

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

September 21, 2015  
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: Councilmembers Brian Watkins and Adam Stockford representing Ward One; Councilmember Sally Kinney representing Ward Two; Councilmembers Emily Stack-Davis and Bruce Sharp representing Ward Three; and Councilmembers Mary Beth Bail and Patrick Flannery representing Ward Four.

Also present were: City Manager David Mackie, City Clerk Michelle Loren, City Attorneys John Lovinger and Thomas Thompson, Kay Freese (HR), Bonnie Tew (Finance), Alan Beeker (Planning/Zoning), Julie Beeker (Treasurer), Kim Thomas (Assessor), Mary Wolfram (HPG), Chief Scott Hephner (HCPD), Jeff King, Tom Novelly, Eldonna Bernath, Richard D. Smith, Peter Johnson, Mike Phillips, Pat O'Malley, Dennis Wainscott, Josh Colletta.

### Approval of Agenda

Motion by Councilperson Watkins, supported by Councilperson Kinney, to approve the September 21, 2015 Council Agenda as presented.

All ayes.

Motion carried.

### Public Comment

Josh Collette, 54 Cherry Tree Lane, addressed Council regarding the lack of validity of the August 4, 2015 election stating the root of the problem lies in MCL 117.21 paragraph 3.

Jeff King, Cambria, addressed Council with concerns over the Center City Senior Apartments.

### Consent Agenda

- A. Approval of Bills from claims of September 10, 2015; Payroll of \$99,270.83; Claims of \$51,621.30.
- B. Committee Reports (Pending Approval)
  1. Finance Minutes of September 14, 2015
  2. EDC Minutes of August 20, 2015
- C. Council Minutes of September 8, 2015

Motion by Councilperson Stack-Davis, supported by Councilperson Stockford, 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.

Motion carried 8-0.

### Communications and Petitions

None

### Introduction and Adoption of Ordinances/Public Hearings

- A. Public Hearing: CRE Application Roger Lee Boyd Family Trust.
- B. Mayor Sessions opened the Public Hearing in order to receive comment by the public regarding the CRE Application by the Roger Lee Boyd Family Trust. Mike Phillips approached Council on behalf of Brett Boyd, owner, Hillsdale Market House, asking for support from Council. Mary Wolfram, Economic Consultant, approached Council in favor of the granting of the CRE. Mayor Sessions closed the public hearing and asked for Council comment.

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to adopt Resolution No. 3241 and grant a Commercial Rehabilitation Exemption for a period of 10 years beginning December 31, 2015 and ending December 30, 2015. Roll call: Councilpersons

JOSH  
COLETTE  
JEFF  
KING

D.H.  
CRE ROGER  
LEE BOYD  
TRUST  
RESOLUTION  
3241

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

Motion carried 8-0.

C. Set Public Hearing. OPRA Application by Marvo Properties, LLC.

Motion by Councilperson Stack-Davis, supported by Councilperson Watkins, to set October 5, 2015 at 7:00 p.m. as the date and time for a Public Hearing in regard to a CRE Application submitted by Marvo Properties, LLC. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack – Davis – yes; Flannery – yes.

SET P.H.  
OPRA APP.  
MARVO  
PROPERTIES  
LLC

Motion carried 8-0.

Old Business

A. Discussion of City Clerk & Treasurer Positions. Mayor Sessions recommended the permanent appointment of current City Treasurer Julie Beeker after the November 2015 Regular City Election. Mayor Sessions then introduced a new timeline to Council for the permanent City Clerk appointment based on the opinion received by the City Attorneys Lovinger and Thompson. Mayor Sessions proposed a new Clerk appointment timeline. Attorney Lovinger offered suggested changes to the timeline that would be more in keeping with Charter. Councilpersons Stack-Davis and Stockford asked for clarification in regard to residency requirements of a deputy clerk. Councilperson Stockford asked that the Attorney's Opinion requested at the September 8, 2015 meeting with regard to the validity of the August 4, 2015 election be made public to which Attorney Lovinger proceeded to share his opinion at that time.

CLERK &  
TREASURER  
DISCUSSION

Motion by Councilperson Watkins, supported by Councilperson Flannery, to post and advertise the Clerk's position by the end of the week of September 25<sup>th</sup> with and October 16<sup>th</sup> deadline for submittal; present applicant information to Council at the October 19, 2015 meeting; review and discussion of the submitted applications will take place at the November 2, 2015 meeting for Council recommendation to the Mayor for appointment at a Special Meeting November 9, 2015. Roll call: Councilpersons Sharp – yes; Stockford – no; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

Motion carried 7-1.

City Attorney Lovinger offered that, while they may appoint the current City Treasurer to the permanent appointment, it would be prudent of Council to go through the same selection process as with the Clerk's appointment.

Motion by Councilperson Watkins, supported by Councilperson Flannery, to post, advertise, and make a permanent appointment to the Treasurer's position using the same agreed upon time line as with the Clerk's appointment. Roll call: Councilperson Stockford – no; Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes.

Motion carried 7-1.

New Business

A. NEZ Application Stephen & Lisa Otterbein. On September 4, 2015 application for a Neighborhood Enterprise Zone Exemption was filed with the City Clerk for Stephen and Lisa Otterbein, 15 Foxtail Drive, Hillsdale NEZ #1. The application and information came before Council for approval. Motion by Councilperson Kinney, supported by Councilperson Watkins, to adopt Resolution No. 3242 and grant a NEZ Exemption for 15 Foxtail Drive for a 10 year period beginning December 31, 2015 and ending December 30, 2025. Roll call: Councilpersons Watkins – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes.

NEZ  
APPL.  
OTTERBEIN  
NEZ #1  
RESOLUTION  
3242

Motion carried 8-0.

B. Review of Fees/Length of Abatements. Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve proposed amended abatement policy language reducing fees and extending abatement periods. Roll call: Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins- yes; Mayor Sessions – yes.

REVIEW  
OF FEES  
LENGTH OF  
ABATEMENTS

Motion carried 8-0.

C. BPU: Repair Engines/Generators #5 & #6. City Manager Mackie requested this item be tabled In light of the fact that Interim BPU Director Nate Rusk was not in attendance to answer questions. Motion

Motion by Councilperson Watkins, supported by Councilperson Stockford, to table New Business Item C. until the next council meeting. All ayes.

Motion carried.

- D. BPU: Sale of Sludge Hauling & Injection Equipment. Because Sludge Hauling is now contracted to an outside source, sludge hauling equipment owned by the BPU is no longer in use. Funds generated by the sale of the equipment totaling \$296,441.00 would generate one half the needed revenue for the purchase of a backup generator for the Waste Water Treatment Plant.

BPU  
SALE OF  
SLUDGE  
HAULING &  
INJECTION  
EQUIPMENT  
APPROVED

Motion by Councilperson Stockford, supported by Councilperson Watkins, to approve the Sale of sludge hauling and injection equipment. Roll call: Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes.

Motion carried 8-0.

- E. Center City Senior Apartments Pilot Ordinance. A presentation was made by Excel Realty to present a proposed 40 unit senior apartment building at 8 S. Manning St.. Because the project is a MSHDA funded housing project, Payment In Lieu Of Taxes (PILOT) is a required component to the agreement. The negotiated rate is 10%; consistent with other senior housing projects in the community. Lengthy discussion ensued concerning the assurance that the housing could only be for senior occupants. Council was assured that only those age 55 and older would be able to rent the units.

CENTER  
CITY  
SENIOR  
APARTMENT  
PILOT  
ORDINANCE  
2015-15

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Ordinance No. 2015-15 approving a 10% PILOT for the Center City Senior Apartments at 8 S. Manning Street. Roll call: Councilpersons Stack-Davis – no; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Mayor Sessions – yes; Councilperson Bail – yes.

Motion carried 8-0.

**Miscellaneous**

Motion by Councilperson Watkins, supported by Councilperson Sharp, to appoint Chris Harner to TIFA filling a vacancy ending July, 2016. All ayes.

APPT.  
CHRIS  
HARNER  
TIFA

Motion carried.

**City Manager Report**

Councilperson Stack-Davis requested City Manager Mackie look into some flexibility in regard to leaf collection.

**General Public Comment**

Dennis Wainscott, 34 Garden St., addressed Council regarding the City Center Senior Apartments Project.

DENNIS  
WAINSCOTT  
JEFF KING

Jeff King, Airport Advisory Committee Chair, addressed Council about the need to fill a vacancy on the Airport Advisory Committee.

Donald Hernandez, 30 S. Manning, addressed Council regarding concerns with the City Center Senior Apartments.

DONALD  
HERNANDEZ

**Council Comment**

Councilperson Sharp commented on the rigid eligibility rules for running for council.

Councilperson Stockford offered that he would be willing to serve on the Airport Advisory Committee until an appointment is made.

Councilperson Stack-Davis commented on particularly bad potholes on certain streets and the need to make at least temporary repairs. Ms. Stack-Davis also mentioned the benefit of using Council Chambers for committee meetings in order to use the live stream system so that members of the community have a way to participate by viewing the meetings.

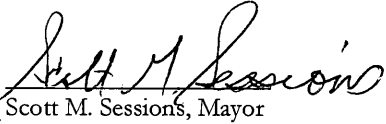
**Adjournment**

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

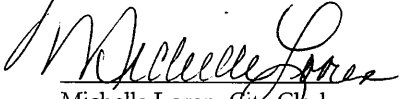
All ayes.

Meeting adjourned.

8:32 p.m.



Scott M. Sessions, Mayor



Michelle Loren, City Clerk