF

APPOINT
DEPUTY FIRE
CHIEF
PAUKEN
TO ACTING
FIRE
CHIEF

Approved 8-0.

Motion carried.

- C. Acting City Manager Contract. Councilperson Stack-Davis presented the terms of the contract regarding the collaboration of city manager services with the City of Litchfield as recommended by the Operations and Governance committee. Councilperson Stack-Davis asked for authorization for the City Attorney to draft the contract and authorize signatures by the Mayor and Deputy Clerk.

Motion by Councilperson Stack-Davis, supported by Councilperson Flannery, to accept the terms of the contract as presented, authorize the City Attorney to draft the contract stating the terms, and authorize signatures by the Mayor and Deputy Clerk on the contract. Roll call: Councilperson Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes.

ACTING
CITY
MANAGER
CONTRACT

Approved 8-0.

Motion carried.

New Business

- A. Set Public Hearings – Nonik Holdings and Alan K. Williams Obsolete Property Rehabilitation Allowance.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to set October 6, 2014 at 7:00 p.m. as the date and time for public hearings for Nonik Holdings and Alan K. Williams for OPRA requests. Roll call – Councilperson Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes.

Approved 8-0.

Motion carried.

B. Purchase of Police Vehicle.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to authorize the purchase of a new police vehicle through the State Contract, MiDEAL for the amount of \$25,283.00 with additional cost for retrofitting. Roll call: Councilpersons Bail – yes; Stack-Davis – ye s; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes.

PURCHASE
OF
POLICE
VEHICLE

Approved 8-0.

Motion carried.

C. TCO #2014-22, No Parking on McCollum St.

Department of Public Services Director Keith Richard explained that as a correction to improper street markings in 2005 and 2009, and in order to remain in compliance with Federal and State laws, there can no longer be parking on the north side of McCollum. This means the loss of three parking spaces. Mr. Richard explained that the street is too narrow to maintain parking on both sides of the street and does not allow two vehicles to pass. Mr. Richard explained that years back there had been an oversight regarding this matter and it was never properly addressed in order that the situation be corrected. Mr. Richard went on to explain that to leave it as is would be a detriment to rescue vehicles as well as civilian traffic and in turn would be a liability to the City should something happen.

TCO
2014-22
NO PARKING
ON
MCCOLLUM
ST.
RES.
3190

A lengthy discussion took place in order to bring clarification to the matter.

Motion by Councilperson Kinney, supported by Councilperson Watkins, adopt Resolution #3190 TCO #2014-22, No Parking on North Side of McCollum St east of Broad St. Roll call: Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes.

Approved 8-0.

Motion carried.

General Public Comment

Council Comment

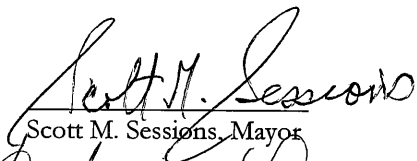
Adjournment

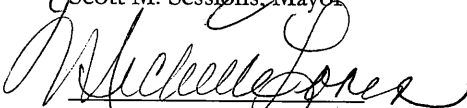
Motion by Councilperson Sharp, supported by Councilperson Watkins, to adjourn.

All ayes.

Meeting adjourned.

8:43 p.m.


Scott M. Sessions, Mayor


Michelle Loren, Deputy City Clerk