

Council Chamber  
Hillsdale City Hall  
97 N. Broad Street  
Hillsdale, MI 49242

December 16, 2013  
7:00 p.m.  
(517)437-6441  
[www.cityofhillsdale.org](http://www.cityofhillsdale.org)

## CITY COUNCIL AGENDA

CITY OF HILLSDALE  
REGULAR MEETING

7:05p 1. Call to Order and Pledge of Allegiance

2. Roll Call *All present - [2] openings for Council*

3. Approval of Agenda

7:10p 4. Public Comments on Agenda Items *Ruth Brown - please table EDC contract.  
Rick Rose - " PAIS " " "*

~ 7:20p 5. Consent Agenda *Approved 7-0*

A. Approval of Bills from December 5, 2013: Claims of \$83,634.13 Payroll of \$136,616.09

Invoice Approval List by Fund

Vendor Approval Summary

B. Committee Reports (Pending Approval):

1. TIFA Minutes of September 17, 2013

Minutes 9/17/13

2. TIFA Target Development Minutes of October 28, 2013

Minutes 10/28/13

3. Council Minutes Work Session of November 25, 2013

Minutes 11/25/13

C. Council Minutes of December 2, 2013

Minutes 12/2/13

D. 2014 Council Meeting Dates

Dates

6. Communications/Petitions

A.

*~ 7:20p* 7. Introduction and Adoption of Ordinance/<sup># 2013-6</sup>Public Hearing *Approved 7-0*

A. Ordinance to Address Floodplain Management Provisions Of The State Construction Code (Public Hearing)

CM Memo

Ordinance

8. Unfinished Business

A. Local Streets Maintenance -

B. Code Enforcement

Enforcements Open November 2013

Enforcements Closed November 2013

November Pics

9. Old Business

A.

10. New Business

*~ 7:25p* A. Call for Special Election - Resolution <sup># 3158</sup> *Approved 7-0*

CM Memo

Resolution

*~ 7:28p* B. FEMA Floodplain Resolution and Intergovernmental Agreement to Manage <sup># 3156</sup> Floodplain Development for the National Flood Insurance Program *Approved 7-0*

CM Memo

Resolution/Agreement

*~ 7:30p* C. Application for Annual ROW Permit from MDOT (Resolution) <sup># 3159</sup> *Approved 7-0*

CM Memo

Resolution

*Approved 6-1 (SESSIONS)*

*~ 7:33p  
- 7:45p*

D. Hillsdale Policy Group, Ltd. - Contract for Economic Development Consulting

CM Memo

Agreement

*Mary Wilfram spoke to promote H.P.G. - THE MARKETING DIVISION & BPU. PROMOTES CITY & H. EACH DAY AND @ EVENTS w/ Hillsdale College professor Dr. Gary Wilfram Mary's spouse*

*~ 7:45p*

E. Grant for Sandy Beach Playground Equipment

CM Memo

*Approved 7-0*

*~ 7:50p*

F. Dial-a-Ride Title VI Program Update (Resolution) # 3160

CM Memo

*Approved 7-0*

Bonnie's Memo

Plan

Resolution

*~ 7:55p*

11. Miscellaneous

Appointments

12. General Public Comment *NONE*

13. Adjournment

*Council Discussion - Carolyn Flannery with compile data & proposals (for funding of STREET IMPROVEMENTS) AT NEXT CITY Council Mtg.*

*Condolences to The Grant Baker Family owners of Gilbert Home with the passing of Mrs. Baker.*

lsdale City Offices

Department Account	GL Number Abbrev	Vendor Name Invoice Description	Check Number	Invoice Number	Due Date	Amount
d: REVOLVING MOBILE EQUIP. FUND						
pt: MOBILE EQUIPMENT MAINTENANCE						
0-444.000-730.000	VEH./EQUIP	WELLS EQUIPMENT SALES, INC. ADJUSTER SCREW	71746	98855	12/05/2013	8.76
0-444.000-730.000	VEH./EQUIP	PERFORMANCE AUTOMOTIVE RETURNED WATER PUMP	71737	1082080	12/05/2013	-2.00
0-444.000-742.000	CLOTHING /	CINTAS CORPORATION RUGS/UNIFORMS - DPS	71709	351655957	12/05/2013	14.89
0-444.000-742.000	CLOTHING /	CINTAS CORPORATION RUGS/UNIFORMS - DPS	71709	351656567	12/05/2013	14.89
0-444.000-801.000	CONTRACTUA	CINTAS CORPORATION RUGS/UNIFORMS - DPS	71709	351655957	12/05/2013	22.87
0-444.000-801.000	CONTRACTUA	CINTAS CORPORATION RUGS/UNIFORMS - DPS	71709	351656567	12/05/2013	22.87
0-444.000-801.000	CONTRACTUA	PURITY CYLINDER GASES, INC. CYLINDER RENTAL	71739	485263	12/05/2013	32.40
0-444.000-801.301	POLICE VEH	NORM'S TIRE SERVICE TIRES/ALIGNMENTS 2-1	71736	65263	12/05/2013	660.79
0-444.000-801.301	POLICE VEH	NORM'S TIRE SERVICE TIRES/ALIGNMENT 2-2	71736	65264	12/05/2013	109.87
0-444.000-920.000	UTILITIES	BOARD OF PUBLIC UTILITIES NOV 2013 UTILITIES	71705		12/05/2013	437.80
Total MOBILE EQUIPMENT MAINTENANCE						1,903.34
Fund Total						5,220.98
d: DPS LEAVE AND BENEFITS FUND						
pt:						
9-000.000-214.750	DUE TO IMP	PAYROLL ACCOUNT PAYROLL/FICA -12/05/13 & LNGVT	402		12/05/2013	8,379.92
Total						8,379.92
pt: PUBLIC SERVICES DEPARTMENT						
9-441.000-716.000	RETIREMENT	M.E.R.S. NOVEMBER 2013 CONTRIBUTIONS	401	28707	12/05/2013	147.59
Total PUBLIC SERVICES DEPARTMENT						147.59
Fund Total						8,527.51
Grand Total						220,250.22

Hillsdale City Offices

Vendor Name	Vendor Number	Description	Check Amount	Hand Check Amount
RENTAL SERVICES, LLC.	2866	• PORTABLE RESTROOMS	92.00	0.00
MS TOWNSHIP TREASURER	3946	TAXES ON NEW PARCELS NORTH OF	955.92	0.00
IAN COMMUNICATIONS	0406	MINITOR V PAGER REPAIR	65.00	0.00
RICAN COPPER AND BRASS, LLC	2432	• BALLASTS, LIGHT BULBS	375.49	0.00
ORICULTURE SOCIETY OF MICH	0475	• 2014 MEMBERSHIP - STACHOWICZ	79.00	0.00
& T MOBILITY	1965	NETWORK ACCESS FEE	119.97	0.00
ER & TAYLOR COMPANY	0011	Kids Book Order - November	159.57	0.00
VER RESEARCH COMPANY	2491	RUBBER WORKS	155.00	0.00
NEY BEUMEL	0570	• SIDEWALK REPLACED CRNR FAYETTE	319.50	0.00
RD OF PUBLIC UTILITIES	0013	• STREET LIGHT MAINTENANCE	15,463.93	0.00
KS ON TAPE, INC.	3712	Books on Tape Summer Standing	24.00	0.00
& A PROFESSIONAL SERVICES,	3401	• PREEMPLOYMENT DRUG TESTING	52.40	0.00
1 P DISTRIBUTOR, INC.	1300	BALLISTIC VEST	699.99	0.00
ITAS CORPORATION	0020	• RUGS FOR CITY HALL	354.10	0.00
Y OF HILLSDALE	0015	• SPECIAL ASSESSMENTS - SIDEWALK	5,879.97	0.00
IG WICKHAM	2218	• TREE REMOVAL FROM STORM	600.00	0.00
RENT OFFICE SOLUTIONS	0035	PAPER/RUBBER BANDS/PENS	720.33	0.00
MOIS TRUCKING AND EXCAVATION	2215	•RMV CONCRETE, TOP SOIL, SEED	700.00	0.00
THEW DUFF	2139	2013 EQUIPMENT ALLOWANCE	50.00	0.00
IE ENGLEHART	2981	2013 EQUIPMENT ALLOWANCE	50.00	0.00
IS & VANDENBRINK	1737	• CHARLES ST. RECONSTRUCT	12,000.00	0.00
ZER & SON INC.	0027	• MINI CLEAR LIGHT SET, ANCHORS	40.12	0.00
II'S, INC.	0374	• LARGE CHRISTMAS WREATH	400.00	0.00
AT AMERICAN LEASING CORP.	1678	Konica Minolta Copier Lease	179.90	0.00
ROL HAWKES	1288	• MONTHLY CLEANING CITY HALL	633.00	0.00
HILLSDALE CITY TREASURER	2024	• SIDEWALK SPEC ASSESSMENT	841.39	0.00
HILLSDALE COUNTY CLERK	2430	ELECTION NOVEMBER 5, 2013	2,054.53	0.00
HILLSDALE COUNTY TREASURER*	0676	BILLBACKS FOR 2006-2011	5,846.41	0.00
HILLSDALE FILLING STATION	3426	ELECTION WORKERS MEALS	234.41	0.00
Y TRANSPORTATION, INC.	3955	BENDANT CONTROL	242.85	0.00
• DRUG REFERENCE	1574	WEB ACCESS/BOOK VERSION	125.00	0.00
. SOCIETY OF ARBORICULTU	2119	• 2014 MEMBERSHIP - STACHOWICZ	209.00	0.00
. MECHANICAL SERVICES, LLC	1642	• FALL CHANGE OVER @ CITY HALL	1,140.50	0.00
• KSON TRUCK SERVICE INC.	0086	• STARTING FLUID, FILTERS	44.57	0.00
EW SANITATION SERVICE	2863	• RPR SANDY BEACH SEPTIC SYSTEM	1,060.00	0.00
.R.S.	2359	NOVEMBER 2013 CONTRIBUTIONS	0.00	24,297.78
POWER OF LANSING	3088	• TEMP EMPLOYEES W/E 11/24/13	2,768.50	0.00
CKET HOUSE	0164	• CLEANING SUPPLIES	21.92	0.00
WEST COLLSABORATIVE FOR	2011	MelCat Users Day:	225.00	0.00
• A	2018	ANNUAL DUES	100.00	0.00
IK TECHNOLOGIES, INC.	1392	Avalon monitor	1,694.16	0.00
• M'S TIRE SERVICE	0277	• TIRES FOR DART	1,435.62	0.00
• ROLL ACCOUNT	0242	PAYROLL/FICA -12/05/13 & LNGVT	0.00	136,616.09
• PERFORMANCE AUTOMOTIVE	0961	• SUPPLIES	207.37	0.00
• NTING SYSTEMS	0100	CHECKS P/R/ LASER	282.26	0.00
• RITY CYLINDER GASES, INC.	1136	• CYLINDER RENTAL	32.40	0.00
• AY FLORAL	2140	WINTER GREENS FOR PLANTERS	229.80	0.00
• JAMES OUTERWARE, INC.	1098	YOUTH BASKETBALL JERSEY	15.20	0.00
• CKHOUSE CORPORATION	0111	PAPER	138.17	0.00
• MINAL SUPPLY COMPANY	2210	LYNCH PIN	43.60	0.00
• STORES	0771	• SAFETY GAS CAN	39.99	0.00
• NUM, RIDDERING, SCHMIDT, &	2551	LEGAL FEES - METRO ACT	78.75	0.00
• MEER OF MICHIGAN, INC	2715		0.00	0.00
• LS EQUIPMENT SALES, INC.	2372	ADJUSTER SCREW	8.76	0.00
• KHEALTH	1275	PRE-EMPLOYMENT TESTING	47.00	0.00
Grand Total:			59,336.35	160,913.87

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TAX INCREMENT FINANCE AUTHORITY



CITY OF HILLSDALE

MINUTES

September 17, 2013

Present: Eric Moore, Tim Dixon, Saul Giminez, Chris Sumnar, Kathy Newell  
Absent: John Spiteri, Mike Parney, Mike Harner (excused), Deb Kamen (excused)  
Term expired: Chris Wingate

Called to order 7:35 AM

Motion to approve consent agenda Moore, seconded by Dixon, passed unanimously.  
Victorian Rose building added to agenda item C by Giminez

**Facade grant Committee Report**

Coneys and Swirls- Facade grant request

Committee met on Monday, September 16 to discuss grant requests. Coneys had received a previous façade grant but it has been over three years since completion of that grant, completed in July 2010. Committee recommends full funding of grant.

Dixon asked if there were multiple contractor bids or just the one submitted. The program does not require projects to be bid out competitively, or all rejected bids to be submitted. Giminez made motion to approve facade grant, supported by Dixon, passed unanimously.

Eight North Facade grant request

The request is for an upgrade to a commercial grade door in the rear of the building; the facade grant has already been approved but the applicant is requesting an expanded request which will maximize her funding at \$10,000.

Motion made by Dixon, supported by Moore, passed unanimously to approve the grant.

**Targeted Development Committee**

Fixing the Courthouse Annex: The county wants to swap buildings with the city; the city would buy the Daily News building and the county would trade the courthouse annex when its bonds come to term. TIFA has offered a matching grant to fix the façade of the Annex Building. No action was taken.

Targeted Development Committee requested a line a credit directed at buying buildings should an opportunity arise. The committee would like to implement a reverse auction where they appraise buildings and receive discounted bids. Motion out of committee to approve a line of credit up to \$250,000, supported by Giminez, passed unanimously.

Restaurant Attraction Program

TIFA cannot offer to buy a liquor license, but they can offer money to improve real estate that frees up funds to buy a license. Committee requests approval for modified incentive plan and attendance at Michigan Restaurant Association show on October 16, '13 to advertise program. Motion by Giminez, supported by Moore. Passed unanimously.

### **Beautification**

City Sign- committee is considering placing a sign with changeable digital copy in back of City Hall at the triangle of M99 and Carleton Road. The corner is extremely busy and would make a good location for advertising for city events. There was also discussion about putting in an arch over Howell St. to welcome visitors to "Historic Hillsdale." Discussion ensued about putting a large LED sign downtown because it is not historic. Sumnar was concerned that a small LED would be difficult to see. No action taken.

Other- Kathy Newell got numbers for a fountain, and bike racks at \$200 a piece, where they can get 25% off. The board briefly discussed considerations regarding bike rack placement.

### **NEW BUSINESS**

Board nominations and elections- Rob Socha from Broad St. Downtown Market- Motion to nominate by Dixon, support Giminez, passed unanimously.

Giminez suggested Kevin Conant at the Hillsdale Pub as well- Moved by Giminez to nominate, supported by Newell, passed unanimously.

Elections:

Chair, Chris Sumnar

vice chair,

secretary,

treasurer

Moved to have officers as follows Dixon, seconded by Giminez, passed unanimously.

Adjournment: Moore, Dixon seconded, unanimously passed



Tax Increment Finance Authority  
TIFA Targeted Development committee  
City of Hillsdale City Hall  
October 28, 2013 5:15 PM  
Minutes

Meeting was called to order at 5:15 pm.

Members present were as follows; Mary Wolfram, Mike Harner, Mike Parney, Chris Sumnar, Tim Dixon

Others Present: Alan Beeker, Planning and Zoning

I. Micro Brewery

A. Showing interest in old Boyd's Hotel and warehouse (old Wilson Automotive) on Hillsdale St.

1. Should TIFA buy building?

2. What is the legality?

3. What are the parameters?

(1) *Needs to be competitive*

(2) *Must be properly capitalized*

(3) *Make offer from TIFA to buy building*

B. TIFA to purchase Boyd's Hotel and warehouse

b) Competitively RFP Building

c) Restaurant Attraction program grant as Option 2

d) Only RFP Building after TIFA purchases

*Mike Harner to contact Kevin Conant*

*Mike Parney to contact Grant Baker*

II. Art place application deadline in December.

a) Use cheap Rental space to create an art incubator.

b) Charge artists low rent to exhibit art works

(1) -Art works

(2) -Hillsdale Art Guild

III. Old Business



# CITY COUNCIL MINUTES

City of Hillsdale  
Work Session

## 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 Ruth Brown and Sally Kinney representing Ward Two; Council member Emily Stack-Davis Ward Three; and Council members Patrick Flannery and Mary Beth Bail representing Ward Four.

Also present were City Manager Linda Brown, City Clerk Robilyn Swisher, Michelle Loren, Bonnie Tew, Keith Richard, Rick Rose, Chris Gutowski, Leanne Beckwith, Mary Wolfram, Laura Smith, Kim Thomas, Matt Durr (Hillsdale Daily News), Linc Miller, Joshua Mercer, Taylor Knopf, David Williams, Allison Hutchinson, Chris Gutowski, LeAnn Beckwith, Jaminda Springer, Allison Hutchinson.

## Approval of Agenda

Mayor Scott Sessions called for motion to approve.

Motion by Councilperson Flannery, supported by Councilperson Watkins, to approve the November 25, 2013 Agenda.

All ayes.

Motion carried.

## Public Comment

Josh Mercer advised that it should be looked into how we can increase the profile of the college in the town.

*ON Drug?*  
Allison Hutchinson presented council with six options for generating money for street improvements: 1) Personal and service cuts: 10% budget cut for each department 2) Reduce Dial A Ride services 3) Sell the Board of Public Utilities 4) Cut two staff at the Police Department 5) Cut one staff at the Fire Department 6) Cut two staff at the Public Service Department.

Laura Smith presented council with four items that she felt needed to be looked at: 1) Streets in Ward One, the possibility of a special assessment for the roads directly in front of their house. 2) Millage 3) not to use calendars to schedule leaf pick up, but instead set the dates by when the leaves actually fall. 4) Making sure the roads are plowed and safe before children have to leave for school.

## General Discussion

Linda Brown introduced department heads to new council members.

BPU Director Rick Rose spoke in response to the option of selling the Board of Public Utilities. He stated many pros of the City having their own BPU.

Assessor Kim Thomas spoke on the pros and cons of special assessments to fund the streets.

→ Councilperson Ruth Brown feels the city needs a street maintenance plan.

Mayor Sessions called for each councilperson's top three goals. Councilpersons stated their goals as follows; Kinney streets, blight, and jobs, Watkins streets, communication, and blight, Stockford jobs, communication, and streets, Brown jobs/economic development, streets, and blight, Bail jobs, streets, and communication, Flannery streets, economic development, and communication, Stack-Davis jobs, efficiency, and streets. Mayor Sessions stated his goals as: streets, jobs, and communication. It was determined by the goals stated by council that the three main goals of the new council will be streets, jobs, and communication.

*SV  
14/7=2*

In further discussion, City Manager Linda Brown suggested the possibility of assessing fees for services to those people who are not paying taxes, as a way to generate some revenue.

Flannery stated he felt the budget needed to be cut by \$500,000, and that the council should call for the departments to have ideas on how this could be done for the January council meeting.

Councilperson Kinney left the meeting.

*\* Note: RR Comments 15' Budget cuts @ DRS, etc + Mission Plans + Funding NOT listed.*

**Miscellaneous Discussion**

Linc Miller stated that he felt the Public Service Department would be hard pressed to cut their budget any more.

Public Safety Director Chris Gutowski spoke on the cuts that have already been made within the police and fire departments over the past few years. He also stated that cutting any more would cut good services and the safety of the community would be compromised.

Councilperson Bail left the meeting.

Flannery suggested that at the next council meeting council should adopt the goals discussed and ask departments to have proposals ready for budget cuts for the January meeting to total \$500,000.

Mayor Sessions stated that the other committees have already emailed him with their goals, and asked if there was any further discussion.

**Adjournment**

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

Motion carried.

8:27 p.m.

\_\_\_\_\_  
Scott M. Sessions, Mayor

\_\_\_\_\_  
Robilyn Swisher, City Clerk

# CITY COUNCIL MINUTES

City of Hillsdale  
Regular Meeting

## Call to Order and Pledge of Allegiance

Mayor Scott Sessions opened the meeting. Mayor Sessions welcomed Holly Carpenter and the Cadet Troop 60266 Girl Scouts and Shelly Freeline and Cadet Troop 60083 and invited them up to the front to lead 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 Ruth Brown and Sally Kinney representing Ward Two; Council member Emily Stack Davis Ward Three; and Council members Patrick Flannery and Mary Beth Bail representing Ward Four.

Also present were City Manager Linda Brown, City Clerk Robilyn Swisher, City Attorney Kevin Shirk, Michelle Loren, Kay Freese, Rick Rose, Matt Durr (Hillsdale Daily News), Joshua Mercer, Jane Englehart, Samuel Nutter, Sara Nutter, Alan Beeker, Julie Beeker, Girl Scout Troop 60266, Allison Sobieski, Jenavieve Carpenter, Holly Carpenter, Esha Friedline, Abby Baxter, Kelani Philipp, Kyra Lewis, Cristi Morrison, Sheila Friedline, Ahlise Friedline, and Nancy Barton with Willis and Jurasek Barton.

## Resignation of Ward 2 Councilperson Ruth Brown

Mayor Sessions regretfully reads resignation letter from Councilperson Ruth Brown.

Motion made by Councilperson Kinney and supported by Councilperson Flannery to accept the resignation of Councilperson Ruth Brown. Roll call: Councilpersons Flannery – yes; Bail – yes; Kinney – yes; Stockford – yes; Watkins – yes; Stack-Davis – yes; Mayor Sessions – yes.

Approved 7-0

Motion carried

Ruth Brown states that she regrets to have to resign, but feels it is in the best interest of the city and the council. She will continue to represent the city of Hillsdale at the county level. Ruth respectfully asks the council to give Linda Brown strong consideration to stay on as City Manager when her contract comes before council. Ruth says thank you and departs.

## Approval of Agenda

City Manager Linda Brown stated that item I of new business is being removed from the agenda and will be brought back on the 16<sup>th</sup>. Mayor Scott Sessions called for motion to approve the agenda with the removal of item I.

Motion by Councilperson Watkins, supported by Councilperson Bail, to approve the December 2, 2013 Agenda as amended.

All ayes.

Motion carried.

## Public Comment

Mary Wolfram, 3 Corona Circle, addresses council's goal. Everyone on council should pull as a team. Mary addresses Allison Hutchinson's comments from the work session. The budget is bigger but, one million dollars of the budget is rental rehab money that can't be budgeted



## Consent Agenda

- A. Approval of Bills from November 7, 2013: Claims of \$195,444.06 Payroll of \$93,068.23 & November 21, 2013 Claims of \$114,694.38 Payroll of \$95,982.06
- B. Committee Reports (Pending Approval):
  - TIFA Minutes 7-16-13
  - EDC Minutes 8-15-13
  - Cemetery Minutes 11-6-13
  - Finance Minutes 11-12-13
  - Planning Commission Minutes 11-19-13
- C. Council Minutes 11-12-13

Motion by Councilperson Flannery, supported by Councilperson Kinney, to approve the Consent agenda as presented Roll call: Councilpersons Flannery – yes; Bail – yes; Kinney – yes; Stockford – yes; Watkins – yes; Stack-Davis – yes; Mayor Sessions – yes.

Approved 7-0.

Motion carried.

## Communications and Petitions

None

## Introduction and Adoption of Ordinances/Public Hearings

None

## Unfinished Business

- A. Local Streets Maintenance. –One house on Charles St has issues with the grade of the lawn, but the steps are in.
- B. Code Enforcement. -None

## Old Business

None

## New Business

- A. Contract for Equalization – Mapping Services (Resolution #3155)  
City Manager Linda Brown states that our parcel count for this year is 2,655 this does not include any tax exempt parcels. Accordingly the annual fee would be \$3,451.50. City Manager Brown recommends that council passes the resolution authorizing the Mayor and Clerk's signatures on the service agreements and then they will be presented to the county for approval. The City Attorney has read and approved the resolution.

Motion by Councilperson Watkins, supported by Councilperson Stack Davis, to approve the Mapping Services Resolution #3155 as presented Roll call: Councilpersons Flannery – yes; Bail – yes; Kinney – yes; Stockford – yes; Watkins – yes; Stack-Davis – yes; Mayor Sessions – yes.

Approved 7-0.

Motion carried.

- B. FEMA Floodplain (Ordinance #2013-6 & Resolution #3156)  
City Manager Linda Brown recommended council receive the Ordinance as





Approved 7-0.

Motion carried.

C. Sale of Patrol Car

City Manager Brown states that there were three bids that ranged from \$868 to \$2407. Chicago Motors submitted the highest bid. City Manager Brown recommends that council rejects the two lower bids and accepts the higher bid from Chicago Motors for \$2407 and it will be necessary to authorize the Clerks signature on the title to transfer ownership.

Motion by Councilperson Kinney, supported by Councilperson Stack Davis, to approve the Sale of the patrol car as presented Roll call: Mayor Sessions – yes; Councilpersons Flannery – yes; Bail – yes; Kinney – yes; Stockford– yes; Watkins – yes; Stack Davis – yes.

Approved 7-0.

Motion carried.

D. Presentation of Audit Report

City Manager Linda Brown recommends that council approve the Audit Report.

Nancy Barton briefly went through the Audit Report and how it works.

Councilperson Stack Davis asked if the deficiency of internal control is, in her opinion, a problem or could be a problem in the future. Nancy assured council that this is not a problem but something that has to be reported.

Motion by Councilperson Flannery, supported by Councilperson Watkins, to approve the Audit Report as presented Roll call: Councilpersons Stack Davis – yes; Watkins – yes; Stockford– yes; Kinney– yes; Bail– yes; Flannery – yes; Mayor Sessions – yes.

Approved 7-0.

Motion carried.

E. Garrett License Agreement

City Manager Linda Brown states that the city came to a compromise on the trees that the homeowner had removed from the right of way, and in that process came to the conclusion that the homeowners fence was encroaching about fifteen feet on the right of way. The City Attorney prepared a proposed Licensing agreement between the city and the homeowners. City Manager Brown recommends that the council authorize the Mayors and City Clerks signatures on the agreement.

Motion by Councilperson Kinney, supported by Councilperson Stack Davis, to approve the Garrett License Agreement as presented Roll call: Mayor Sessions – yes; Councilpersons Flannery – yes; Bail – yes; Kinney– yes; Stockford– yes; Watkins– yes; Stack Davis – yes;

Approved 7-0.

Motion carried.

F. Designation of Zoning Administrator

City Manager Linda Brown states that according to Chapter 3, Article 2, Division 1, Section 36.31 of the City of Hillsdale Zoning Ordinance she requests that council will designate Alan Beeker as the Zoning Administrator for purposes of administering and enforcing our codes.



Motion carried.

G. Council Goals

Discussion on when the budget can be looked at and it is determined that it will be brought back up at the council meeting at the end of February.

Goals are set as follows: Streets, Economic Development / Increasing Tax Base, and Communication.

Motion by Councilperson Stockford supported by Councilperson Stack Davis, to approve the Established Goals.

All ayes

Motion carried.

H. SAW Grant – BPU (Resolution #3157)

City Manager Linda Brown requests that council pass the Resolution pursuant to the Board's request.

Motion by Councilperson Kinney, supported by Councilperson Stack Davis, to approve the SAW Grant Resolution #3157 as presented Roll call: Mayor Sessions – yes; Councilpersons Flannery – yes; Bail – yes; Kinney– yes; Stockford– yes; Watkins– yes; Stack Davis – yes;

Approved 7-0.

Motion carried.

**Miscellaneous**

A. Police 3<sup>rd</sup> Quarter Report

B. Mayoral Appointments

Standing Committees:

- a. Public Services: Emily Stack Davis, Patrick Flannery, Adam Stockford
- b. Community Development: Emily Stack Davis, Adam Stockford, Brian Watkins
- c. Finance: Mary Beth Bail, Patrick Flannery, Brian Watkins
- d. Operations & Governance: Sally Kinney, Patrick Flannery, Brian Watkins
- e. Public Safety: Mary Beth Bail, Sally Kinney, Brian Watkins

Boards and Commissions:

- a. Planning Commission: Amber Yoder- 3 year term expiring November 2016; Steve Vear- to fill vacancy expiring November 2014; Kerry Laycock- 3 year term expiring November 2016
- b. Economic Development Corporation: Jeremiah J. Hodshire- 6 year term expiring July 2019; Amanda Janes- 6 year term expiring July 2019
- c. Library Board: Jean Nolan- (School Board Representative)- 5 year term expiring November 2018
- d. Shade Tree Commission: Keith Richards- 4 year term expiring November 2017

Motion by Councilperson Watkins, supported by Councilperson Stack Davis, to approve the Mayoral Appointments as presented Roll call: Mayor Sessions – yes; Councilpersons Flannery – yes; Bail – yes; Kinney– yes; Stockford– yes; Watkins– yes; Stack Davis – yes;

Approved 7-0.

Motion carried.



City Councilman also states that Councilman Moon also suggests that councilperson Flannery have a meeting with City Manager Linda Brown to discuss the budget.

**Council Comment**

Councilperson Watkins asked about the details of the laws regarding holding a special election and if one could have been held in February. City Attorney Kevin Shirk explains the laws and the timeline would not allow for a February election, but can be met for a May election.

**Adjournment**

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

All ayes

Motion carried.

8:33 p.m.

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Scott M. Sessions, Mayor

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Robilyn Swisher, City Clerk



**City of Hillsdale Council**

**Council Chambers**

**7:00 p.m.**

January 6, 2014	July 7, 2014
January 20, 2014	July 21, 2014
February 3, 2014	August 4, 2014
February 17, 2014	August 18, 2014
March 3, 2014	September 2, 2014
March 17, 2014	September 15, 2014
April 7, 2014	October 6, 2014
April 21, 2014	October 20, 2014
May 5, 2014	November 3, 2014
May 19, 2014	November 17, 2014
June 2, 2014	December 1, 2014
June 16, 2014	December 15, 2014

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# **City of Hillsdale Agenda Item Summary**

**Meeting Date:** December 16, 2013

**Agenda Item #7:** Introduction of Ordinances/Public Hearings

**Re: An Ordinance to Address Floodplain Management  
Provisions Of The State Construction Code (Public Hearing)**

## **BACKGROUND:**

At its December 2, 2013 meeting, Council received a proposed ordinance as identified above and ordered its publication as such. DEQ provided the model ordinance for use by the City in adopting the floodplain management regulations that meet the standards of the National Flood Insurance Plan. The ordinance is again attached hereto for your reference. It has been published as a proposed ordinance and tonight a public hearing must be held to allow input regarding its adoption.

## **RECOMMENDATION:**

Following the public hearing, I recommend Council pass the ordinance and order its publication. It will become effective fifteen (15) days following passage provided publication has taken place.



**ORDINANCE NO. 2013-6**

**AN ORDINANCE TO ADDRESS FLOODPLAIN MANAGEMENT PROVISIONS  
OF THE STATE CONSTRUCTION CODE**

An ordinance to designate an enforcing agency to discharge the responsibility of the City of Hillsdale located in Hillsdale County, and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

The City of Hillsdale ordains that:

**Section 1. AGENCY DESIGNATED.** Pursuant to the provisions of the State construction code, in accordance with Section 8b (6) of Act 230, of the Public Acts of 1972, as amended, the Building Official of the County of Hillsdale is hereby designated as the enforcing agency to discharge the responsibility of the City of Hillsdale under Act 230, of the Public Acts of 1972, as amended, State of Michigan; said County having agreed to assume and discharge the responsibility for the administration and enforcement of said Act throughout the City of Hillsdale's corporate limits.

**Section 2. CODE APPENDIX ENFORCED.** Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the County of Hillsdale, as the enforcing agency, shall enforce Appendix G of the Michigan Building Code within the City of Hillsdale.

**Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.** The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Hillsdale County, Michigan (All Jurisdictions) and dated 2/19/2014 and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26059C; 0158D, 0159D, 0167D, 0178D 0186D, 0188D, and 0189D dated 2/19/2014 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to



be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

**Section 4. REPEALS.** All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**Section 5. PUBLICATION.** This ordinance shall be effective following publication and in accordance with the provisions of the Act governing same.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

This ordinance duly adopted on \_\_\_\_\_ at a regular meeting of the City Council of the City of Hillsdale and will become effective \_\_\_\_\_, 2013.

CITY OF HILLSDALE

\_\_\_\_\_  
Scott Sessions - Mayor

\_\_\_\_\_  
Robilyn J. Swisher - Clerk

Date Proposed: 12-2-13  
Date Published as Proposed: 12-7-13  
Date Passed: \_\_\_\_\_  
Date Published as Passed: \_\_\_\_\_  
Effective Date: \_\_\_\_\_



CITIZEN COMPLAINT

E2013-0396 85 S WEST ST File Date: 11/01/2013 Status: OPEN closed:  
 Inspection Date:

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 E2013-0408 9 Graceland File Date: 11/13/2013 Status: Resolved-No Acti closed: 11/18/2013  
 Inspection Date:

-----  
 E2013-0406 84 S HOWELL ST File Date: 11/15/2013 Status: OPEN closed:  
 Inspection Date:  
 RE-INSPECTION

-----  
 E2013-0407 81 N NORWOOD AVE File Date: 11/15/2013 Status: OPEN closed:  
 Inspection Date: 11/22/2013  
 INITIAL 302.5 RODENT HARBORAGE IPMC  
 302.5 - RODENT HARBORAGE; MUST TERMINATE HARBORAGE - ROACHES  
 -----  
 E2013-0409 65 WESTWOOD ST File Date: 11/18/2013 Status: OPEN closed:  
 Inspection Date:  
 RE-INSPECTION

-----  
 E2013-0416 250 W CARLETON RD File Date: 11/20/2013 Status: OPEN closed:  
 Inspection Date:  
 Review

Inspection Date: 11/26/2013  
 Complaint 1. HMC 22-232 Refrigerator Sto HMC Other  
 HMC 22-232. Outside storage of refrigerators is prohibited.

**Total Entries: 6**

FIRE DAMAGE/UNSAFE STRUCTURE

E2013-0399 58 N WEST ST File Date: 11/01/2013 Status: OPEN closed:

Inspection Date:  
 Review

**Total Entries: 1**

GARBAGE/SOLID WASTE





E2013-0415 66 N WEST ST UNITS 1-File Date: 11/19/2013 Sta:  OPEN  closed:

Inspection Date:  
Complaint

**Total Entries: 1**

**USE AND OCCUPANCY**

E2013-0394 44 MONROE ST File Date: 11/01/2013 Status: U & O issued closed: 11/12/2013

Inspection Date:  
U & O Initial

**Total Entries: 1**

**USE AND OCCUPANCY EXPIRED**

E2013-0397 101 UNION ST File Date: 11/01/2013 Status: OPEN closed:

Inspection Date:  
INITIAL

Inspection Date:  
Review

E2013-0398 26 CHARLES ST File Date: 11/01/2013 Status: OPEN closed:

Inspection Date:  
Review

E2013-0400 84 LEWIS ST File Date: 11/01/2013 Status: OPEN closed:

Inspection Date:  
Review

E2013-0401 3203 BECK RD File Date: 11/01/2013 Status: Resolved-No Acti closed: 11/21/2013

Inspection Date:  
INITIAL

E2013-0402 46 W SOUTH ST File Date: 11/04/2013 Status: OPEN closed:

Inspection Date:  
INITIAL

E2013-0403 68 RIPPON AVE File Date: 11/04/2013 Status: Resolved-No Acti closed: 11/21/2013

Inspection Date:



E2013-0411	219.5 N WEST ST	File Date: 11/08/2013	closed:
Inspection Date: 11/08/2013			
INITIAL	304.3 PROPERTY IDENTIFICATION	IPMC	
	304.3 - PROPERTY IDENTIFICATION: INSTALL ID 219 1/2		
E2013-0413	73 N HOWELL ST	File Date: 11/19/2013	closed:
Inspection Date:			
E2013-0414	75 N HOWELL ST	File Date: 11/19/2013	closed:
Inspection Date:			
E2013-0417	18 W BACON ST	File Date: 11/21/2013	On Hold - Vacant closed:
Inspection Date:			
E2013-0418	136 OAK ST	File Date: 11/21/2013	closed:
Inspection Date:			
E2013-0419	71 N HOWELL ST	File Date: 11/22/2013	closed:
Inspection Date:			
E2013-0420	104 S BROAD ST	File Date: 11/22/2013	closed:
Inspection Date:			
E2013-0421	254 UNION ST	File Date: 11/25/2013	closed:
Inspection Date:			
E2013-0422	240 N WEST ST	File Date: 11/25/2013	closed:
Inspection Date:			
E2013-0423	244 N WEST ST	File Date: 11/25/2013	closed:
Inspection Date:			



E2013-0424 246 N WEST ST File Date: 11/25/2013 Status: OPEN closed:

Inspection Date:

E2013-0425 64 HILLSDALE ST File Date: 11/25/2013 Status: OPEN closed:

Inspection Date:

E2013-0426 16 W COLLEGE ST File Date: 11/26/2013 Status: OPEN closed:

Inspection Date:

E2013-0427 21 W BACON ST File Date: 11/26/2013 Status: OPEN closed:

Inspection Date:

E2013-0428 11 E ST JOE ST & 11 1/2 File Date: 11/27/2013 Status: OPEN closed:

Inspection Date:  
INITIAL

E2013-0429 195 N MANNING ST File Date: 11/27/2013 Status: OPEN closed:

Inspection Date:  
Review

**Total Entries: 22**

**VACANT STRUCTURE UNMAINT**

E2013-0430 8 ARMSTRONG ST File Date: 11/27/2013 Status: REFERRED TO ( closed:

Inspection Date:

**Total Entries: 1**

**Total Records: 32**

Total Pages: 4



12/02/13

# Enforcements By Category

1/10

## CITIZEN COMPLAINT

E2013-0139 60 N WEST ST File Date: 04/30/2013 Status: CLOSED/NEW ( closed: 11/04/2013

Inspection Date: 10/18/2013  
Review

Inspection Date: 06/19/2013

Review INSPECTOR COMMENTS IPMC  
INSPECTOR COMMENTS: Multiple pieces of blue foam still littering area

Inspection Date: 05/31/2013

Review INSPECTOR COMMENTS IPMC  
INSPECTOR COMMENTS: Evidence of work in progress, but not completed.

Inspection Date: 04/30/2013

Complaint 302.1-SANITATION-EXTERIOR IPMC  
302.1 - SANITATION: CLEAN TRASH AND RUBBISH FROM EXTERIOR AREA

INSPECTOR COMMENTS: trash in rear yard

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E2013-0173 98 E SHARP ST File Date: 05/20/2013 Status: CLOSED/NEW ( closed: 11/22/2013

Inspection Date:  
Review

Inspection Date: 06/11/2013

Review

Inspection Date: 05/17/2013

Complaint 302.7- ACCESSORY STRUCTURE-PAI IPMC  
302.7 - ACCESSORY STRUCTURE: REPAIR AND PAINT

INSPECTOR COMMENTS: walls, trim

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E2013-0228 54 SPRING ST File Date: 05/22/2013 Status: Resolved closed: 11/07/2013

Inspection Date: 11/07/2013  
RE-INSPECTION

Inspection Date: 08/08/2013

Review

Inspection Date: 06/11/2013

Review

Inspection Date: 05/21/2013

Complaint 302.7- ACCESSORY STRUCTURE-PAI IPMC  
302.7 - ACCESSORY STRUCTURE: REPAIR AND PAINT

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E2013-023 227 N MANNING ST closed: 11/13/2013

Inspection Date: 11/13/2013  
RE-INSPECTION

Inspection Date: 06/11/2013  
Review

Inspection Date: 05/21/2013  
Complaint 302.7-ACCESSORY STRUCTURE IPMC  
302.7- ACCESSORY STRUCTURE - REPAIR OR REPLACE

INSPECTOR COMMENTS: broken glazing  
-----  
Status: CLOSED/NEW ( closed: 11/04/2013

E2013-0287 65 WESTWOOD ST File Date: 07/17/2013  
Inspection Date: 10/18/2013  
Review

Inspection Date: 07/17/2013  
Complaint 302.1-SANITATION-EXTERIOR IPMC  
302.1 - SANITATION: CLEAN TRASH AND RUBBISH FROM EXTERIOR AREA

INSPECTOR COMMENTS: Mattress and trash bags piled on landing of second floor rear outside stairs. Remove by deadline  
-----  
Status: OPEN closed: 11/19/2013

E2013-0297 104 HILLSDALE ST File Date: 07/29/2013  
Inspection Date: 08/28/2013  
REVIEW

Inspection Date:  
RE-INSPECTION

Inspection Date: 07/31/2013  
Complaint 302.1-SANITATION-EXTERIOR IPMC  
302.1 - SANITATION: CLEAN TRASH AND RUBBISH FROM EXTERIOR AREA

INSPECTOR COMMENTS: Materials stored in pick-up bed, tarps on ground, remnants of wire fencing, palletts, window sashes,  
Remove by deadline date  
-----  
Status: CLOSED/NEW ( closed: 11/26/2013

E2013-0322 16 W COLLEGE ST File Date: 08/28/2013  
Inspection Date: 11/26/2013  
Review 1. 107.6 TRANSFER OF OWNERSHIP IPMC  
107.6 TRANSFER OF OWNERSHIP. IT SHALL BE UNLAWFUL FOR THE OWNER OF ANY DWELLING UNIT OR STR

Inspection Date: 08/27/2013  
Complaint 302.7- ACCESSORY STRUCTURE-PAI IPMC  
302.7 - ACCESSORY STRUCTURE: REPAIR AND PAINT

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Status: Resolved-No Acti closed: 11/18/2013

E2013-0408 9 Graceland File Date: 11/13/2013  
Inspection Date:



**GARBAGE/SOLID WASTE**

E2013-0378 20 BUDLONG ST File Date: 10/17/2013 Status: Resolved closed: 11/08/2013

Inspection Date: 11/08/2013  
Review

Inspection Date: 10/18/2013

Complaint ACCUMULATION OF GARBAGE HMC Other  
HMC 28.32 ACCUMULATION OF GARBAGE PROHIBITED.  
ALL EXTERIOR PROPERTY AND PREMISES SHALL BE FREE FROM THE ACCUMULATION OF RUBBISH, SOLID V

INSPECTOR'S COMMENTS: ACCUMULATION OF HOUSEHOLD WASTE INCLUDING DISCARDED CLOTHING, LA

11/8/2013 ALL GARBAGE APPEARS TO HAVE BEEN REMOVED. FRONT PORCH IS CLUTTERED, BUT ALL APPEA

Inspection Date: 10/25/2013  
Review

Total Entries: 1

**REAL ESTATE TRANSFER**

E06-0142 46 RIVER ST File Date: 04/27/2006 Status: CLOSED/NEW ( closed: 11/19/2013

Inspection Date: 10/22/2008  
RE-INSPECTION

Inspection Date: 04/27/2006

INITIAL EXTERIOR 302 Deficiency  
SANITATION 302.1 - CLEAN HOUSE  
SOFFITS/ FACIA 304.2 - REPAIR & PAINT

E06-0407 242 E SOUTH ST File Date: 10/04/2006 Status: Closed-time elaps closed: 11/19/2013

Inspection Date: 03/06/2012  
Review

Inspection Date: 01/23/2012  
Review

Inspection Date:  
REINSPECT (3)

Inspection Date: 12/10/2008  
REINSPECT (2)

Inspection Date: 10/05/2006  
INITIAL EXTERIOR

IPMC



\*WIND TRIM 304.13 - PAINT  
\*SOFFITS/FACIA 304.2 - REPAIR/PAINT AS NEEDED  
\*CHIMNEY 304.11 - CHECK

Inspection Date: 06/26/2007  
RE-INSPECTION

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E2012-0290 98 E SHARP ST File Date: 06/25/2012 Status: CLOSED/NEW ( closed: 11/22/2013

Inspection Date: 07/27/2012  
Review

Inspection Date: 06/27/2012  
INITIAL 302.7- ACCESSORY STRUCTURE-PAI IPMC  
307.7 - ACCESSORY STRUCTURE: REPAIR AND PAINT

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E2012-0499 72 S WEST ST File Date: 12/03/2012 Status: CLOSED/NEW ( closed: 11/06/2013

Inspection Date: 12/05/2012  
INITIAL 304.6 - EXTERIOR WALLS IPMC  
304.6 - EXTERIOR WALLS: REPAIR/REPLACE

INSPECTOR COMMENTS: Bare wires on rear wall

**Total Entries: 4**

**RESIDENTIAL INSP.**

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ERES-07-0035 18 W BACON ST File Date: 04/10/2007 Status: CLOSED/NEW ( closed: 11/21/2013

Inspection Date: 07/07/2009  
VERIFICATION

Inspection Date:  
REINSPECT (2)

Inspection Date: 05/29/2007  
INITIAL EXTERIOR IPMC  
EXTERIOR WALLS 304.13 -SEAL AT CHIMNEY

Inspection Date: 02/13/2008  
RE-INSPECTION

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ERES-07-0044 21 W BACON ST File Date: 05/10/2007 Status: CLOSED/NEW ( closed: 11/26/2013

Inspection Date: 12/03/2008  
RE-INSPECTION

Inspection Date: 11/26/2013  
Review 1. HMC 6-63 USE AND OCCUPANCY HMC Other



INSPECTOR COMMENTS: NO APPROVED INSPECTION ON FILE

Inspection Date: 05/07/2007

INITIAL EXTERIOR IPMC  
 EXTERIOR WALLS 304.6 - PAINT AS NEEDED

ERES-07-0087 11 E ST JOE ST & 11 1/2 File Date: 09/04/2007

Inspection Date: 06/11/2009

RE-INSPECTION

Inspection Date: 08/22/2007

INITIAL (2) 304.2 - DOOR: PROTECTIVE TREAT  
 304.2 - DOOR: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE  
 Install screens

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 Status: CLOSED/NEW ( closed: 11/27/2013

**Total Entries: 3**

**SIGN VIOLATION**

E2013-0380 38 E CARLETON RD File Date: 10/22/2013 Status: OPEN closed: 11/19/2013

Inspection Date:

Review

**Total Entries: 1**

**TENANCY TRANSFER**

E09-0580 227 N MANNING ST File Date: 08/26/2009 Status: CLOSED/NEW ( closed: 11/14/2013

Inspection Date: 08/25/2009

INITIAL 704.2 - SMOKE ALARMS - REPAIR/  
 704.2 - SMOKE ALARMS - REPAIR/REPLACE/INSTALL/ CHECKBATTERIES  
 All Bedrooms, Pink upstairs room-Northwest

E2010-0782 100 LEWIS ST File Date: 12/16/2010 Status: CLOSED/NEW ( closed: 11/25/2013

Inspection Date: 12/16/2010

INITIAL EXTERIOR OF STRUCTURE  
 506.2-SEWER VENT- REPAIR/REPLACE  
 304.2- TRIM: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED  
 304.2- DOORS AND WINDOW FRAMES: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED  
 304.11 CHIMNEY: REPAIR/REPLACE  
 304.10 - STRUCTUALLY SOUND: STAIRWAY: REPAIR/REPLACE  
 Install Back Stairway

304.12 - PORCHES: HANDRAILS AND GUARDRAILS: REPAIR/REPLACE  
 304.18.1 - BUILDING SECURITY: DOORS: REPAIR/REPLACE TO PROVIDE SECURITY

Rear Door

E2011-0244 11 BARNARD ST File Date: 03/11/2011 Status: U & O issued closed: 11/08/2013

Inspection Date: 11/08/2013

RE-INSPECTION





Inspection Date: 08/21/2013  
Review

Inspection Date: 07/29/2013  
RE-INSPECTION

Inspection Date: 04/13/2011  
RE-INSPECTION

Inspection Date: 03/18/2011  
INITIAL

- EXTERIOR OF STRUCTURE
- 304.2 - DOOR: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE
- 304.2 - TRIM: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED
- 304.2-CORNICES: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED
- 304.2 - DECKS: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED.
- 304.2- DOORS AND WINDOW FRAMES: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED
- 304.2- EXTERIOR WALLS: PROTECTIVE TREATMENT: REPAIR/REPLACE/PAINT AS NEEDED
- 304.2 - PORCHES: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED
- 304.8 - DECORATIVE FEATURES: REPAIR/REPLACE
- 304.9 - OVERHANG EXTENSIONS: REPAIR/REPLACE

E2013-0333 57 READING AVE File Date: 09/03/2013

Status: U & O issued closed: 11/13/2013

Inspection Date: 11/13/2013  
RE-INSPECTION

Inspection Date: 10/23/2013  
RE-INSPECTION

Inspection Date: 10/16/2013  
INITIAL

- 1. 304.2 PROTECTIVE TREATMENT IPMC
- 304.2- DOORS AND WINDOW FRAMES: PROTECTIVE TREATMENT: PAINT/REPAIR/REPLACE AS NEEDED

**Total Entries: 4**

**USE AND OCCUPANCY**

E2013-0362 33 N BROAD ST File Date: 10/01/2013

Status: Resolved closed: 11/18/2013

Inspection Date: 11/19/2013  
RE-INSPECTION

Inspection Date: 10/10/2013  
INITIAL

- 1. 704.1 SMOKE DETECTOR NFPA Fire Safety
- 704.2 - SMOKE ALARMS - REPAIR/REPLACE/INSTALL/ CHECKBATTERIES
- BASEMENT, FIRST FLOOR, SECOND FLOOR, ALL BEDROOMS

Inspection Date: 10/01/2013  
INITIAL

6-63 USE & OCCUPANCY PERMIT HMC Other  
IT SHALL HEREAFTER BE UNLAWFUL FOR ANY PERSON TO ENTER INTO THE USE OR OCCUPANCY OF ANY S...



E2013-037 50 W SOUTH ST File Date: 10/07/2013 St. U & O issued closed: 11/07/2013  
Inspection Date: 11/07/2013 INITIAL

Inspection Date: 10/28/2013  
REVIEW 6-63 USE & OCCUPANCY PERMIT HMC Other  
SEC. 6-63. USE AND OCCUPANCY PERMIT REQUIRED. IT SHALL HEREAFTER BE UNLAWFUL FOR ANY PERSON  
INSPECTOR'S COMMENTS: CONTACT CODE ENFORCEMENT OFFICE TO SCHEDULE INSPECTION FOR USE & O  
E2013-0394 44 MONROE ST File Date: 11/01/2013 Status: U & O issued closed: 11/12/2013  
Inspection Date: 11/12/2013 U & O Initial

**Total Entries: 3**

**USE AND OCCUPANCY EXPIRED**

E2013-0401 3203 BECK RD File Date: 11/01/2013 Status: Resolved-No Acti closed: 11/21/2013  
Inspection Date: 11/21/2013 INITIAL

E2013-0403 68 RIPPON AVE File Date: 11/04/2013 Status: Resolved-No Acti closed: 11/21/2013  
Inspection Date:

**Total Entries: 2**

**VACANT STRUCTURE**

E09-0380 171 N WEST ST File Date: 06/18/2009 Status: VACANT closed: 11/04/2013  
Inspection Date:  
Vacant Status

Inspection Date: 06/08/2012  
Vacant Status

Inspection Date: 04/19/2012  
Vacant Status

Inspection Date: 01/12/2012  
Vacant Status

Inspection Date: 06/18/2009  
INITIAL

Inspection Date: 01/12/2011



Vacant Status

Inspection Date: 07/12/2010

Vacant Status

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E2011-0574 98 E SHARP ST

File Date: 09/02/2011

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Status: CLOSED/NEW ( closed: 11/22/2013

Inspection Date:

Vacant Status

Inspection Date: 08/28/2013

Vacant Status

Inspection Date: 07/11/2013

Vacant Status

Inspection Date: 05/29/2013

Vacant Status

Inspection Date: 04/16/2013

Vacant Status

Inspection Date: 09/07/2012

Vacant Status

Inspection Date: 07/25/2012

Vacant Status

Inspection Date: 06/13/2012

Vacant Status

Inspection Date: 05/02/2012

Vacant Status

Inspection Date: 03/06/2012

Vacant Status

Inspection Date: 01/17/2012

Vacant Status

Inspection Date: 11/30/2011

Vacant Status

Inspection Date: 10/04/2011

Vacant Status

Inspection Date: 09/02/2011

( )

( )

( )

Vacant Status

E2011-0610 72 S WEST ST

File Date: 09/22/2011

Status: CLOSED/NEW ( closed: 11/06/2013

Inspection Date:

Vacant Status

Inspection Date: 11/20/2012

Vacant Status

Inspection Date: 10/15/2012

Review

Inspection Date: 06/11/2012

Vacant Status 302.7-ACCESSORY STRUCTURE IPMC  
302.7- ACCESSORY STRUCTURE - REPAIR OR REPLACE

INSPECTOR COMMENTS: Accessory structure has deteriorated roof, walls, and doors.

Inspection Date: 07/13/2012

Review

Inspection Date: 05/18/2012

Vacant Status

Inspection Date: 05/07/2012

Vacant Status

Inspection Date: 03/27/2012

Vacant Status

Inspection Date: 01/31/2012

Vacant Status

Inspection Date: 12/14/2011

Vacant Status

Inspection Date: 10/31/2011

Vacant Status

Inspection Date: 09/22/2011

Vacant Status 108.2 Vacant Structure  
Structure is vacant

E2012-0199 8 ARMSTRONG ST

File Date: 05/16/2012

Status: CLOSED/NEW ( closed: 11/27/2013

Inspection Date:

Vacant Status





E2012-030 64 HILLSDALE ST

File Date: 06/26/2012

St. CLOSED/NEW ( closed: 11/25/2013

Inspection Date:  
Vacant Status

Inspection Date: 04/12/2013  
Vacant Status

Inspection Date: 02/26/2013  
Vacant Status

Inspection Date: 08/08/2012  
Vacant Status

Inspection Date: 06/25/2012  
Vacant Status

**Total Entries: 5**

**YARD PARKING**

E2010-0202 240 N WEST ST File Date: 03/29/2010 Status: Closed-time elaps closed: 11/25/2013

Inspection Date: 03/29/2010  
INITIAL HMC Sec. 36-593. No parking sh  
HMC Sec. 36-593. No parking shall be permitted in the front yard ahead of the required setback line except on a driveway which  
Two vehicles parked in front yard area, south of driveway area

**Total Entries: 1**

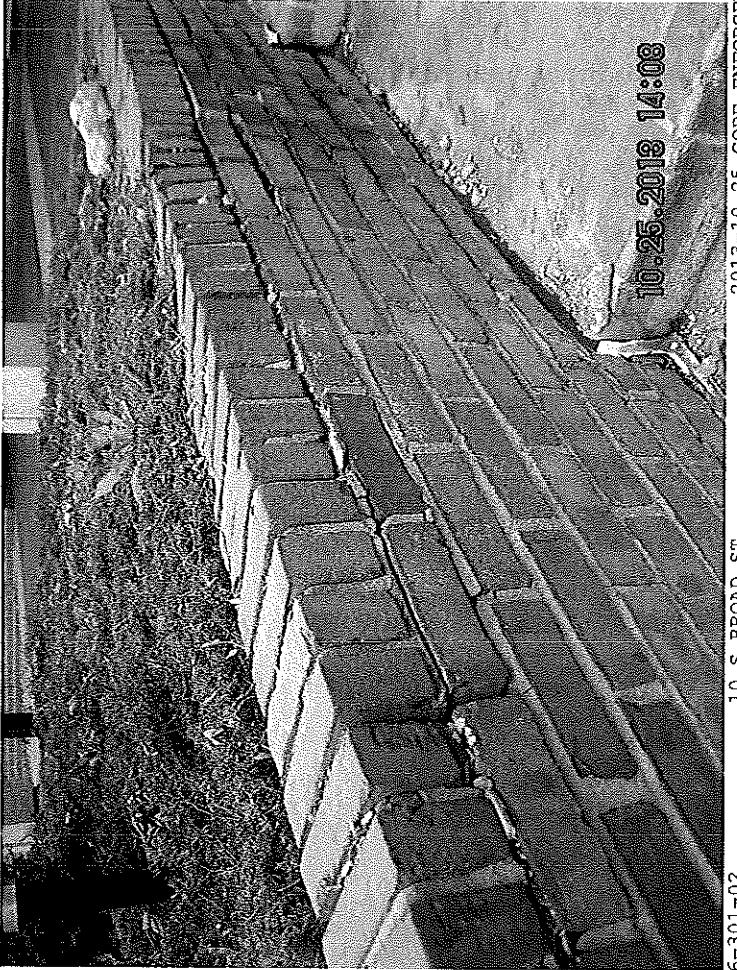
**Total Records: 32**

Total Pages: 10



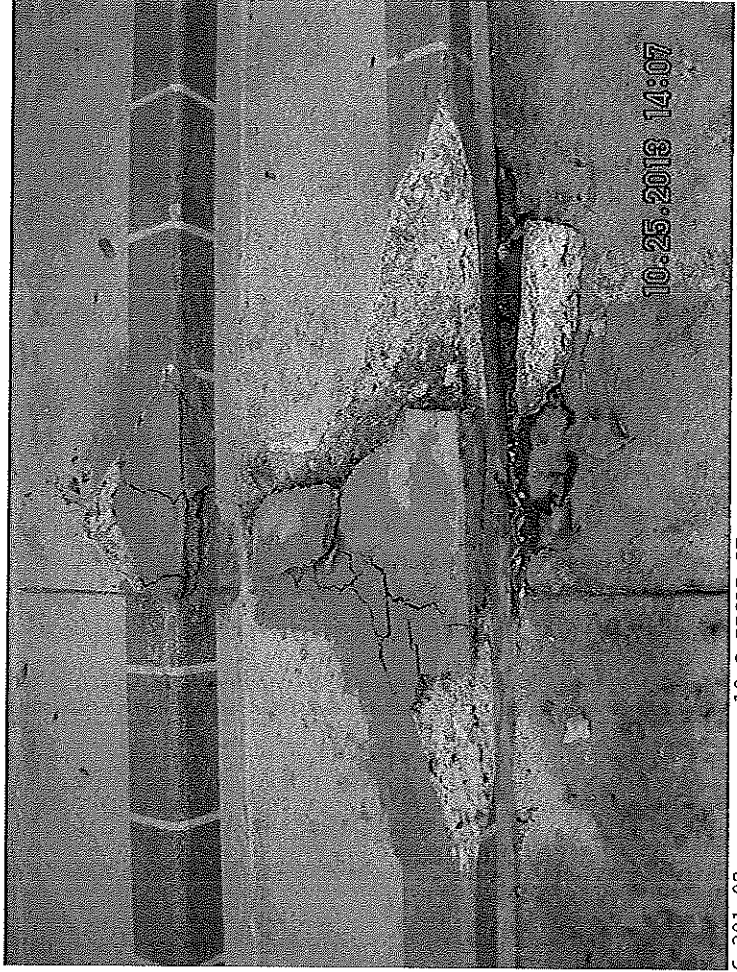


-126-162-07 23 N BROAD ST & 25 2013-10-01 CODE ENFORCEM



126-301-02 10 S BROAD ST

2013-10-25 CODE ENFORCEM26-301-02



10 S BROAD ST

2013-10-25 CODE ENFORCEM



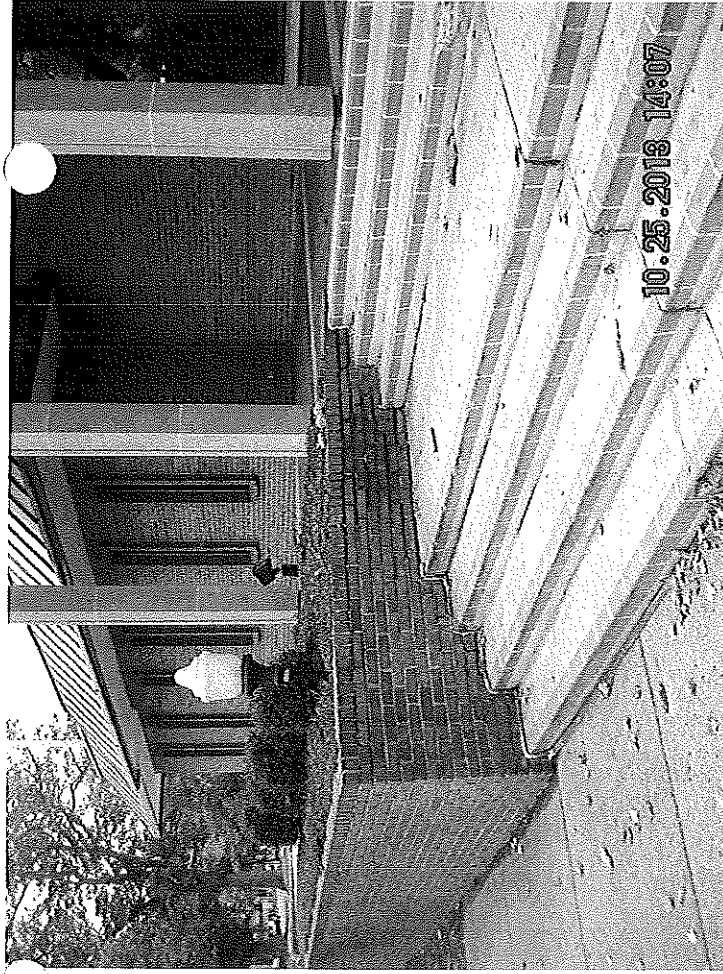


10.25.2013 14:07

026-301-02

10 S BROAD ST

2013-10-25 CODE ENFORCEMENT-426-301-02



10.25.2013 14:07

10 S BROAD ST

2013-10-25 CODE ENFORCEMENT



006-227-278-29

38 E CARLETON RD

2013-10-29

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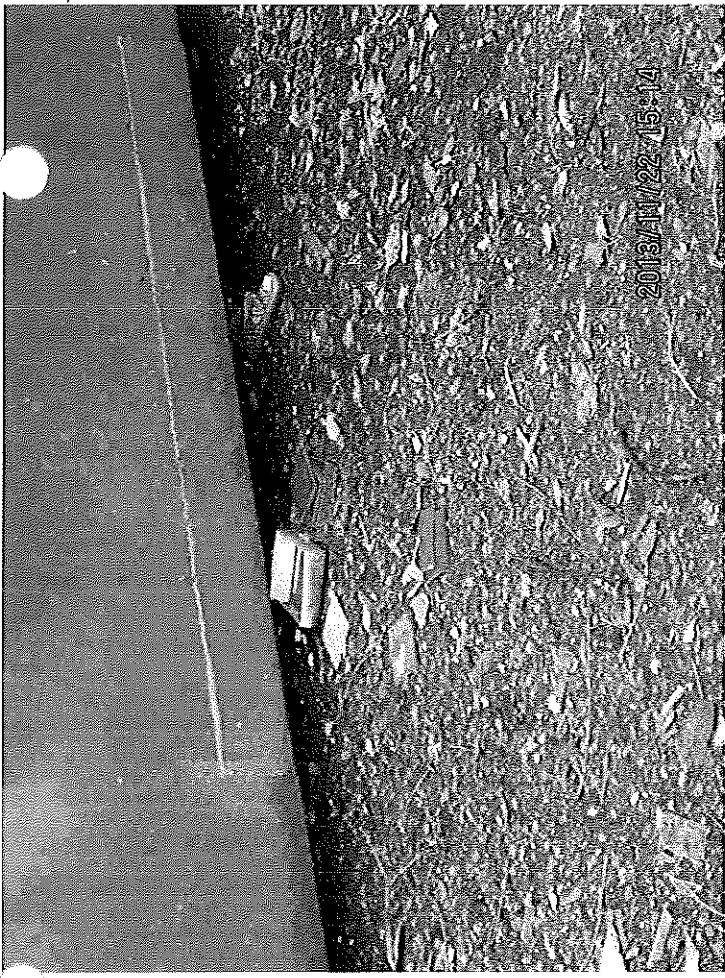
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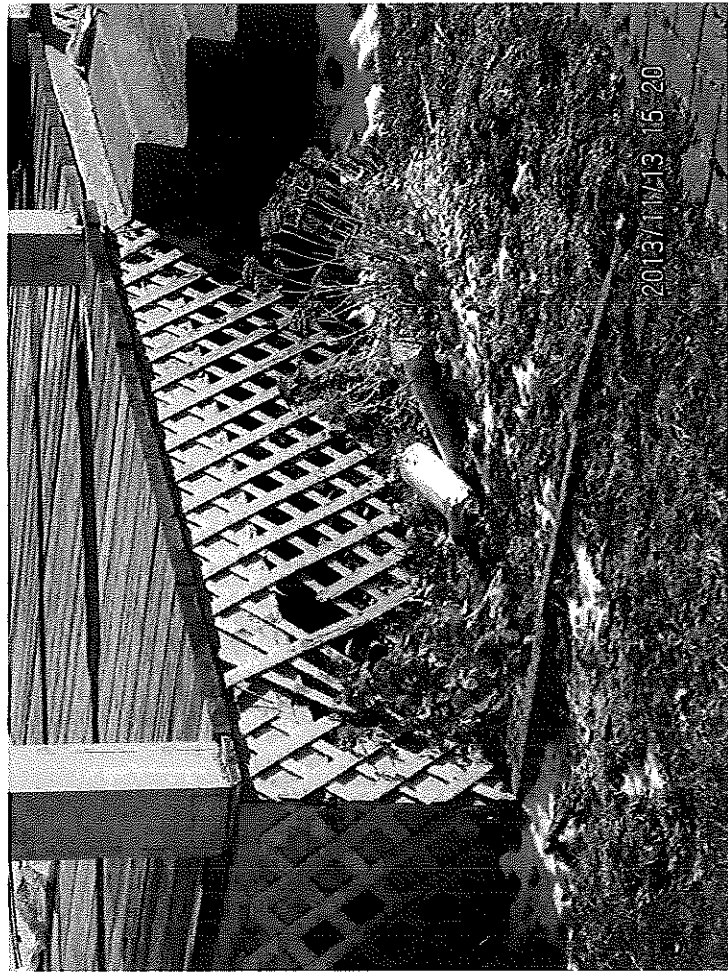
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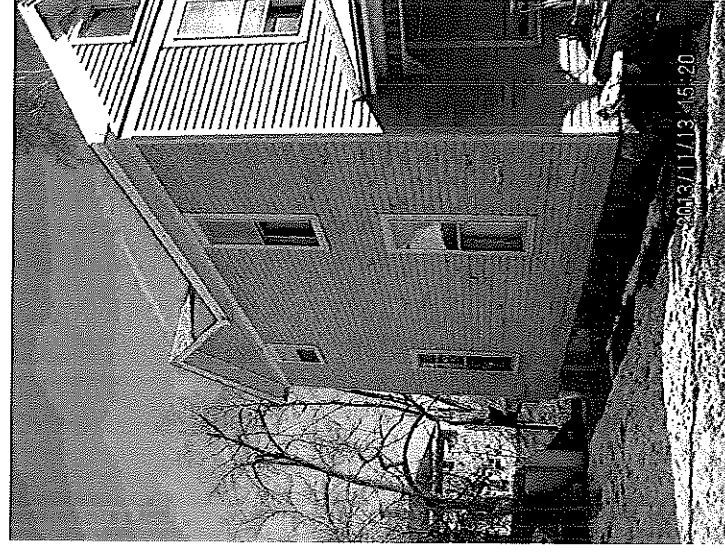


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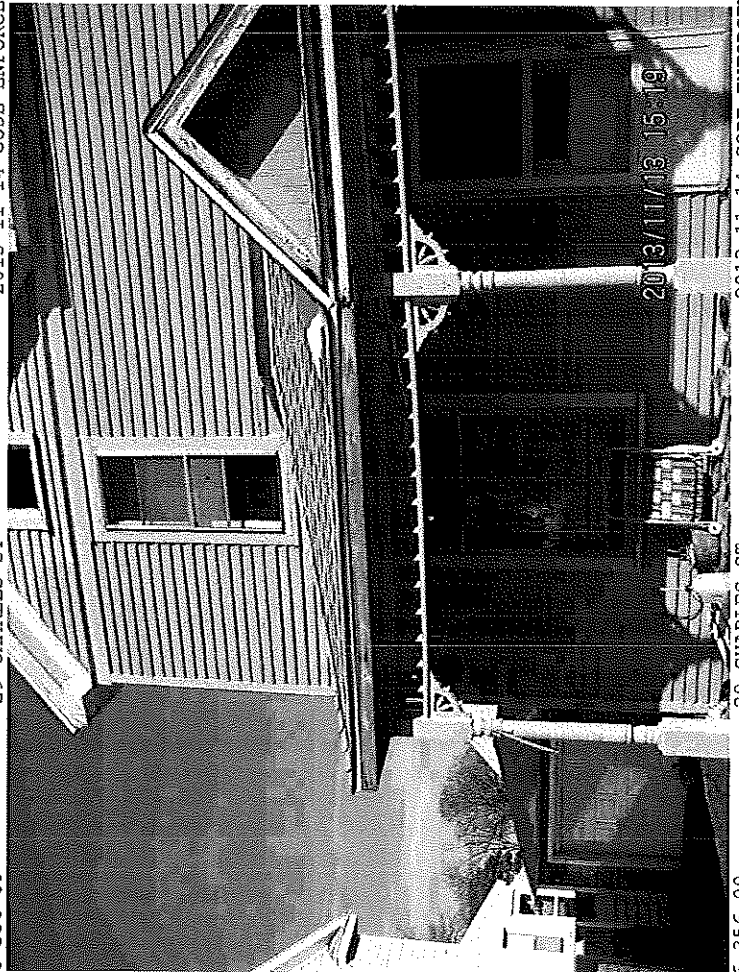
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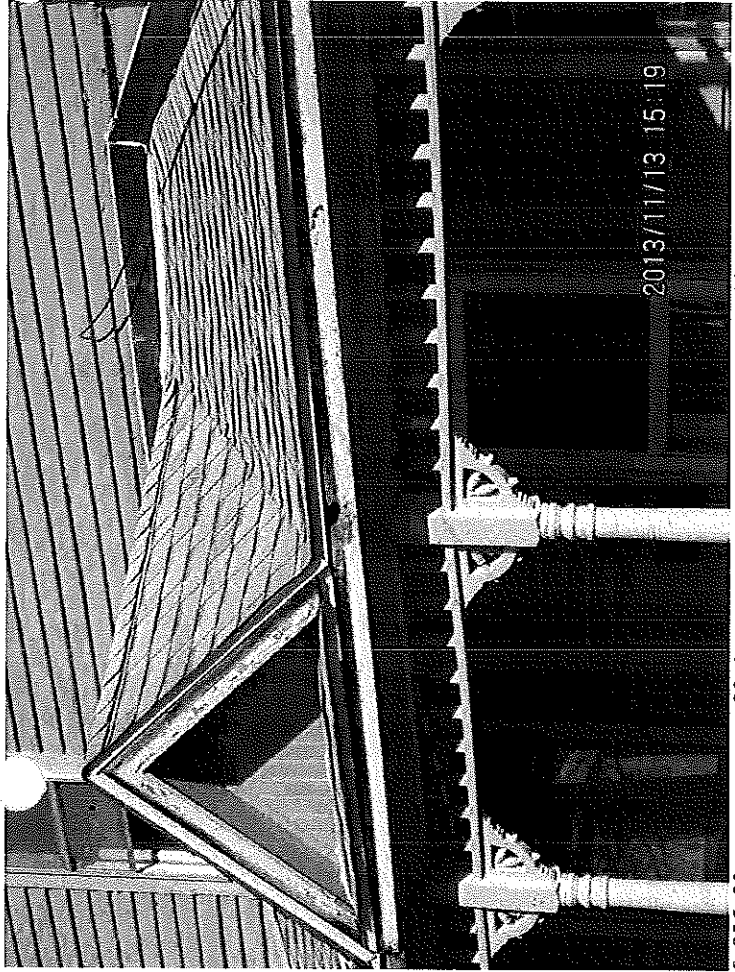


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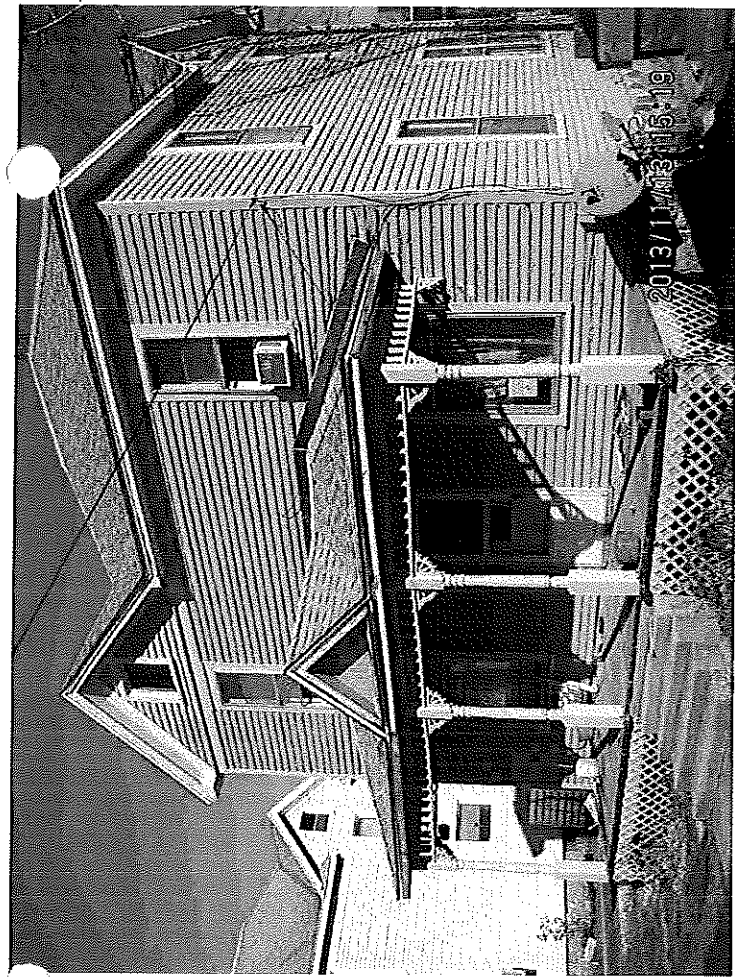
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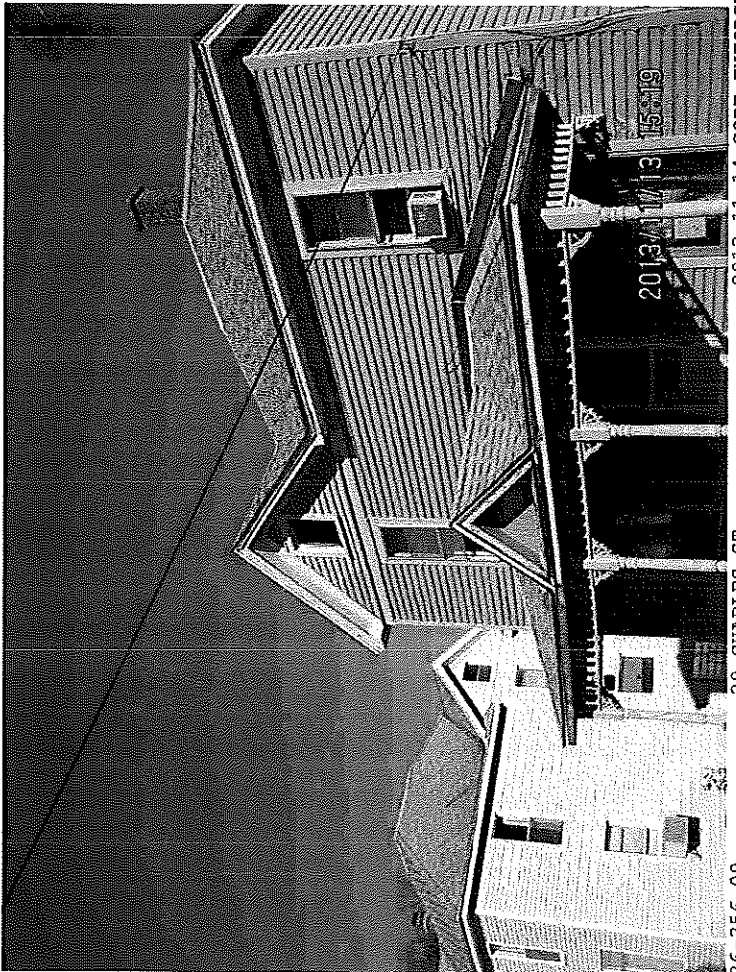
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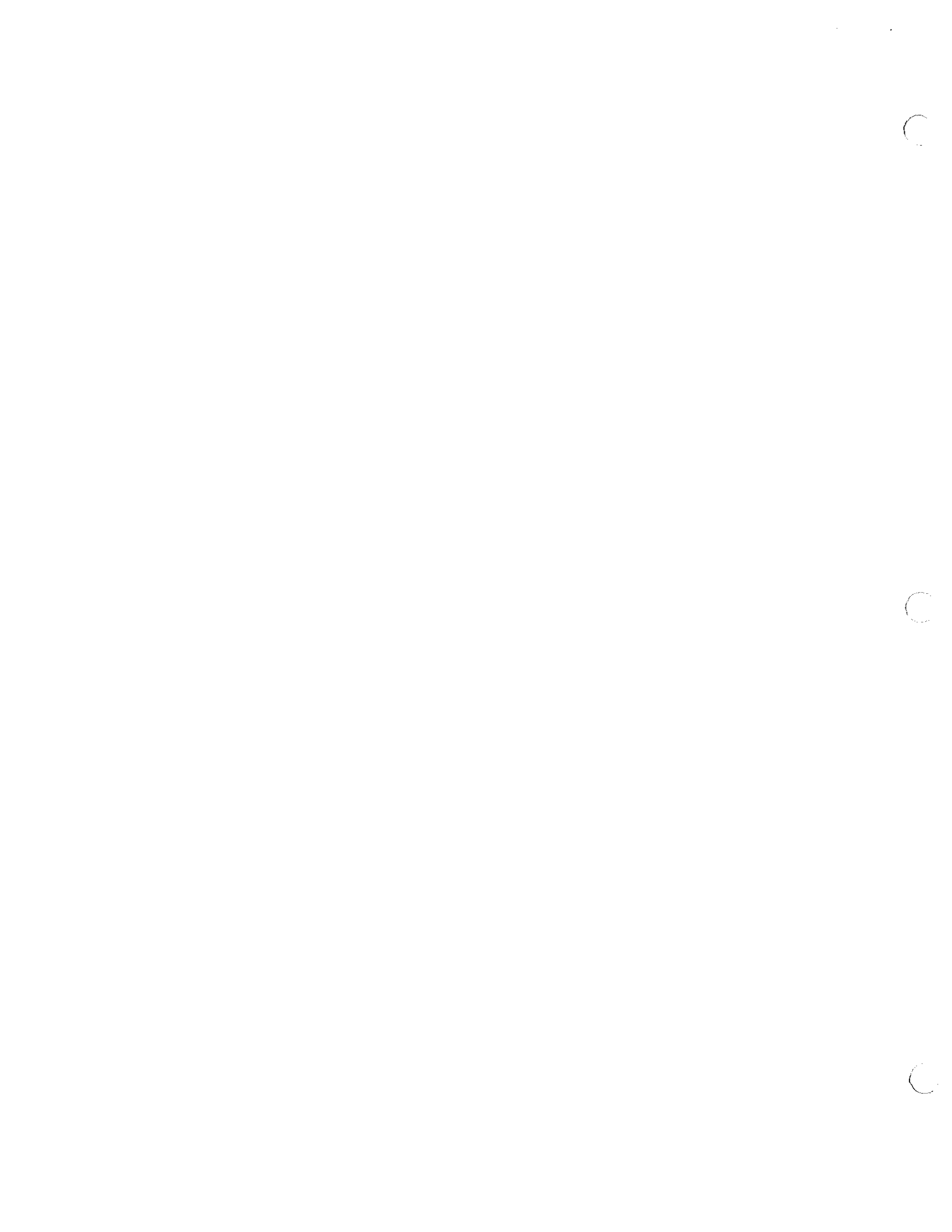
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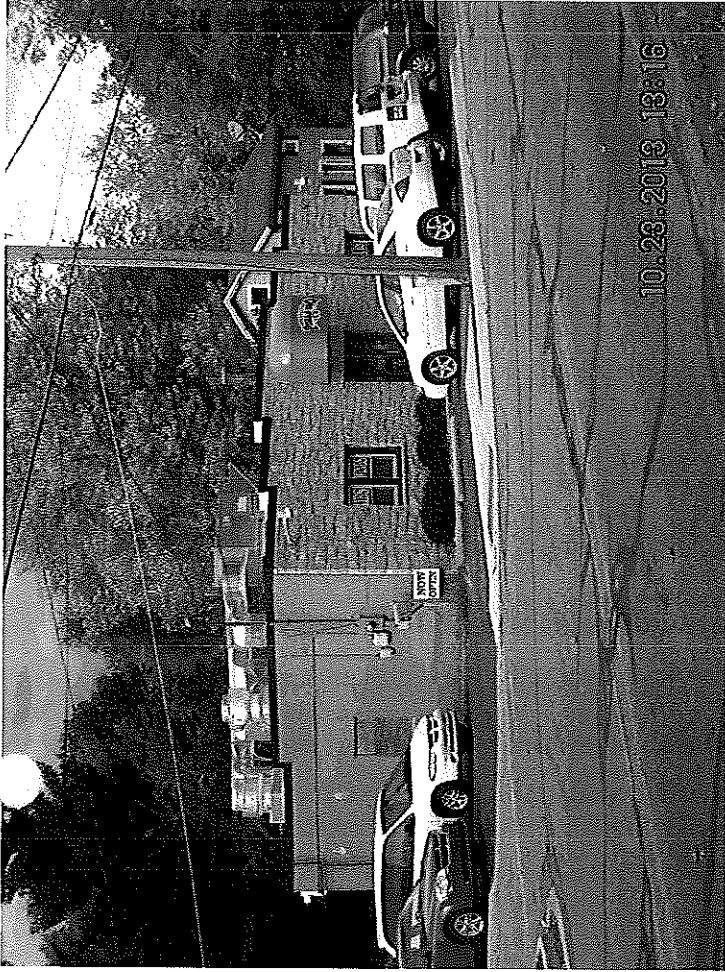
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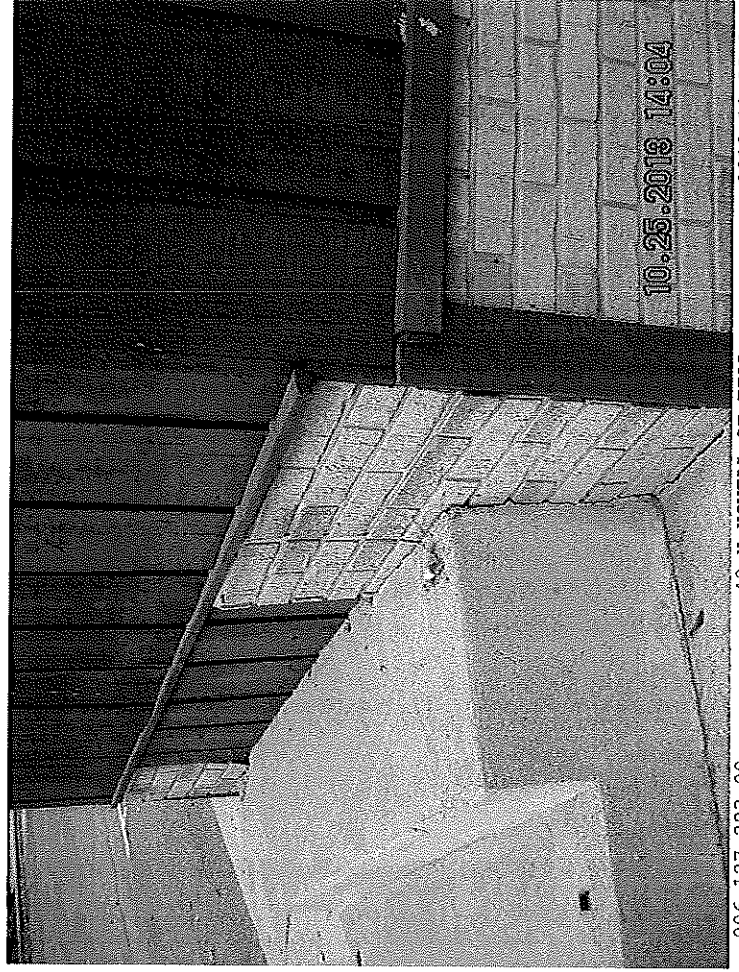


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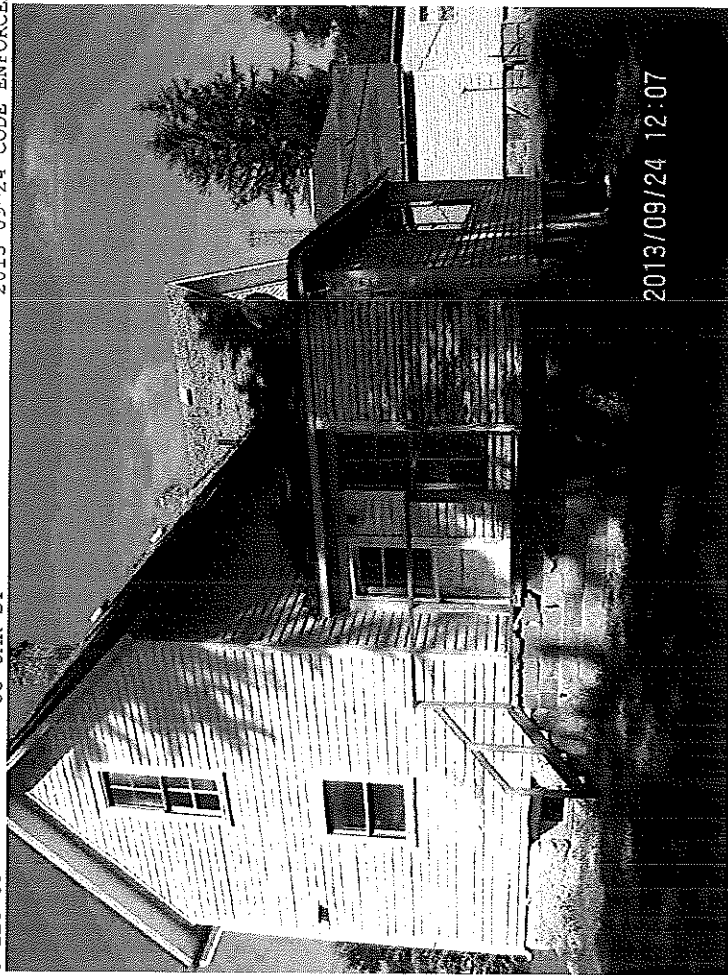


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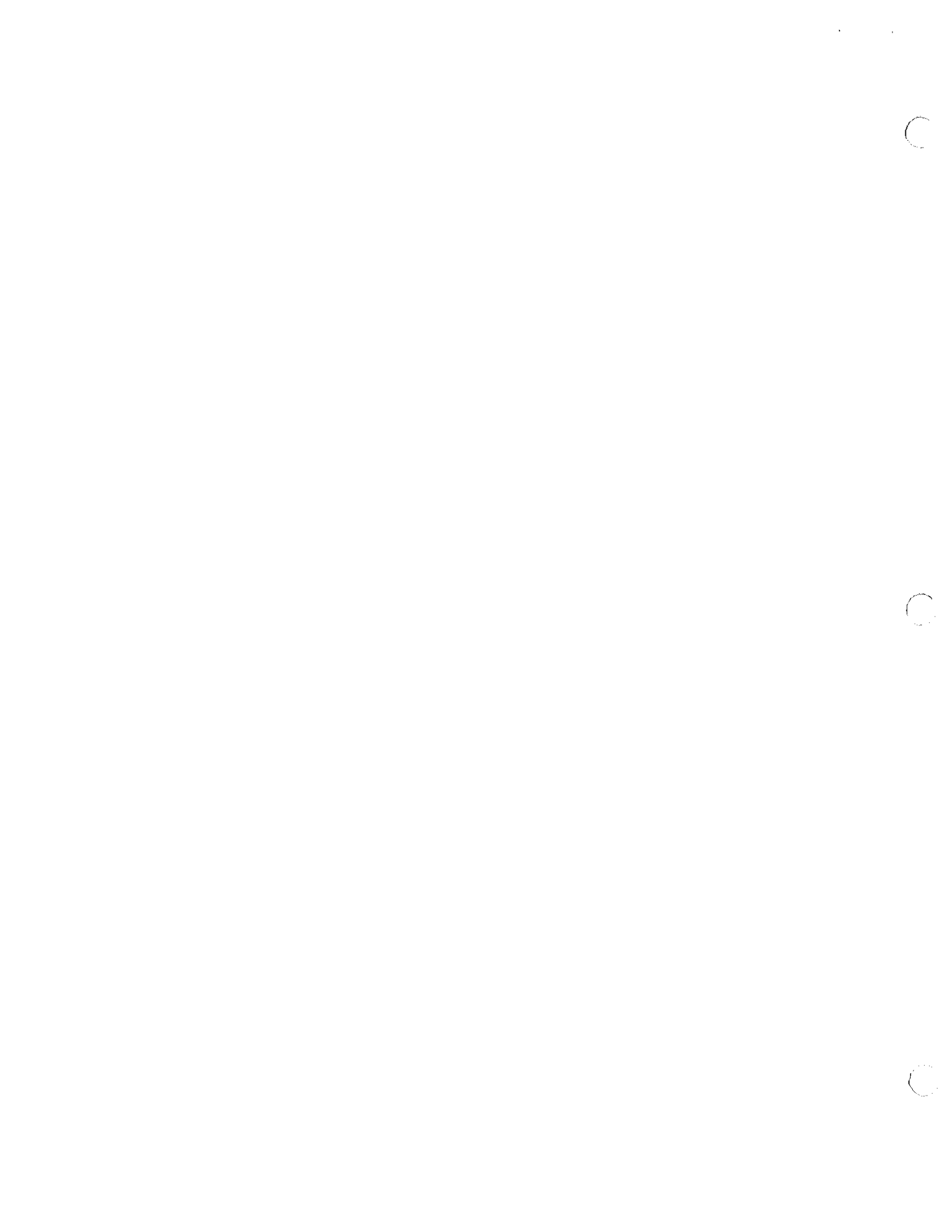
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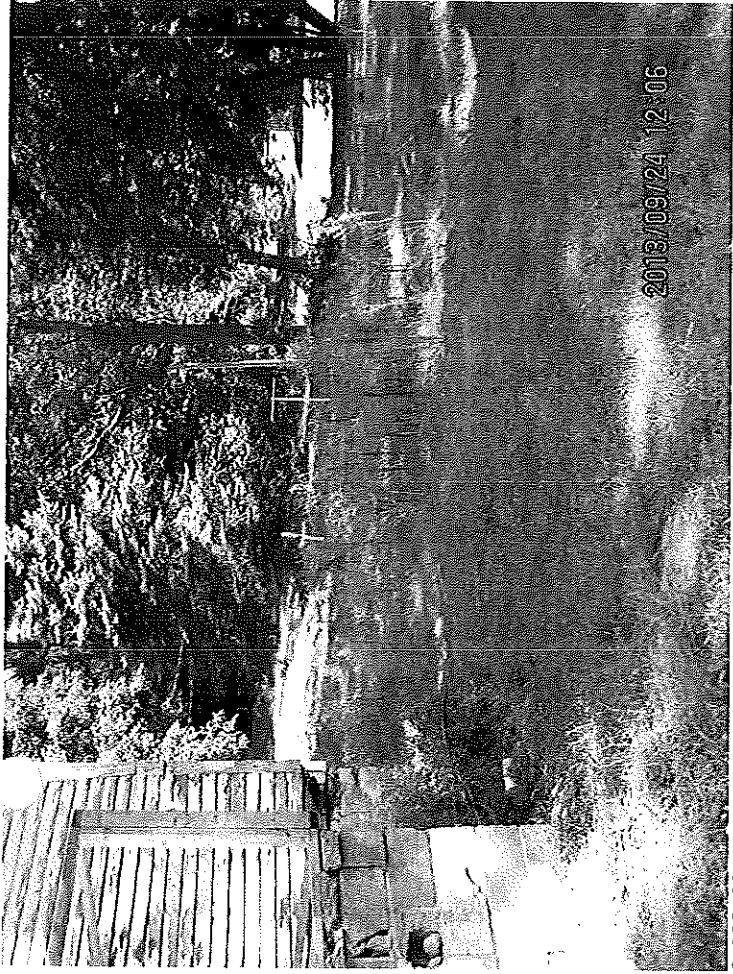


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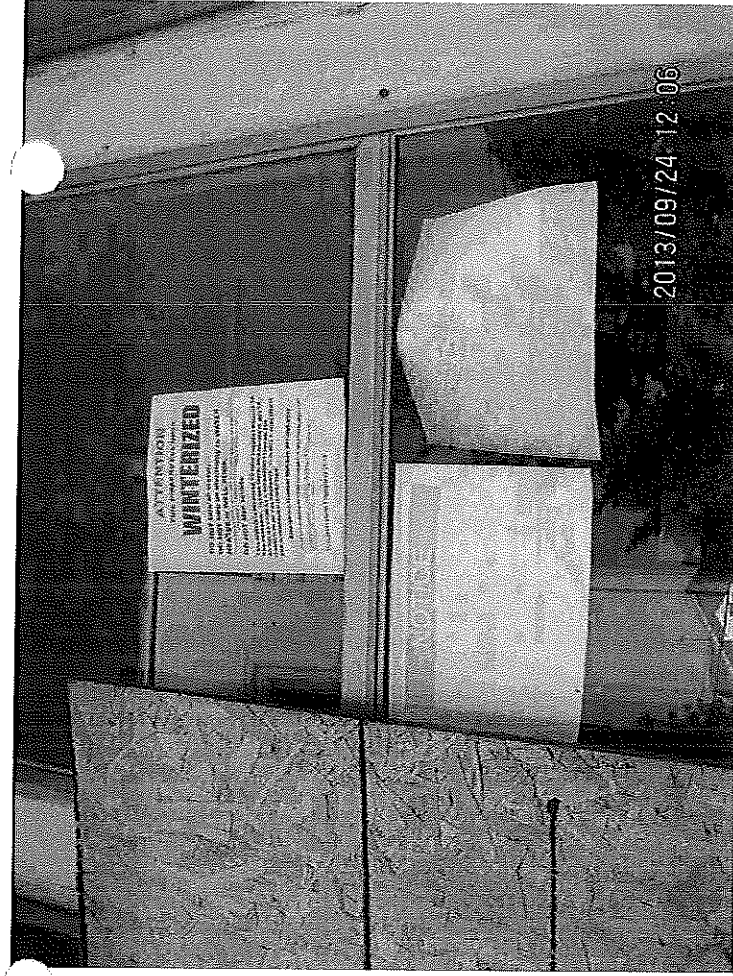


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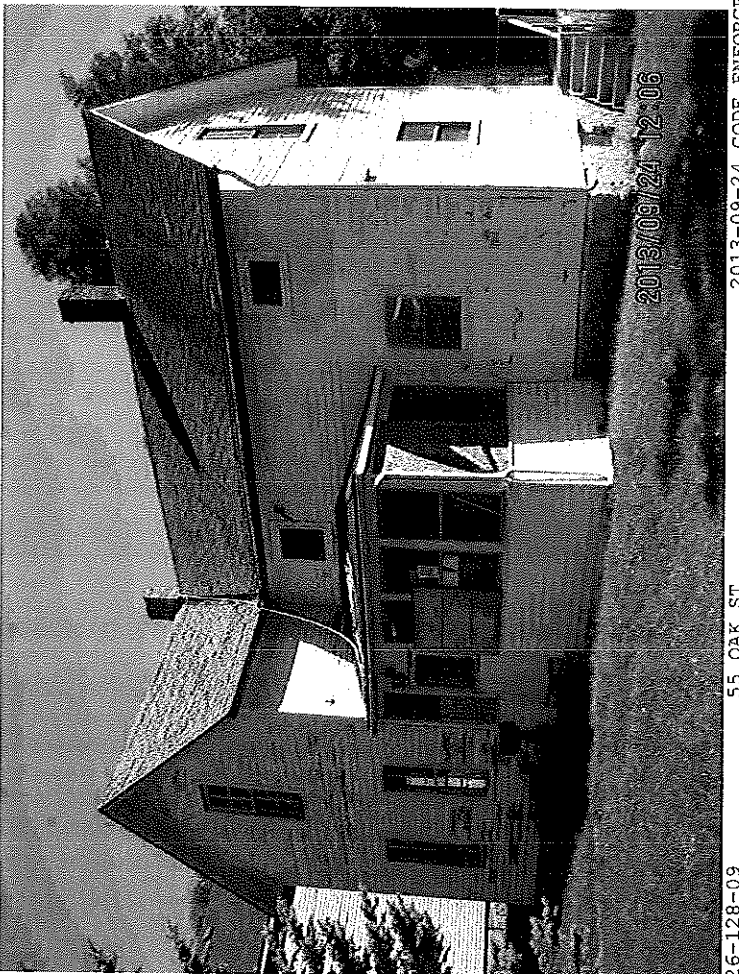
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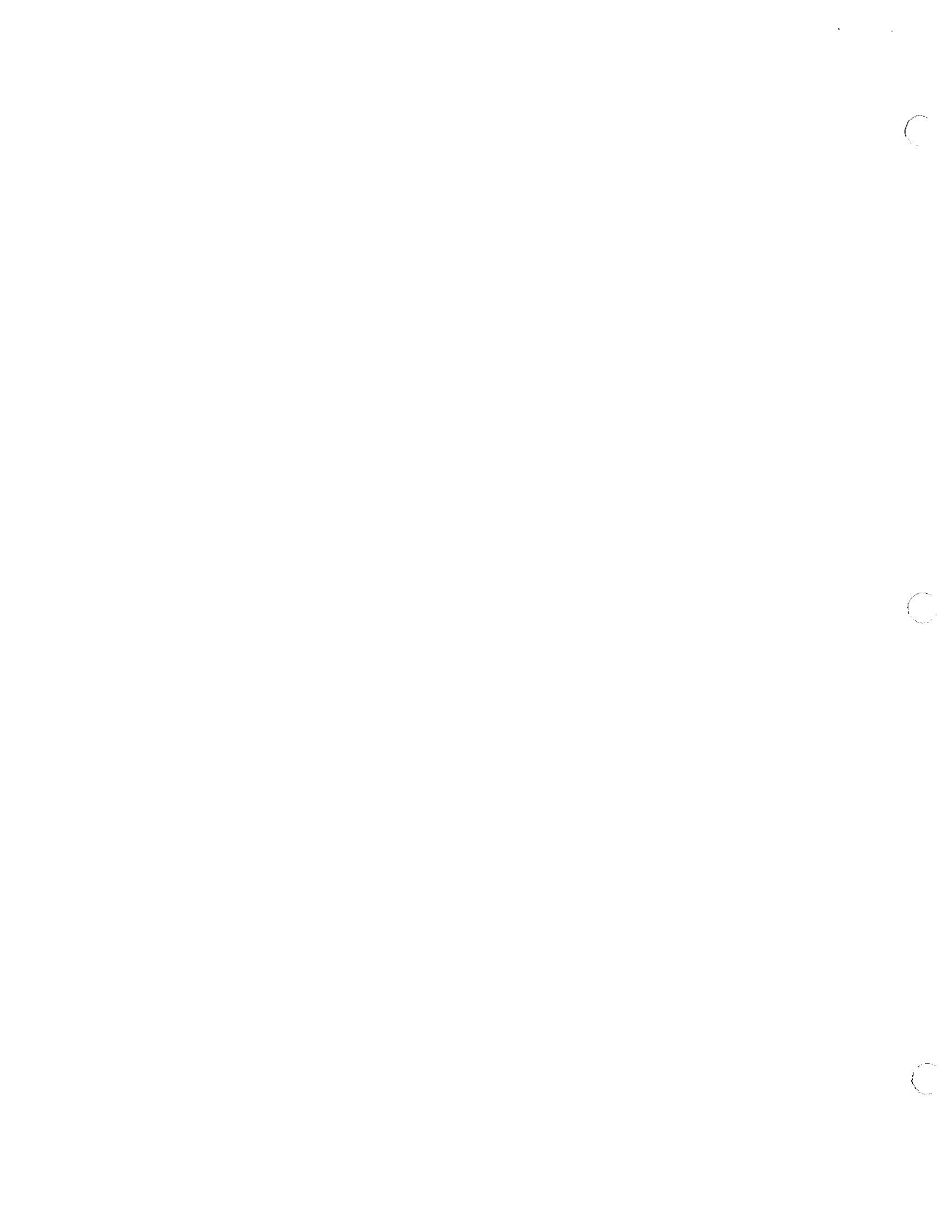


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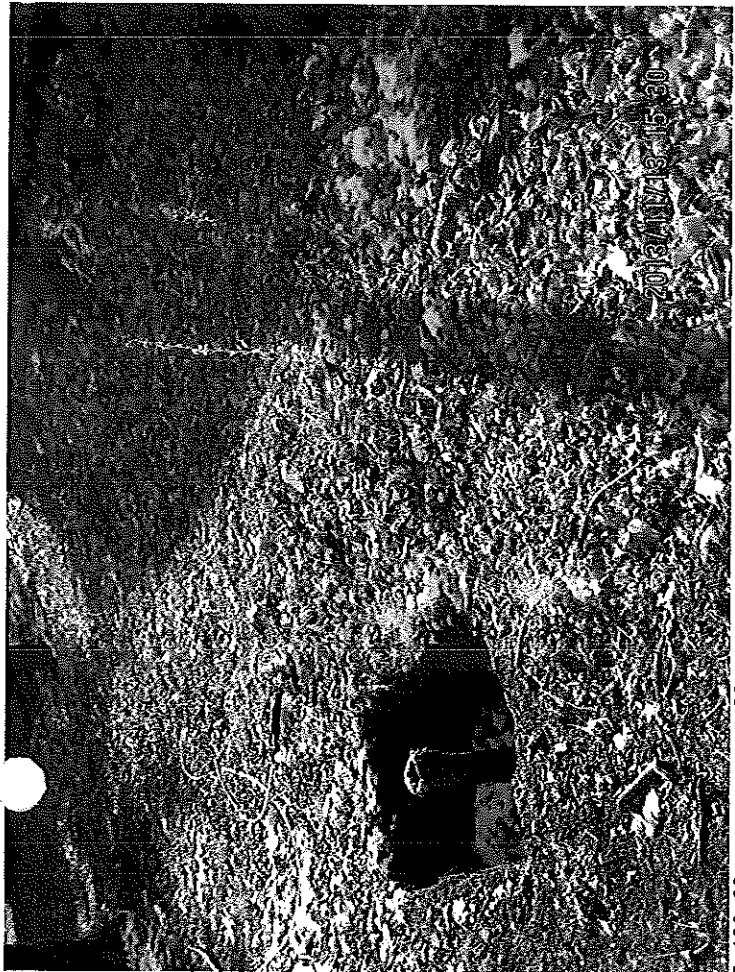
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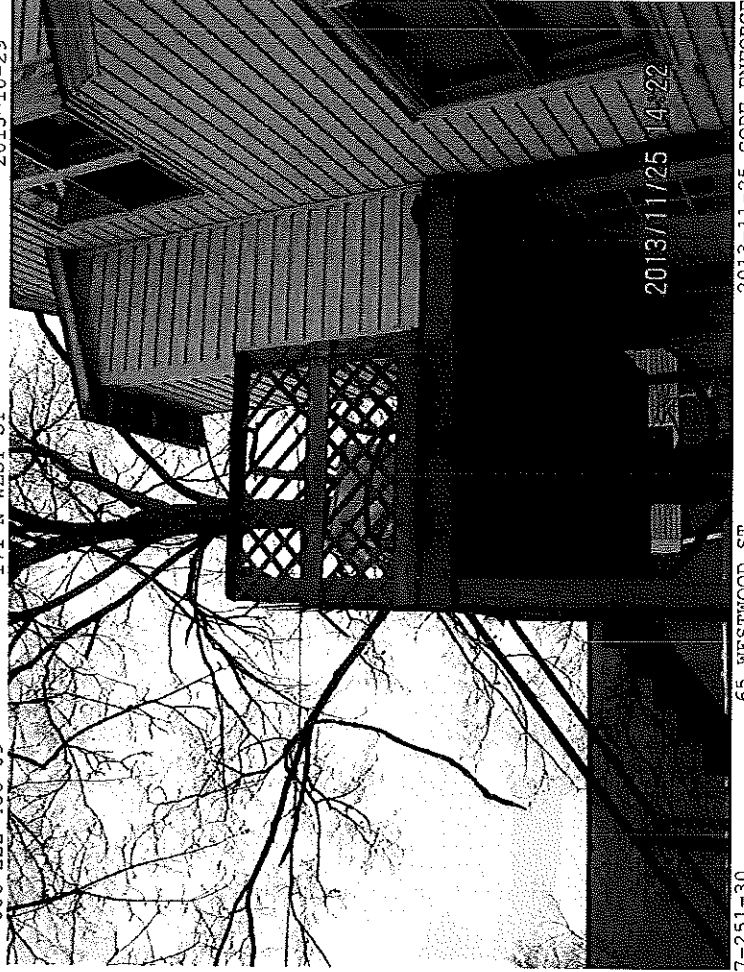
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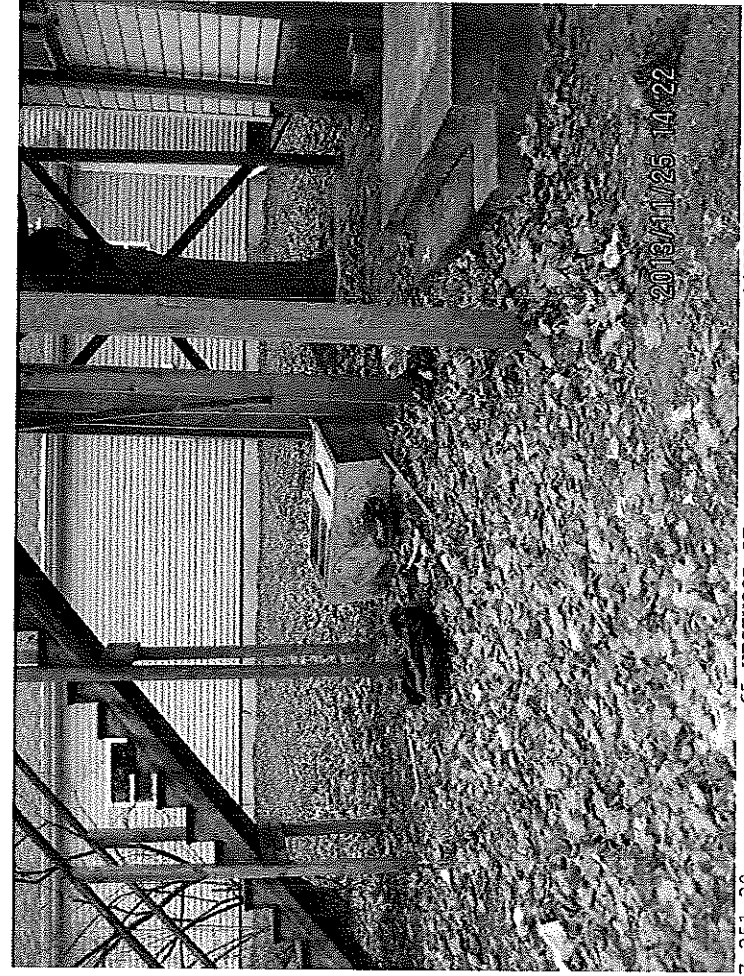




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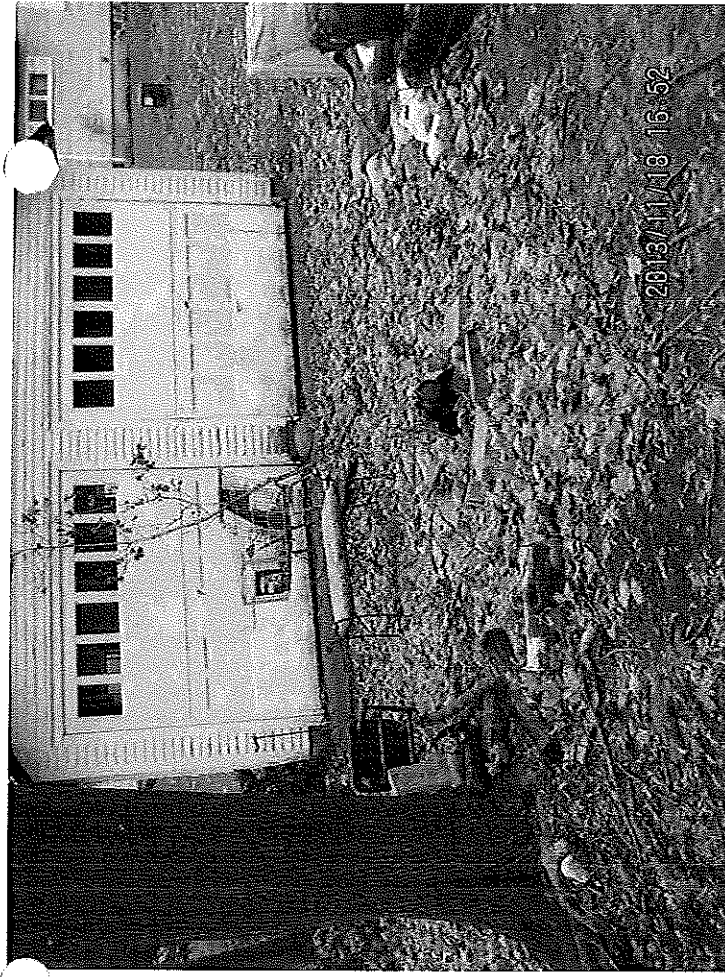


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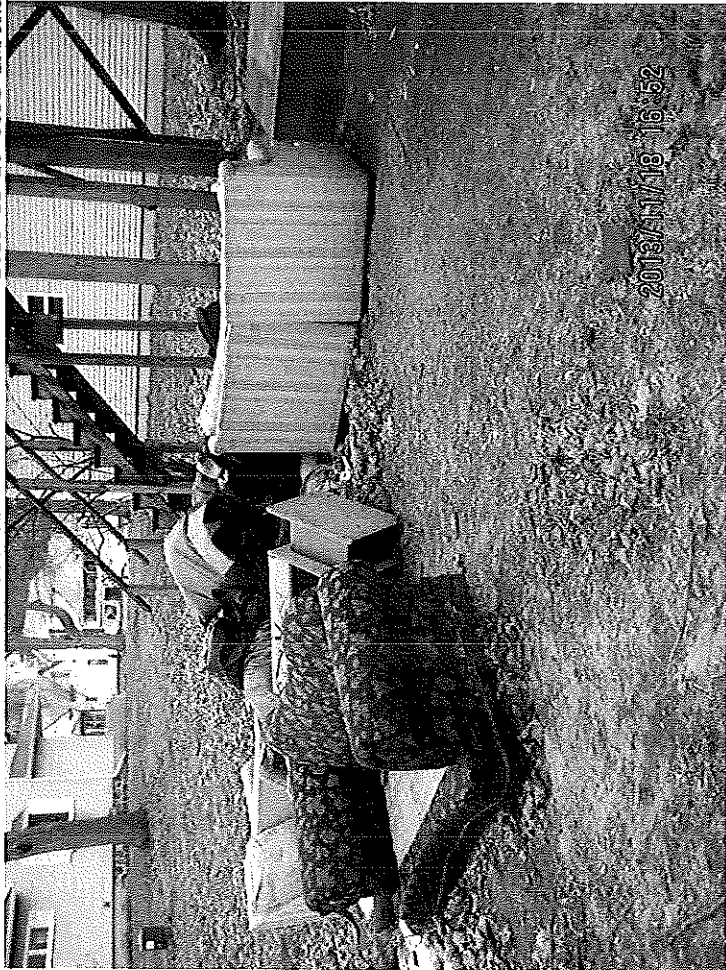


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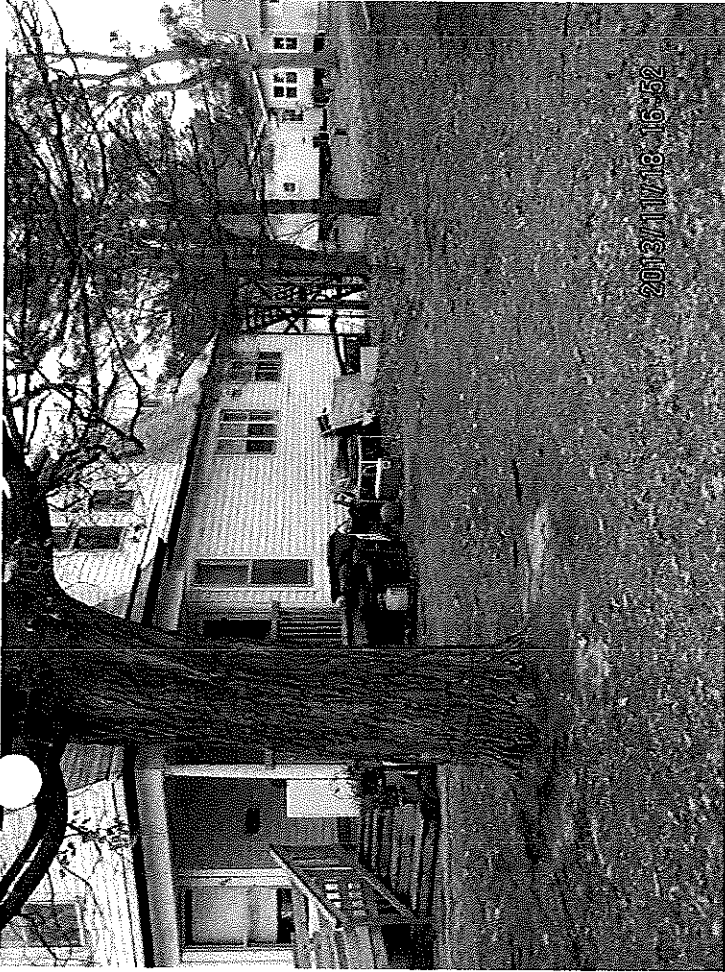
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# **City of Hillsdale Agenda Item Summary**

**Meeting Date: December 16, 2013**

**Agenda Item #10: New Business A – Call for Special Election - Resolution**

## **BACKGROUND:**

Council now has two (2) vacancies - one in Ward 2 and one in Ward 3. At the last meeting City Attorney Kevin Shirk addressed the election issue in detail inasmuch as State law and Charter must be considered when establishing various dates for the process. Charter Section 3.9 requires that special city elections be called by resolution of the Council. Accordingly, I have attached a resolution prepared by Mr. Shirk for use by Council in calling a special election for May 6, 2014 to fill the vacancies in Wards 2 and 3.

## **RECOMMENDATION:**

I recommend Council pass the attached Resolution calling for the special election. In the event Council passes the resolution, individuals wishing to take out a petition for either of the vacancies may do so on December 17, 2013.



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION TO CALL A SPECIAL ELECTION TO FILL VACANCIES ON THE HILLSDALE CITY COUNCIL FOR WARDS 2 AND 3

**WHEREAS**, there are currently vacancies on the Hillsdale City Council for Wards 2 and 3 within the City of Hillsdale, and

**WHEREAS**, Section 5.4 of the Hillsdale City Charter provides that in the event of a vacancy in the office of a councilperson, the unexpired term shall be filled through an election, and

**WHEREAS**, Section 3.9 of the Hillsdale City Charter requires that special city elections shall be held when called by resolution of the council at least thirty (30) days in advance of such election, and

**WHEREAS**, Section 3.13 of the Hillsdale City Charter provides that nomination petitions shall be filed with the City Clerk at least thirty (30) days and not more than thirty seven (37) days prior to the date of holding any special election for the filing of vacancies in office, and

**WHEREAS**, the Hillsdale City Council has been advised that Hillsdale City Charter Section 3.13 has been superceded by Michigan election law insofar as the time by which nominating petitions must be filed prior to the holding of a special election;

**NOW, THEREFORE, BE IT RESOLVED** a special election shall be held on the first Tuesday after the first Monday in May, 2014 (May 6, 2014) for the purpose of electing Hillsdale City Councilpersons from Ward 2 and Ward 3 to fill the unexpired terms of those currently vacant offices.

**BE IT FURTHER RESOLVED** that pursuant to Michigan election law, (MCL 168.322) nomination petitions for the position of councilperson for Ward 2 and Ward 3 shall be filed not later than 4:00 p.m. on the 15<sup>th</sup> Tuesday before the May election (January 21, 2014).

The foregoing Resolution was duly adopted during a meeting of the Hillsdale City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Scott Sessions, Mayor

\_\_\_\_\_  
Robilyn Swisher, City Clerk



# **City of Hillsdale Agenda Item Summary**

**Meeting Date:** December 16, 2013

**Agenda Item #10:** **New Business B – FEMA Floodplain Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program**

## **BACKGROUND:**

As you will recall, at its December 2, 2013 meeting Council passed a similar agreement to assure compliance with the requirements for administering and enforcing the construction code pursuant to the floodplain management regulations. The County has now presented a similar agreement for signature by the City. A copy is attached for your reference.

## **RECOMMENDATION:**

I recommend Council authorize signatures on the agreement.





**MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL**  
**AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT**  
**FOR THE NATIONAL FLOOD INSURANCE PROGRAM**

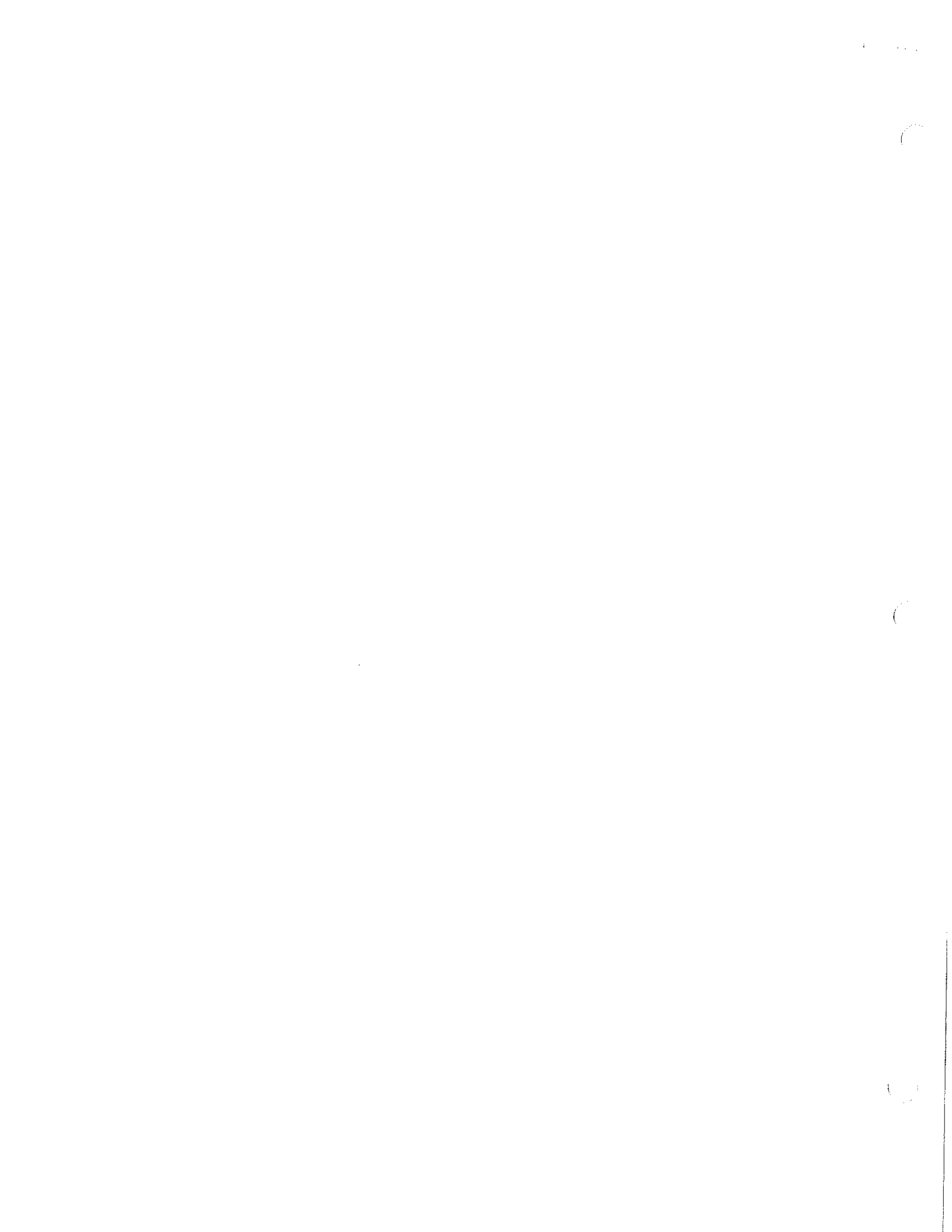
Community A: CITY OF HILLSDALE Community/Entity B: COUNTY OF HILLSDALE

WHEREAS, Community A City of Hillsdale

(check the appropriate statement)  currently participates  desires to participate in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
  - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
  - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.



**WHEREAS**, the Stille-Derossett-Hale Single State Construction Code Act", Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

**WHEREAS**, by the action dates of this document or an existing historical agreement dated Nov. 26, 2013, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within Community A's political boundaries, and

**WHEREAS**, Community A and Community/Entity B enforce floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with requirements of the NFIP, and

**NOW THEREFORE**, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that Community/Entity B's officially designated enforcing agency for the construction code act, Hillsdale Co. Inspection Dept. (insert position title), be directed to administer, apply, and enforce on Community A's behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
  - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
  - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
  - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:
    - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
    - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
    - iii) Appendix G of the current Michigan Building Code.
  - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
  - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
  - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and

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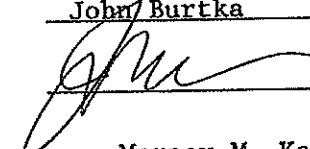
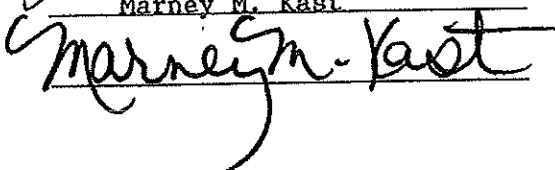
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- g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. Community A and Community/Entity B assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure Community A's compliant participation in the program.
  3. Community A further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

**FURTHER BE IT RESOLVED**, both communities declare their understanding that, until this resolution is rescinded or Community A makes other provision to enforce the construction code act:

1. Community/Entity B must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and
2. For Community A to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

**Community A:** City of Hillsdale Date Passed: \_\_\_\_\_  
 Officer Name: Scott Sessions Title: Mayor  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Witness Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Community/Entity B:** County of Hillsdale Date Passed: \_\_\_\_\_  
 Officer Name: John Burtka Title: Chairman, Board of Commissioners  
 Signature:  Date: 11/26/2013  
 Witness Name: Marney M. Kast Title: County Clerk  
 Signature:  Date: 11/26/2013



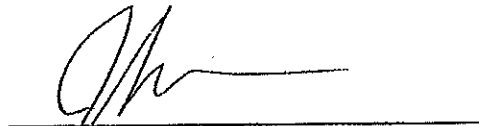
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November 26, 2013

**TO THE HONORABLE BOARD OF COMMISSIONERS:**

We authorize, John Burtka, Chairman of the Hillsdale County Board of Commissioners to sign the Michigan Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program for the Townships of Litchfield and Reading and the City of Hillsdale.

Respectfully submitted,



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John Burtka, Chairman  
Management and Personnel

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# City of Hillsdale Agenda Item Summary

**Meeting Date:** December 16, 2013

**Agenda Item #10:** New Business C – Application for Annual ROW Permit from MDOT  
(Resolution)

## **BACKGROUND:**

Each year it is necessary for the City to adopt a resolution which is required by the Michigan Department of Transportation for purposes of issuing individual permits to use its M-99 right-of-way within the City boundaries. Use of the right-of-way is required from time to time by the Department of Public Services, the Board of Public Utilities and the police department. I have enclosed a proposed Resolution proposed for submission to MDOT. As you can see from the resolution, it authorizes Keith Richard, Rick Rose and Chris Gutowski to apply for permits for various uses throughout the year.

## **RECOMMENDATION:**

I recommend that Council pass the enclosed resolution.

*P. PARADES*

Michigan Department  
Of Transportation  
2207B (07/08)

## PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Trunkline Right of Way" (form 2205), or an "Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way" (form 2205B).*

RESOLVED WHEREAS, the CITY OF HILLSDALE  
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law.

This Agreement is not intended to increase either party's liability for, or immunity from, tort claims.

This Agreement is not intended nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

1. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.

2. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCIES facilities according to a PERMIT issued by the DEPARTMENT.

2207B (07/08)

4. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCIES requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

5. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

6. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within state trunkline right of way on behalf of the GOVERNMENTAL AGENCY.

Name	And/or	Title
Keith Richard, Director of Public Services		
Rick Rose, Director of Board of Public Utilities		
Christopher Gutowski, Director of Public Safety		

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the City Council  
(Name of Board, etc)  
of the City of Hillsdale of Hillsdale  
(Name of GOVERNMENTAL AGENCY) (County)  
at a regular meeting held on the 16th day of  
December A.D. 2013.

Signed \_\_\_\_\_ Title \_\_\_\_\_

Print Name \_\_\_\_\_

Signed \_\_\_\_\_ Title \_\_\_\_\_

Print Name \_\_\_\_\_

## GENERAL CONDITIONS

This permit is issued subject to the following conditions:

1. This permit grants to the permittee only those rights specifically stated and no other. Maintenance work within the trunkline right of way may require a separate permit unless authorized within the scope of the annual permit.
2. Issuance of this permit does not relieve permittee from meeting any and all requirements of law, or of other public bodies or agencies. The permittee shall be responsible for securing including but not limited to any other permissions including or required by law including but not limited to cities, villages, townships, corporations, or individuals for the activities hereby permitted.
3. The permittee agrees as a condition of this permit to:
  - a. Have in the permittee's or the permittee's representative's possession on the job site at all times the approved permit, advanced notice and any necessary plans or sketches.
  - b. Submit Advance Notice through the online Construction Permit System (CPS) at least five (5) working days prior to commencement of any operations covered by this permit. No work shall start until an approved Advance Notice is e-mailed to the permittee.
  - c. Perform no work except emergency work, unless authorized by the Department, on Saturdays, Sundays, or from 3:00 p.m. on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
  - d. Provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit.
  - e. Furnish, install and maintain all necessary traffic controls and protection during permittee's operations in accordance with the Michigan Manual of Uniform Traffic Control Devices and any supplemental specifications set forth herein.
  - f. Notify the Department of completion of work authorized by this permit through CPS, so that final inspection may be made and surety deposit released (where applicable). Surety deposit will not be released until the work authorized by the permit has been completed and inspected, and all inspection charges billable to the permittee are paid.
4. Nothing in this permit shall be construed to grant any rights what so ever to any public utilities, except as to the consent herein specifically given, nor to impair any existing rights granted in accordance with the constitution or laws of this state.
5. Any operations in the trunkline right of way not covered by permit and the appropriate Department specifications are in violation of the jurisdictional authority of the Department, with respect to the control of the trunkline right of way, unless approved by the Department. Any change or alteration in the permit activities requires prior approval of the Department and may require a new permit.
6. Performance of the requirements of this permit is the responsibility of the permittee. The permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit, by the specified completion date. The permittee shall meet all requirements of the current Department Standard Specifications for Construction, and the Supplemental Specifications set forth on/or incorporated as a part of this permit.
7. The construction, operation and maintenance of the facility covered by this permit shall be performed without cost to the Department unless specified herein. The permittee shall be responsible for the cost of restoration of the state trunkline and right of way determined by the Department to be damaged as a result of the activities of the permittee.
8. Facilities allowed on state trunkline right of way shall be placed and maintained in a manner which will not impair the state trunkline or interfere with the reasonable safe and free flow of traffic. Failure of the permittee to maintain the facilities located within the State trunkline right of way so as not to interfere with the operation, maintenance or use of the state trunkline by the traveling public may result in revocation of the permit.
9. The permittee is solely and fully responsible for all activities undertaken pursuant to the permit. Any and all actions by the Department and those governmental bodies performing permit activities for the Department pursuant to a maintenance contract, including but not limited to any approved reviews and inspections of any nature, permit issuing, and final acceptance or rejection of the work or activity authorized by the permit shall not be construed as a warranty or assumption of liability on the part of the Department or those governmental bodies. It is expressly understood and agreed that any such actions are for the sole and exclusive purposes of the Department and the governmental bodies acting in a governmental capacity. Any such actions by the Department and governmental bodies will not relieve the permittee of its obligations hereunder, nor are such actions by the Department and the governmental bodies to be construed as a warranty as to the propriety of the permittee's performance. The permittee shall indemnify and save harmless the State of Michigan, Michigan Transportation Commission, the Department and all officers, agents and employees thereof, and those governmental bodies performing permit activities for the Department and all officers, agents and employees thereof, pursuant to a maintenance contract, against any and all claims for damages arising from operations covered by this permit except claims resulting from the sole negligence or willful acts or omissions of said indemnities, its agent, or employees. In addition, permittee upon request shall furnish proof of insurance coverage for the term of this permit in an amount pre-specified.
10. This permit is not assignable and not transferable unless specifically agreed to by the Department.
11. The permittee, upon request of the Department, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the Department may take any necessary action to protect the trunkline interest and the permittee shall reimburse the Department for its costs in doing same. The permittee expressly waives any right to claim damages or compensation in the event this permit is revoked.
12. The permittee shall, upon request by the Department, furnish a performance surety deposit in the form of a bond, cash, certified check, or (when authorized by the Department) an irrevocable letter of credit in such amount as deemed necessary by the Department to guarantee restoration of the trunkline highway or performance under the conditions of the permit.

13. The permittee hereby acknowledges and agrees that the Department has the right to demand completion by the permittee, or the performance surety, or to complete any uncompleted activity authorized by this permit which adversely affects the operation and/or maintenance of the state trunkline highway, or which is not completed by the expiration date of the permit, including:

- a. Completion of construction of driveway and/or approach (not authorized by annual permit).
- b. Removal of materials.
- c. Restoration of the trunkline facilities and right of way as necessary for the reasonably safe and efficient operations of the trunkline highway.

The permittee further agrees to immediately reimburse the Department in full for all such costs incurred by the Department upon receipt of billing, and that upon failure to pay, the Department may effect payment with the performance surety deposit. Should the surety deposit be insufficient to cover expenses incurred by the Department, the permittee shall pay such deficiency upon billing by the Department. If the surety deposit exceeds the expense incurred by the Department, any excess will be returned or released to the depositor upon completion of the work to the satisfaction of the Department.

14. The Department reserves the right during the time any or all of the work is being performed to assign an inspector to protect the trunkline interest, and to charge the permittee all such costs incurred. In addition, the permittee may be billed any engineering and review fees incurred by the Department or its agent in connection with the work covered by this permit.
15. **Emergency Operations:** In time of disaster or emergency, or when utility lines or facilities are so damaged as to constitute a danger to life and/or property of the public, access to the same may be had by the most expeditious route. Work is to be completed in a manner which will provide the traveling public with maximum possible safety and minimize traffic distribution. Notice of such situations shall be given to the nearest police authority and the department as soon as can reasonably be done under the circumstances. During normal Department work hours, the facility owner shall advise the Department of any operations within right of way which affect traffic operations or the highway structure or facilities prior to performance of the work. After normal Department work hours, the permittee, at the beginning of the first working day after the emergency operation, shall advise the Department of any operations which affect traffic operations or the highway structures and facilities. If determined necessary by the Department, the permittee shall secure an individual permit for such work after notification.
16. Upon the Department's request, as built drawings of work performed will be furnished to the Department within 30 days after completion of the work.
17. The permittee shall give notice to public utilities in accordance with Act 53, P.A. of 1974, as amended, and comply with all applicable requirements of this act. The permittee shall also comply with requirements of Act 347, P.A. of 1972, as amended, controlling soil erosion and sedimentation.

18. The permittee acknowledges that the Department is without liability for the presence of the permittee's facility which is located within the trunkline right of way. Acceptance by the Department of work performed, and/or notice of termination of performance obligations for the surety and/or the permittee do not relieve the permittee of full responsibility for the permittee's work or for the presence of the permittee's facility in the trunkline right of way.
19. Where the Department has accepted an Indemnification Commitment in lieu of bond and/or insurance policies, such commitment is incorporated into this permit by reference.
20. It is illegal to discharge substances other than storm water into the Department's storm sewer system unless permission has been obtained in writing for other discharges.
21. The permittee shall be responsible for obtaining information on permitted environmental site closures within MDOT right of way. MDOT has implemented a program that allows environmental contamination to remain within the right of way by use of a permit. Issued permit information can be obtained from the Region/TSC in which the permit is issued. If the permittee will encounter a site area identified as a site closure permit area, the permittee shall follow instructions and conditions set forth in Supplemental Specifications #3 and specifications found in form 2205-C, "Special Conditions for Underground Construction".

## SUPPLEMENTAL SPECIFICATIONS

1. Construction and Maintenance of Facilities - To construct and maintain utility crossings of limited access highways, access for the utility's service vehicles may be from county roads, service roads, and openings authorized in limited access right of way fences. The construction of utilities across limited access highways should be for the purpose of serving a general area rather than providing individual services, unless extenuating circumstances necessitate such crossings.

Equipment, vehicles or personnel will not operate within a distance of 30 feet from the edge of the pavement of roadways or ramps on limited access highways. At locations where utilities have been constructed in medians having a width greater than 80 feet or have otherwise been allowed to remain or to be constructed in limited access right of way, ingress and egress shall be by such routes as specified by the Department, which may also specify additional safety provisions.

2. Restoration- Restoration of the trunkline highway and right of way will be such that it will provide a condition equal to or better than the original condition, in accordance with Michigan Department of Transportation Standard Specifications.
3. Excavation and Disposal of Excavated Material - The permittee shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The permittee shall assume the full responsibility for this protection and shall not proceed in these areas before approval of the methods by the Department.

Construction equipment and excavating material shall not be stocked in such locations that it creates a traffic hazard or interferes with the flow of traffic; and on limited access highways, shall be a minimum of 30 feet from the traveled way. Sod and topsoil shall be stacked separately from other excavated material. The permittee shall dispose of all surplus and unsuitable material outside of the limits of the highway, unless the permit provides for disposal at approved locations within right of way. In the latter case, the material shall be leveled and trimmed in an approved manner.

When the permittee is excavating within trunkline right of way and discovers existing contaminated soil and/or an abandoned underground storage tank, special permit specifications entitled "Special Conditions for Underground Construction" (Form 2205-C) shall apply.

4. Utility Cuts, Trenches and Pavement Replacement - Utility crossing by pavement cutting and removal are generally prohibited. If extenuating circumstances make tunneling, boring and jacking impractical pavement cutting may be used with approval of the Department. All utility cuts, trenching and pavement replacement shall comply with the requirements of the Standard Specifications and the Standard Plan "Utility Cuts, Trenches and Pavement Replacement". Unless otherwise specified, cuts in concrete residential and commercial drives shall be as above; except that the patch width shall be a minimum of 3 feet and the remaining slab from patch to existing joint shall be a minimum of 3 feet. Backfill shall be made with sand-gravel as specified in the Standard Specifications, unless otherwise directed. After the backfill has been placed and compacted by controlled density method, the pavement shall be replaced with new pavement of the original type and quality, unless at the season of the year when it is not feasible to replace pavement in kind. In this case, a temporary surface of bituminous material shall be placed with Department approval and later replaced with pavement of the original type at the applicant's expense. Other pavement types may be allowed with prior approval of the Department.

5. Crossing Roadbed by Tunneling or Boring and Jacking - All crossing of roadbed operations involving tunneling, boring and jacking shall comply with the Department's special provisions for such work.
6. Backfilling and Compacting Backfill - Unless otherwise specified, all trenches, holes and pits shall be filled with sound earth or with sand-gravel if so provided, placed in successive layers not more than 9 inches in depth, loose measure, and each layer shall be thoroughly compacted by tamping. All backfill compaction will be subject to check by the controlled density method.
7. Depth of Cover Method- Unless otherwise authorized, pipes shall be placed to a depth that will provide not less than 4 feet of cover between the top of the roadway surface and the pipe, 3 feet cover below the ditch line and the pipe.
8. Trees:
- The permittee is responsible for obtaining permission from abutting owners when trimming or removing trees on easement right of way.
  - Tree removal or trimming may be undertaken only after submission of an "Advance Notice" through CPS, a field review by the Region Resource Specialist and an approved copy of the advanced notice is e-mailed to the permittee.
  - Limbs, logs, stumps and litter shall be disposed of in a manner acceptable to the Department.
  - Tree roots shall be bored a distance of one foot for each one inch of trunk diameter for underground utility installations
9. Aerial Wire Crossings - Vertical clearance of wires, conductors and cables over state trunkline shall not be less than required by Section 232 of the National Electrical Safety Code, except in no case shall the under-clearance below any wire, conductor, or cable, under any temperature or loading condition, be less than eighteen feet (18').

# City of Hillsdale

## Agenda Item Summary

**Meeting Date:** December 16, 2013

**Agenda Item #10:** New Business D – Hillsdale Policy Group, Ltd. –  
Contract for Economic Development Consulting

### **BACKGROUND:**

In 2011 the City issued a Request for Proposals for economic development consulting services. As a result of that solicitation, a contract was awarded to Hillsdale Policy Group, Ltd. That contract was extended for one (1) year and expired November 30, 2013. The contract was fully funded by the Board of Public Utilities. I have met with Director Rick Rose regarding the contract and he indicates his Board is willing to continue to finance the economic development efforts on behalf of the City. Accordingly, I have had a contract prepared for that purpose. Please note that the contract contains a provision for an automatic one-year extension of the contract on the same terms and conditions unless either party notifies the other in writing at least thirty (30) days prior to its expiration.

Inasmuch as Council has made Economic Development its second highest priority, I take this opportunity to advise you that the Board of Public Utilities has provided exclusive funding for contracted economic development work of approximately \$1,000,000 for the last ten (10) years. That does not include many other contributions the Board makes to the City in addition to its pilot payment. To mention a few of those items, they include such things as paying for street paving, purchasing and displaying Christmas decorations, purchasing property for industrial park purposes, paying for and hosting City telephone primary system, paying for the Merit fiber project to make Hillsdale a more attractive location for internet usage, purchasing lighting fixtures for various streets and at Stock's Park, paying for installation of fiber to City Hall and Power Plant – this is just a sampling of the contributions made to the City by the Board of Public Utilities.

### **RECOMMENDATION:**

I recommend that Council approve the Mayor and Clerk's signatures on the enclosed contract with HPG Policy Group, Ltd.

## CONSULTING CONTRACT RENEWAL

This Contract is made and entered by and between the City of Hillsdale, a Michigan municipal corporation, of 97 N. Broad Street, Hillsdale, Michigan 49242 (Hillsdale) and Hillsdale Policy Group, Ltd., of 3 Corona Circle, Hillsdale, Michigan 49242 (HPG) this \_\_\_ day of December \_\_\_, 2013.

### Preamble

Hillsdale, like many small towns in southern Michigan and nearby states, has been beset by a series of ongoing adverse economic conditions that have resulted in a loss of employment and employment opportunities, a coincidental loss of population, and a consequential loss of tax revenues with which to fund needed and important city services and infrastructure maintenance. These adverse economic conditions have physically manifested themselves within the community in many different ways, among them being a deterioration of Hillsdale's housing stock, the presence of increasing numbers of vacant commercial buildings, and rutted, pothole-filled streets.

Hillsdale has seen and responded to the economic needs within the city by, among other things, taking the steps necessary to pursue grants for façade improvements for downtown buildings, and by encouraging and cooperating with service groups and volunteer organization in their efforts to improve and beautify its parks and public areas. Hillsdale's Board of Public Utilities has also worked to improve economic conditions within its service area in order to retain industrial and other utility customers by commissioning several studies and supporting an economic development position within the city.

HPG has been performing economic development efforts that are focused on encouraging, developing, and establishing private sector projects that will provide capital investment, employment, and an enhanced tax base within the city. After a review of HPG's efforts and the results generated, Hillsdale has decided that it would be in the best interests of the city and its citizens to extend its contract with HPG for an additional year and have HPG continue to perform such services in accordance with the terms and provisions of HPG's original proposal, the original bid specifications on which it was premised, and those contained in this agreement.

In consideration of the promises and covenants that each party makes to the other, Hillsdale and HPG agree as follows:

1. HPG agrees to and shall continue to complete all consulting tasks in accordance with the Request for Proposal and the document it submitted to Hillsdale titled: "*Return to Splendor*", *A Proposal For Economic Development Services, City of Hillsdale*, dated September 23, 2011, a copies of which are attached hereto and as Exhibit "A" and "B", respectively, and incorporated herein by reference.

2. Total professional fees for the project will not exceed \$47,520.00 and shall be billed and payable on a monthly basis at an hourly rate of \$33.00 commencing on the



1<sup>st</sup> day of December 2013 and thereafter on the 1<sup>st</sup> day of each following month until paid in full. Total monthly hours of professional service for any given month shall not exceed 32 hours. The total professional fees and total monthly hours of professional service are "not-to-exceed amounts" for the tasks outlined in the attached Exhibits A and B.

Additional fees may be charged for services by optional personnel and for project related expenses as designated in the attached Exhibit A, provided they are pre-approved by the Hillsdale City Manager and provided, further, that the fees for services by such optional personnel shall not exceed \$4,000.00 and the project related expenses shall not exceed \$13,000.00. Notwithstanding anything contained in this paragraph to the contrary, pre-approved optional personnel services and project related expenses shall be paid and reimbursed to HPG after delivery in the ordinary course of Hillsdale's bill paying procedures.

3. HPG will present reports to Hillsdale and the public at least quarterly and at such additional times upon request of Hillsdale's Council. Each report shall be delivered in the Council Chambers in the Hillsdale City Hall at a regular or special meeting, or in such other forum within Hillsdale County or at such other time as Hillsdale might determine.

4. HPG will complete the engagement that this agreement contemplates within three hundred sixty five (365) days of December 1, 2013, unless the parties extend the completion date in a signed writing.

5. Throughout the course of this agreement, HPG might request financial, demographic, assessing, operating and other data from Hillsdale. Hillsdale agrees to provide such requested information in a timely and concise manner if, in its sole discretion, it is possible to do so without the expenditure of significant staff time, effort, energy and expense to compile, edit and provide it to HPG. Any requested information that is not available or cannot be provided will be estimated through discussions and agreement between Hillsdale and HPG.

6. The term of this contract is for one year commencing at 12:01 a.m. on December 1, 2013 and ending at 11:59 p.m. on November 30, 2014; provided, however, that this contract shall automatically continue thereafter on the same terms and conditions as contained herein unless and until either party provides written notice to the other of its decision to terminate it together with a termination date that is at least thirty days or more after the notice is delivered. The decision and right to terminate this contract after 11:59 p.m. on November 30, 2014 shall be within the sole discretion of the terminating party and may be with or without cause.

7. HPG will provide Hillsdale with complete legible copies of all documents produced, prepared, and acquired by it in the course of its economic development services when and as they are produced, prepared, and acquired. HPG will also provide Hillsdale ten copies of each quarterly and other report it presents to Council at least five business days before its oral presentation to Council, together with an electronic file containing each such report. All such documents and electronic files are deemed to be Hillsdale's property.

8. HPG shall, at its sole expense, maintain Commercial General Liability insurance coverage during the course of the engagement. Coverage will be at a minimum liability level of \$1,000,000 per occurrence. Hillsdale shall be named as an additional named insured on the General Liability Policy and a certificate of coverage shall be delivered to Hillsdale with or prior to submission of the first invoice following approval of this contract, and no amounts will be due or payable to HPG until it has delivered such certificate.

9. HPG shall, at its sole expense, carry and provide all workers compensation insurance coverage for its employees as is required by the laws of the State of Michigan and provide proof thereof to Hillsdale prior to the commencement of any work under this contract.

10. HPG further represents and covenants that it shall not discriminate against any employee or applicant for employment with respect to hiring, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, national origin, age, height, weight, marital status or other legally protected status. It is understood and agreed by and between the parties that breach of this covenant shall be regarded as a material breach of this agreement.

11. HPG further agrees to and shall defend, indemnify and hold Hillsdale harmless from any and all damages, claims, demands, causes of action, lawsuits, attorney fees and related expenses, as a result of actual or claimed personal injury, including death, property damage or other damage or loss of any kind or nature which are or are claimed to be a proximate result of the negligence, gross negligence or intentional acts or omissions of the HPG, its agents, servants and/or employees, or any other person, or which otherwise arise or are claimed to have arisen out of the use of any equipment or the performance of any work under this contract by or at the direction of the HPG, its agents, servants and/or employees, or any other person, whether or not such damages or injuries, including death, are caused in part by the negligence of Hillsdale, its employees, agents, servants, or representatives; provided, however, that the HPG shall not be obligated to indemnify Hillsdale for any damages or injuries, including death, caused by or resulting from the sole negligence of Hillsdale.

12. HPG acknowledges and agrees that all documents that it has provided or hereafter provides to Hillsdale in connection with or regarding its proposal, this contract, its performance and compensation are public records. Accordingly, HPG hereby expressly consents to Hillsdale's reproduction and release of such documents, in whole or in part, in response to a Freedom of Information Act request, court order or as Hillsdale otherwise determines in its sole discretion to be appropriate.

13. HPG may not assign its duties and obligations under this contract may not be assigned, delegated, or subcontracted to any third party due to their personal nature without Hillsdale's prior express written consent.

14. This is the entire agreement between the parties and it supercedes and

replaces all prior agreement, whether oral or written. Nothing that is excluded is agreed to unless in writing, signed by the parties, and attached hereto.

IN WITNESS WHEREOF the parties have set their hands and seals

HILLSDALE POLICY GROUP, LTD

CITY OF HILLSDALE

By \_\_\_\_\_  
Gary Wolfram, President

By \_\_\_\_\_  
Scott Sessions, Mayor

By \_\_\_\_\_  
Robilyn Swisher, Clerk

## EXHIBIT A

### REQUEST FOR PROPOSAL

The City of Hillsdale is requesting proposals for professional economic development services inclusive of the services included in the Scope of Services listed below. Individuals or firms wishing to submit a proposal shall submit two (2) copies of the proposal addressed to Linda Brown, City Manager, Hillsdale City Hall, Hillsdale, Michigan 49242 by not later than 4:00 p.m. on September 23, 2011.

#### SCOPE OF SERVICES

Establish economic development programs and practices that facilitate private sector projects resulting in capital investment, job creation, expanded tax base, and ancillary improvement in overall quality of life in the City.

Establish economic development programs which create a framework for encouraging and facilitating entrepreneurial based business development by coordinating access to local, regional and state resources.

Develop professional and departmental relationships with other agencies and organizations in order to strengthen the linkage between economic development strategies and quality of life initiatives such as entertainment facilities, the arts, greenways, parks and outdoor recreation assets, and related natural resource based amenities.

Establish programs to facilitate the retention of young adults and support for job seekers with specific skills in order to provide a sufficient labor/employment base for emerging business sectors in the City and region.

Promote development through relationships between the City and business community, economic development agencies, state and regional agencies, and regional institutions of higher education.

Oversee existing business/industry outreach efforts to include site visits, attending business functions, assisting existing businesses with expansion plans, problem solving and coordinating follow up.

Coordinates presentations and prospect visits with relevant City departments and regional

economic development organizations.

Represent the City to new and expanding businesses.

Actively research and seek grants from the Federal and State government as well as other private and public funding sources that could be of benefit to the City.

Advise the City Manager on the economic status of the City in regard to anticipated changes and projections relative to future growth.

Provide staff support for the City Economic Development Corporation and Tax Increment Finance Authority of the City of Hillsdale.

Responsibilities entail accountability based on measurable cost effective results for the increased use of Board of Public Utilities services and growth of the City's tax base through business expansion and retention programs, entrepreneurial development, labor force development, and related quality of life initiatives.

This contracted professional services position requires thirty-two (32) hours or less of work per week whether on site at the Hillsdale City Hall or otherwise. The contract for consulting services shall not create an employee/employer relationship between the City of Hillsdale and the selected firm, as all services shall be provided on an independent contractor basis. The total budget for the services and reimbursable contemplated in this RFP is not to exceed \$65,000 per year inclusive of reimbursables.

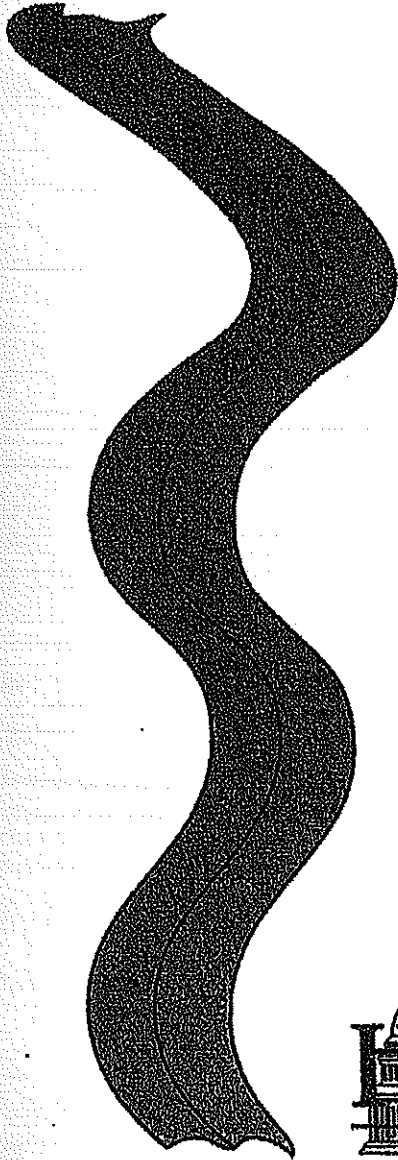
Firms submitting proposals are hereby notified that the resulting contract will require the successful contractor to provide proof of workers' compensation insurance; public liability and property damage insurance with coverage and limits of liability that are satisfactory to Hillsdale, provided that the limits of liability shall be not less than Five Hundred Thousand and 00/100 (\$500,000.00) Dollars, with Hillsdale designated therein as a named insured, and professional liability insurance naming the City as an additional insured. Costs associated with the provision of required insurance coverage shall be borne solely by the contractor.

Questions regarding this proposal shall be directed to Linda Brown, City Manager at 517-437-6445 or Rick Rose, Director of Utilities at 517-437-6411.

## EXHIBIT B

The delivery of professional services discussed in this proposal will be for one-year commencing at 12:01 a.m. on December 1, 2013 through 11:59 p.m. on November 30, 2014, and for so long thereafter as the Renewal Contract for Consulting Services between the parties remains in force.

Total and hourly professional fees for Mary Wolfram shall not exceed \$47,520.00 and shall be charged at the rate of \$33.00 per hour. Optional personnel services by Gary Wolfram, Ph.D., shall not exceed \$4,000.00 and shall be charged at the rate of \$200.00 per hour. Project related expenses incurred for or in connection with meetings, association dues, travel, and advertisement shall be charged at cost and shall not exceed \$13,000.00. Optional personnel services and project related expenses must be pre-approved by the Hillsdale City Manager, and shall be reimbursed to HPG in the ordinary course of Hillsdale's bill paying procedures after the services are delivered and/or each expense is actually incurred.



**“Return to Splendor”**

**A Proposal For Economic  
Development Services**

**City of Hillsdale**

**September 23, 2011**



**Hillsdale Policy Group, Ltd.**

*Specializing in Taxation & Public Policy Analysis*

## INTRODUCTION

This proposal is in response to a request by the City of Hillsdale for economic development services. It is a proposal to provide professional services to accomplish the tasks listed in the Scope of Services in the RFP by providing on-site personnel to aid the Hillsdale city manager in developing and pursuing economic development programs in the City of Hillsdale.

The need for Economic Development in the City has been well established by a plethora of studies and investigations conducted in the last several years. Among these are the 2009 Hillsdale BPU *Economic Development Strategic Plan* prepared by Silverlode Consulting Group and the *Hillsdale Downtown Blueprint*, also prepared in 2009 by the Michigan State Housing Development Authority (MSHDA) and Michigan Municipal League (MML). There is the *Small Town Design Initiative* done by Michigan State University. In 2003, the Department of Economics and Business Administration at Hillsdale College prepared a study: *Observations on Economic Development in Hillsdale County*, and finally, there is the study done by our own company, Hillsdale Policy Group (HPG) in 2004: *Analysis of Hillsdale County Employment, Hillsdale City Property Taxes, and BPU Revenues*.

## BACKGROUND

Like many small towns in Michigan and the nation, Hillsdale has experienced an economic decline with a loss of population, employment opportunities and tax revenue in recent years. According to the 2009 *Strategic Plan* by Silverlode, the U.S. Census Bureau estimated the City of Hillsdale's population to be 8,253 in 2000. By 2008, Hillsdale's population had dropped to 7,762, a decrease of 5.9%. The decline of population in the City of Hillsdale was much greater than the decline of 1% in Hillsdale County and the surrounding region, at the same time that the U.S. population grew by 8% (5-6). More startling are the data on income. Not only did Hillsdale lose population, but it lost many of its higher income workers, relative to its lower earners. When adjusted for inflation, the median household income in Hillsdale dropped by 13% between 2000 and 2008 with the result that 57.1% of households in Hillsdale County have a total income of less than \$50,000 (7-9). In July of 2011 (latest available data from Michigan Labor Market Information) the unemployment rate in Hillsdale County was still 12% after having reached a high of 20% in June of 2009. From 2000 to 2007, the number of business establishments in the City of Hillsdale declined by 9.3% (Silverlode 24).

Perhaps the most discouraging of Silverlode's findings was the opinion on page 28 of the local business climate: "We believe the local business climate needs improvement...it left an impression on us that the City may not be business friendly." It is imperative for the City to dispel this image; it must have a conscious and deliberate plan of attack for economic development and it must devote the financial resources that will be necessary to turn the business climate around, both real and perceived. In fact, in the Location Factor Assessment Summary shown on page 43, Hillsdale's Economic Climate ranks lowest among eight factors assessed by Silverlode such as demographic profile, tax burden, transportation, etc.

While the need for Economic Development has been well established by these studies and they provide much needed data, in the end, the studies only confirm what casual observation suggests. When we first located in Hillsdale in 1989, Hillsdale's downtown area was more vibrant. There was a J.C. Penney store and a Radio Shack. There was the Touse Family Department store, Spiteri's shoe store, Brown's men's clothing and tux rental, several woman's clothing stores, and an active home decorating store and curtain making shop under a professional decorator.



When HPG opened for business in 1992, the Hillsdale Industrial Park housed manufacturing for Alsons family business, Bose Corporation, Hillsdale Tool and many others. These companies employed hundreds of workers, both low skilled and professional. Now, all are gone. When we moved our family to Hillsdale in 1989, we were advised to locate in the City of Hillsdale because this school system was better than the others in the region. Since then, Hillsdale Community Schools have lost hundreds of students and is unable or barely able to support previously acclaimed programs such as the high school orchestra and choral programs and a now defunct Gifted and Talented Program for above average elementary school students. Teachers are pink slipped every year, Mauck Elementary school has been shuttered and Bailey houses vacant classrooms.

While Hillsdale is certainly not alone in this regard, houses for sale, houses in foreclosure and houses in poor repair are seen everywhere. What is not seen are new housing starts, new subdivisions and vibrant neighborhoods. Instead, vacant buildings loom over city streets, wasting away and creating a blight for future development. Drive around Hillsdale and this is what you will see. The streets of Hillsdale are in serious need of repair, in some areas, rutted and pot holed to the point of being almost impassable. Lake Baw Beese, Owens Memorial Park and Sandy Beach, once a jewel of local pride, is now a shadow of its former self, with a concession stand boarded up and closed. Patrons now use port-a-potties instead of indoor toilets and running water. You will recognize the plight of a city with declining revenue, unable to provide the basic services that it wants and needs.

#### RETURN TO SPLENDOR

This is not the way that things have to be. There can be a "Return to Splendor." The City of Hillsdale has much to offer, but it must be marketed and made known to potential employers, tourists and consumers. However, at the very time when the City needs desperately to market its assets, the staff of the municipal government has been cut to a bare-bones level in order to save tax payer dollars. The City no longer has an assistant city manager and over the past several years several other positions have been cut. Administrative staff is now limited to the City manager, one human resources manager, and one finance director. There is no one on staff who has time to engage in Economic Development, meet with prospective new business, or help to develop and market Hillsdale's downtown. Without such a person on-site, the downward trend that currently exists may will continue.

The City is well aware of the challenges it faces and has made every effort to stem the tide of decline. The Board of Public Utilities has commissioned several studies to arrest the loss of industry and related electric customers. It has previously funded an Economic Development position within City government and has pursued partnerships with other authorities to share in economic development. Likewise, local service groups and volunteer associations have stepped up to the plate to help save Hillsdale. We have seen the efforts of the Rotary Club devoted to the bike path and Sandy Beach renovation at Lake Baw Beese. Most recently, the Ladies Beautification League formed as a result of the *Small Town Design Initiative* and through their efforts a new mural literally beautifies a major corner in downtown Hillsdale. Not only was the result of their volunteer efforts beautiful, but they were able to involve the entire community in supporting and even painting one section of this mural: "A Return to Splendor".

## SCOPE OF SERVICES

Hillsdale Policy Group proposes to provide professional economic development services to the City of Hillsdale. These services will include, but not be limited to, those tasks described within this scope of services. One of the company principals will be present, on-site in City Hall, approximately thirty-two hours per week to be available to represent the City with potential employers, downtown businesses and related organizations, and to provide close communication and interface with Hillsdale City Manager, the Board of Public Utilities(BPU) and other departments within city government.

### PROFESSIONAL ECONOMIC DEVELOPMENT SERVICES

1.) The Hillsdale Policy Group (HPG) approach to economic development will focus on private sector projects resulting in capital investment, job creation, and an expanded tax for the City of Hillsdale.

While it is important to take advantage of government funding and foundation grants for programs such as façade rehabilitation, ultimately, it is capital investment by the private sector that will provide employment and an expanded tax base for the City of Hillsdale. HPG will work closely with MB3 Consulting and provide on-site personnel for the City of Hillsdale as it pursues the "*Economic Development Strategic Plan*" created for the Hillsdale BPU by Silverlode in 2009.

In addition, HPG will pursue economic development activities "closer to home", focusing on professional connections with Hillsdale College, local community leaders, and private firms in Michigan. In a recent conference on economic development for small rural towns, the over arching theme emphasized a strategy of "growing our own." According to Silverlode, "success is often based on relationships" and suggested that a database of successful Hillsdale natives be created. "These successful people may be in a position to influence location decisions for their companies, or may be able to make introductions to those who can... This approach can increase the efficiency of marketing efforts" (p. 66).

Hillsdale Policy Group will work diligently with our home-town connections to seek out and help to develop local entrepreneurs who have a "reason to be in Hillsdale." For example, the City recently received a generous donation of a valuable book collection along with museum materials from Mr. John Pulver, a native of Hillsdale and a Hillsdale College graduate. At the same time, Hillsdale native, Mr. Bryan Ford, is seeking seed money to start a turn-key manufacturing operation of a fuel efficient car of his own invention. These are the types of home grown connections that HPG will pursue as they are the most likely to produce new investment, business and commerce in Hillsdale.

Especially important, Hillsdale College is "our own" nationally recognized and acclaimed institution, famous for its philosophy and support for the free market system. What better asset to attract private sector capital investment? It is our belief that the best hope for attracting new investment to the City of Hillsdale lies in its connection to Hillsdale College: recent graduates, alumnae and friends of the College. HPG is in a unique position to use its personal connections and position with the College to form an on-going, positive and synergistic relationship with the

College community. The advantage to the City of such a relationship is obvious; likewise, the College can only benefit from being located in a thriving, attractive City which attracts and provides a high quality of life to students and valuable faculty.

2.) HPG will establish economic development programs which create a framework to encourage and facilitate entrepreneurial based business development.

**Tax Incentives:** HPG will assess the economic climate and tax burden in Hillsdale to reduce obstacles and encourage new business. According to Silverlode's *Strategic Plan*, "Tax burden is an important category for virtually every industry sector. Property tax, sales tax, income tax, and other business taxes typically amount to a significant proportion of the operating expenses of companies...also...companies often are more focused on the incentives available to offset taxes than on the amount of the taxes themselves..." Hillsdale Policy Group has particular expertise in tax policy and is well connected with the Michigan Department of Treasury and legislative bodies in Lansing. This expertise will be especially valuable as the City considers passage of a City Income tax. For instance, it may be advisable for the City to work with its State Representative and State Senator to pass a bill to allow the City to exempt business as it levies the income tax so that a City Income Tax does not serve as a disincentive for locating within the City of Hillsdale. In addition, HPG will work to coordinate the best possible tax incentive package available to businesses wishing to locate in the City of Hillsdale, coordinating access to local, regional and state resources such as the Michigan Strategic Fund.

**Disincentives:** HPG plans to analyze current city ordinances to discover if any parts of the code discourage business and investment in the City. For instance, the 2009 *Hillsdale Downtown Blueprint* suggests that the City should introduce "modified parking standards that reduce the number of parking spaces required for Downtown housing development." Silverlode's *Strategic Plan* mentions a proposal to redevelop a vacant property in the downtown area for a residential/mixed use project that was discouraged by the City (p.28). It may be that planning and zoning requirements for the minimum number of square feet for apartment size needs to be changed.

**Vacant Buildings:** HPG will make every effort to assess the status of vacant buildings in Hillsdale with an eye to rectifying this blight. There may be a remedy to reduce the number of vacant buildings through tax policy or grants available for demolition of those buildings which are deemed unusable in the future.

3.) **Quality of life:** HPG will develop professional and departmental relationships with other agencies and organizations in order to strengthen the linkage between economic development strategies and quality of life initiatives.

Hillsdale has much to offer in local entertainment facilities, the arts, lakes, parks, outdoor recreation and bucolic vistas. Hillsdale College hosts live theatre performances, conferences, and lectures by notable speakers. The Hillsdale Community Orchestra, the Hillsdale Arts Chorale and the Community Wind

College community. The advantage to the City of such a relationship is obvious; likewise, the College can only benefit from being located in a thriving, attractive City which attracts and provides a high quality of life to students and valuable faculty.

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Ensemble provide quality performances along with an opportunity for the community to participate in musical ensembles.

Perhaps Hillsdale's strongest asset as a location factor is its overall, relaxed, quality of life not available in the suburbs of a big city. Hillsdale is still a place where children walk to school, where one needs to dress to go downtown because you will surely see someone you know if you go out to shop, and where the biggest event of the year is the Hillsdale County Fair. Hillsdale is still safe and simple. In 1989, fewer than 10% of people living in communities of less than 10,000 people reported being a crime victim, whereas the percentage is much higher in larger urban areas (Glaeser 106). Hillsdale is a wonderful place to raise children with a mix of good public and private education and ample opportunity for participation in music, children's theatre, 4-H and scouts.

HPG will serve as an interface between the various businesses and organizations which provide these activities, always with an eye towards marketing these assets, both here at home and "outside" to a larger audience. These quality of life assets can be marketed to a wider audience, outside of the Hillsdale area in order to bring "outside" money "in", to spend downtown. Hillsdale is conveniently located within an hour and a half from larger markets such as Ann Arbor, Lansing, Fort Wayne, Toledo and smaller markets in between. It is not unreasonable to think that with proper marketing, people from Jackson, Adrian, Saline, Albion and small towns in Ohio would come to Hillsdale to shop, eat and find entertainment. To this end, a community calendar will be developed and circulated in order to promote community activities, such as the Hillsdale Historical Society's Civil War reenactments and Will Carleton Poorhouse Days, boat races at Lake Baw Beese, the Fiddlers Convention, the Cruise In, the Fly In, the Checker Record Street Dance and many other local events. In addition, social networking sites such as Facebook will be used to advertise community activities. Finally, the use of attractive and inviting Websites for both the City and local businesses and organizations will be encouraged and coordinated.

4.) HPG will establish programs to facilitate the retention of young adults and support for job seekers with specific skills in order to provide a sufficient labor/employment base for emerging business sectors in the City and region.

The City of Hillsdale is home to Hillsdale College and a branch of Jackson Community College. Both can provide an educated workforce for potential employers. Silverlode found: "The presence of postsecondary educational institutions can increase the attractiveness of a community as a business location in a number of ways. Four-year universities can impact the location decisions within specific industry sectors, such as bioscience or information technology. Community colleges and vocational schools offer a steady supply of graduates and can tailor certification programs to meet the specific training needs of local businesses. Community colleges and vocational schools can be an invaluable partner to a local community's economic development efforts" (20).

In addition to providing a skilled workforce, Hillsdale College may be a source of entrepreneurs among its graduates. HPG will seek all available funding, grants and seed money to encourage young entrepreneurs to form start-up companies in Hillsdale. This may best be accomplished by pursuing capital aimed at Hillsdale College graduates with a business plan.

At the same time, efforts will be made to become a "college town", not just a town with a college in it. We will encourage and help to develop businesses that cater to young adults such as coffee houses, clothing stores and record shops. Business hours should be extended to allow for evening shopping by students and others. The *Hillsdale Downtown Blueprint 2009* suggests that "Art and entertainment should be added to Downtown's existing business whenever and wherever possible...in Downtown restaurants, cafes, and coffee houses..." (38).

5.) HPG will build relationships between the City and the business community and other economic development agencies in the region and state.

The *Hillsdale Downtown Blueprint 2009* suggests that Hillsdale's Economic Development Director should schedule "one-on-one" visits to local businesses at least once per month to discuss individual needs and to inform owners and employees of current and upcoming actions. HPG will work closely with the Hillsdale Business Association, the Hillsdale Chamber of Commerce and other local agencies and organizations to form a "marketing coalition" for Hillsdale. A community calendar will be established, with input collected from all sectors. HPG will coordinate economic development efforts with other agencies such as the Michigan Economic Development Corporation (MEDC) and South Central Michigan Works, and will continue to foster the Hometown Partnership between the city, the Hillsdale Community Foundation, the Hillsdale Intermediate School District and the other cities in Hillsdale County.

6.) HPG will oversee existing business/industry outreach efforts and continue to work on current economic development projects in the City:

Reach-3MC Fiber Network: In 2006, Hillsdale's BPU had the foresight to join with Hillsdale College, the Hillsdale ISD and Merit Network of Ann Arbor to begin laying advanced fiber optic cable through Hillsdale. This effort continues, as Merit is now in the process of laying the Reach-3MC Fiber Network from Monroe, MI to Berrien Springs, and south to connections in Ohio. Hillsdale lies at the center of this "Information Highway" for rapid transmission of data east, west and south. Just as in the 19<sup>th</sup> century when our nation's largest cities sprang up on the major rivers, in the 21<sup>st</sup> century, cities will be connected by a series of data transmission lines that link the information highway. Hillsdale is now poised to be at the center of this high tech network and is ideally located to become an incubator for a technology businesses with data centers, call centers and other high tech industries that provide high paying, high-skill technology jobs. Hillsdale's branch of Jackson Community College can help meet the need for technically trained workers while Hillsdale College graduates and professors will provide an even higher level of expertise to the workforce.

Hillsdale Technology Park and Data Center program: The city of Hillsdale has already retained Environmental Systems Design of Chicago, IL to develop the program and estimates for a Hillsdale, Michigan Data Center "strategically located to support Detroit, Lansing, South Bend, Fort Wayne and Chicago, Illinois."

"Entrepreneurial Food, Fun, and Spirits Competition" Hillsdale's Tax Increment Finance Authority (TIFA) has a targeted development program to reward a restaurateur who locates in the TIFA district of Hillsdale. There is a prize of over \$30,000 to provide seed money for the right restaurant in downtown Hillsdale.

Hillsdale Municipal Airport: A recent expansion of Hillsdale's airport provides another opportunity for entrepreneurial activity in Hillsdale. Now an asset in our economic development toolbox, our airport will now allow the location of businesses which require quick access. In addition, aeronautically related activities and businesses may also choose to locate near our expanded airport. Finally, the Fly-in that is held each year will be promoted more widely to a broader audience in order to bring a greater exposure and put Hillsdale "on the map" for a wider community.

Wikispeed: A start-up automotive venture with Hillsdale connections is seeking investment capital, willing to locate in Hillsdale, if funding becomes available. Wikispeed's light weight, fuel efficient car

reaches over 100 miles per gallon and would be produced from interchangeable, component parts, unlike any other car manufacturer today.

7.) HPG will coordinate presentations and visits with prospective new business among the relevant City departments and regional economic development organizations, and will represent the City to new and expanding business. This is a particularly important function for any economic development program. Silverlode's *Strategic Plan* suggests that a "quick response team" be established which includes economic development officials, city representatives, utility providers and other pertinent agencies. "even the most generous of incentives packages can be eroded by delays in zoning changes, permitting, utilities tap-ins, etc... Communities that consistently win projects generally have established quick response teams" (65).

8.) HPG will actively research and seek grants from the Federal and State government as well as other private and public funding sources that could be of benefit to the City. Our company's professional connections in both Lansing and Washington and previous experience will provide a greater knowledge and inside track for many grants and funding sources.

9.) HPG will advise the City Manager on the economic status of the City and will provide staff support for the City Economic Development Corporation (EDC) and the downtown Tax Increment Finance Authority of the City of Hillsdale.

## SOURCES

Davies, Charles, W. Grassl, D. Paas, M. Steckbeck, and G. Wolfram. *Observations on Economic Development in Hillsdale County*. Department of Economics and Business Administration, Hillsdale College. Hillsdale, MI, September 2004.

Glaeser, Edward. *Triumph of the City*. New York: Penguin Books, 2011.

Hyett Palma. *Hillsdale Downtown Blueprint 2009*. Michigan State Housing Development Authority and the Michigan Municipal League, December 2008.

Michigan State University. *Hillsdale: Image/Character Study*. Small Town Design Initiative.

Silverlode Consulting Group. *Economic Development Strategic Plan*. Hillsdale Board of Public Utilities, 2009.

Steckbeck, M. and G. Wolfram. *Analysis of Hillsdale County Employment, Hillsdale City Property Taxes, and BPU Revenues*. Hillsdale Policy Group. Hillsdale, MI April 2004.





# Hillsdale Policy Group, Ltd.

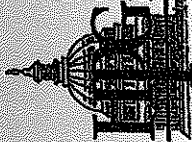
*Specializing in Taxation & Public Policy Analysis*

## SCHEDULE AND FEES

The delivery of professional services discussed in this proposal will be for a term of one year commencing from the date that a contract is signed between Hillsdale Policy Group (HPG) and the City of Hillsdale. The cost of the year's services will not exceed \$65,000 including optional personnel services and reimbursables. The following schedule is a break-down of the expected delivery of professional services and project related expenses from our Hillsdale Policy Group.

<u>HPG Personnel</u>	<u>Position</u>	<u>Hours</u>	<u>Standard Hourly Rate</u>	<u>Rate for City of Hillsdale</u>	<u>Total Cost</u>
Mary Wolfram	vice-president	1,440	\$40	\$33	\$47,520
<b>CONTRACT TOTAL:</b>					<b>\$47,520</b>
<u>Optional Personnel Services*</u>					(not to exceed)
Gary Wolfram, Ph.D.	President	20	\$275	\$200	\$4,000
<u>Project related expenses*</u>					(not to exceed)
Meeting expenses					\$13,000
Association dues					
Travel					
Advertisements					

\*Optional personnel services and project related expenses will be pre-approved by the Hillsdale City Manager and reimbursed to HPG as delivered.



**Hillsdale Policy Group, Ltd.**

*Leading in Taxation & Public Policy Analysis*

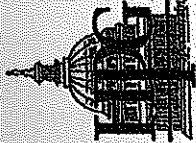
### **HILLSDALE POLICY GROUP: The Hometown Advantage**

Hillsdale Policy Group (HPG) is a public policy consulting firm, specializing in economic, taxation, and legislative analysis. HPG was founded in 1992 by Dr. Gary Wolfram, the William Simon Professor of Economics and Public Policy at Hillsdale College, and his wife Mary Wolfram. HPG has studied a range of economic issues and offered expert advice to a variety of clients including state and local government, major law firms, trade associations, and private companies. A partial list of clients and topics studied follows. Previous to forming Hillsdale Policy Group, our founder served as Deputy State Treasurer for the State of Michigan and was a member of the Michigan Enterprise Zone Authority, the Michigan Strategic Fund Board, and the Michigan State Housing Development Authority Board.

Located in Hillsdale, Michigan, HPG brings a unique home-town advantage to accomplishing the professional services required for economic development in Hillsdale. HPG can take advantage of our founders' expertise in economics and taxation, while capitalizing on the personal and professional relationships that both partners have developed with local Hillsdale business people and leaders in the community. In particular, our partners' position at Hillsdale College gives HPG a unique ability to build a close relationship between the college, with its many successful alumni, friends and associates, and its home, the City of Hillsdale.

### **Gary Wolfram, Ph.D.**

Dr. Wolfram is the William E. Simon Professor of Economics and Public Policy and Director of Economics at Hillsdale College. He was a member and former Chairman of the Board of Trustees of Lake Superior State University, served as a member of Michigan's State Board of Education from 1993 to 1999, was Chairman of the Reader Amendment Blue Ribbon Commission and has been a member of the Michigan Enterprise Zone Authority, the Michigan Strategic Fund Board, and the Michigan State Housing Development Authority Board. Dr. Wolfram's public policy experience includes serving as Congressman Nick Smith's Chief of Staff, Michigan's Deputy State Treasurer for Taxation and Economic Policy under Governor John Engler, and Senator Economist to the Republican Senate in Michigan. Professor Wolfram graduated summa cum laude from the University of California at Santa Barbara. He received his Ph.D. in Economics from the University of California at Berkeley and has taught at several colleges and universities, including Mount Holyoke College, The University of Michigan, and Washington State University. He has a weekly column for *The Michigan View*, and has contributed to *Economic Events*, *American Spectator* and *National Review*. His publications include *Towards a Free Society: An Introduction to Markets and the Political System*, and several works on public policy issues. He was named Hillsdale College's Professor of the Year for 2004 and received the Emily Daugherty Award for Teaching Excellence in 2011. Michigan Runner Magazine also named him one of the top 25 runners in Michigan of the past 25 years.



## Hillsdale Policy Group, Ltd.

Experts in Transactions & Public Policy, Analysts

### Mary Wolfram

Mary Wolfram has been the vice-president of Hillsdale Policy Group and a resident of the City of Hillsdale since 1992. Previous to founding HPG, Ms. Wolfram worked for a variety of consulting firms in Washington, D.C., Virginia, Ann Arbor and Southfield, Michigan where she gained a broad background in local government issues. Ms. Wolfram was also employed by the Institute of Water Research at Michigan State University to prepare a handbook for local government officials on Michigan's water resources. In addition, Ms. Wolfram has been appointed by former Michigan Governor Engler to a variety of boards such as the Michigan Council for the Humanities, the Great Lakes Protection Fund Technical Advisory Board and the Small Business Clean Air Compliance Advisory Panel.

In 1997, Ms. Wolfram was responsible for founding and served on the first board of Will Carleton Academy, a successful local public charter school academy. In 1994, Mary started the Hillsdale chapter of Women's Life Insurance Society, a financial, fundraising organization and continues to serve as its president. Since its founding, this organization has been responsible of bringing well over \$10,000 to our local community in support of charitable projects.



**Hilldale Policy Group, Ltd.**

Group Life Insurance & Public Policy Associates

**Clients Related to Economic Development**

Hillsdale Board of Public Utilities  
Small Business Association of Michigan  
Associated Builders and Contractors of Michigan  
State of Michigan Department of Commerce  
William Roden Motor City Development  
Greektown Casino  
Marketing Resources Group  
Constellation Energy  
Michigan Home Builders Association  
Michigan Fair Tax Coalition  
National Heritage Academies  
Michigan Association of Public School Academies  
Michigan Association of Realtors  
Michigan International Speedway  
Detroit Red Wings  
McAfee Chamber of Commerce  
ITC Holdings  
Michigan Manufacturers Association  
Sault Ste. Marie Tribe Chippewa Indians  
Washtenaw Home Builders Association  
R&E Manufacturing Company  
The Eyde Company  
Truck Stop Operators Association  
Honigman Miller Schwartz and Cohn  
Michigan Communications Carriers Association

# **City of Hillsdale Agenda Item Summary**

**Meeting Date:** December 16, 2013

**Agenda Item #10:** New Business E – Grant for Sandy Beach Playground Equipment

## **BACKGROUND:**

As you may be aware, the Rotary Club has been involved in a project to improve the Sandy Beach facilities. They currently received a fifty (50%) per cent matching grant for the purchase of playground equipment to be located at the beach. The total project cost is \$79,702.96 with after application of the grant funding will require a contribution by the City (Rotary Club) of \$39,851.48. That amount has already been paid to the City by the Rotary Club.

## **RECOMMENDATION:**

I recommend that Council approve the grant. Michelle Loren will be present to discuss the details regarding grant.



# City of Hillsdale Agenda Item Summary

**Meeting Date:** December 16, 2013

**Agenda Item #10:** New Business F – Dial-a-Ride Title VI Program Update  
(Resolution)

## **BACKGROUND:**

Periodically we are required to update our Title VI Plan (Program) for the Dial-a-Ride operations in order to retain funding. Upon receiving notification from the Michigan Transportation Services Section Office of Passenger Transportation, the City's plan, which was previously updated in 2009, required an update. Accordingly, Bonnie Tew updated the plan and has now received preliminary approval from the State to submit it following Council's adoption of the plan.

I have included a memo from Bonnie Tew regarding this matter as well as the updated plan and a resolution for use in adopting the plan.

## **RECOMMENDATION:**

I recommend that Council adopt the plan as presented by passing the enclosed resolution.

# Memo

**To:** Linda Brown, City Manager  
**From:** Bonnie Tew, Finance Director  
**Date:** December 11, 2013  
**Subject:** Dial-A-Ride Title VI Program Update

I received a letter dated November 4, 2013 from Elaine Luo, Program Specialist with the State of Michigan Transportation Services Section Office of Passenger Transportation, stating that we needed to update the Title VI Plan (Program) for our Dial-A-Ride operations. The last Title VI Plan for Dial-A-Ride was approved by Council October 5, 2009 (see Resolution #3018).

Title VI of the civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in program and activities receiving Federal financial assistance. It also provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Section 2000d). The Federal Transit Administration (FTA) updated the Title VI Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" effective October 1, 2012. The updated circular supersedes FTA Circular 4702.1A dated May 13, 2007. The circular provides guidance to grantees on how to comply with Title VI regulations, as well as to ensure grantees provide meaningful language access to persons who are limited English proficient.

In light of these changes/notifications, I updated the 2009 plan and submitted it to MDOT on November 18, 2013. Yesterday I received notification that MDOT has approved our plan. It now needs to be adopted by our council. I am therefore requesting that you present the attached Title VI Program for Dial-A-Ride to the Council at their next meeting, December 16, 2013 for adoption. I have also attached the necessary resolution.

Thank you.



**CITY OF HILLSDALE  
DIAL-A-RIDE  
Title VI Program**

**Agency Name:** City of Hillsdale Dial-A-Ride

**Date Adopted:** \_\_\_\_\_

**I. Program Statement**

Section 601 under the Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal Financial Assistance."

The City of Hillsdale Dial-A-Ride operates a non-urban, demand-response transit system within the city boundaries. As a condition of receiving Federal Transit Administration (FTA) financial assistance from the U.S. Department of Transportation to operate these services, transit agencies must ensure that their programs, policies, and activities comply with DOT's Title VI regulations. The ensuing program was developed to guide the City of Hillsdale Dial-a-Ride in its administration and management of Title VI-related activities, and details how the City of Hillsdale Dial-A-Ride meets the requirements as set forth in FTA Circular 4705.1B.

**Title VI Coordinator Contact information**

Kay Freese Phone: 517-437-6443 Fax: 517-437-6450  
City of Hillsdale  
97 N. Broad Street  
Hillsdale, MI 49242  
kfreese@ci.hillsdale.mi.us

**II. Title VI Information Dissemination**

Title VI information posters (Appendix G) shall be prominently and publicly displayed in the City of Hillsdale Dial-A-Ride facility and in all their revenue vehicles. Additional information relating to nondiscrimination obligation can be obtained from the City of Hillsdale Dial-A-Ride Title VI Coordinator or from the city website at [www.cityofhillsdale.org](http://www.cityofhillsdale.org).

Title VI information shall be disseminated to the City of Hillsdale Dial-A-Ride employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of the City of Hillsdale Dial-A-Ride's policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the City of Hillsdale Dial-A-Ride's expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Program and are required to sign the Acknowledgement of Receipt (see Appendix B).

### **III. Subcontracts and Vendors**

All subcontractors and vendors who receive payments from City of Hillsdale Dial-A-Ride where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

### **IV. Record Keeping**

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the City of Hillsdale Dial-A-Ride Title VI Program, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

### **V. Title VI Complaint Procedures**

#### **How to file a Title VI Complaint**

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the City of Hillsdale Dial-A-Ride may file a Title VI Complaint by completing and submitting the agency's Title VI Complaint Form. The City of Hillsdale, Dial-A-Ride investigates complaints received no more than one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses. Be detailed and specify all issues and circumstances of the alleged discrimination.
- Other information that you deem significant

All Title VI and related statute complaints are considered formal-there is no informal process. Complaint must be in writing and signed by the complainant on the form provided. Complaints must be based on issues involving race, color or national origin. Title VI Complaints for discrimination may be filed with:

City of Hillsdale  
Dial-A-Ride  
c/o Kay Freese  
97 N. Broad Street  
Hillsdale, MI 49242

NOTE: City of Hillsdale Dial-A-Ride encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

**What happens to the complaint after it is submitted?**

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the City of Hillsdale Dial-A-Ride will be directly addressed by the City of Hillsdale. The City of Hillsdale shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the City of Hillsdale shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of complaint will be mailed within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

**How will the complainant be notified of the outcome of the complaint?**

The City of Hillsdale will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from City of Hillsdale Dial-A-Ride and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by the City of Hillsdale Dial-A-Ride, a written response will be drafted subject to review by the City's attorney. If appropriate, the City of Hillsdale's attorney may administratively close the complaint. In this case the City of Hillsdale will notify the complainant of the action as soon as possible.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator

East Building, 5th Floor – TCR  
 1200 New Jersey Ave., SE  
 Washington, DC 20590

**VI. Transit-Related Title VI Investigations, Complaints, and Lawsuits**

Per FTA Circular 4702.1B, “all recipients are required to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin”:

- Active investigations conducted by FTA and entities other than FTA
- Lawsuits; and
- Complaints naming the recipient

Thus far, the City of Hillsdale, Dial-A-Ride has not received Title VI Investigations, Complaints or Lawsuits. Below is the list that will be used for tracking these incidents:

	<b>Date</b>	<b>Summary</b> (Include basis of complaint: race, color, or national origin)	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>				
1.	N/A			
2.	N/A			
<b>Lawsuits</b>				
1.	N/A			
2.	N/A			
<b>Complaints</b>				
1.	N/A			
2.	N/A			

**VII. Limited English Proficiency (LEP) Plan**

Four Factor Analysis

This plan uses the recommended four-factor analysis of an individualized assessment considering the four factors outlined above. Each of the following factors is examined to determine the level and extent of language assistance measures required to sufficiently ensure meaningful access to the City of Hillsdale’s transit services and activities that may affect their quality of life. Recommendations are then based on the results of the analysis.

### 1. The Proportion, Numbers and Distribution of LEP Persons

The Census Bureau has a range for four classifications of how well people speak English. The classifications are: 'very well,' 'well,' 'not well,' and 'not at all.' For our planning purposes, we are considering people that speak English less than 'very well' as Limited English Proficient persons.

As seen in Table #1, the Census 2007 – 2011 Data for the City of Hillsdale shows a small amount of the population that would speak English less than 'very well.'

**TABLE #1**

LANGUAGE SPOKEN AT HOME	# of Individuals	Percentage
Population 5 years and over	7,704	7,704
English only	7,514	97.5%
Language other than English	190	2.5%
Speak English less than "very well"	55	0.7%
Spanish	112	1.5%
Speak English less than "very well"	45	0.6%
Other Indo-European languages	11	0.1%
Speak English less than "very well"	0	0.0%
Asian and Pacific Islander languages	40	0.5%
Speak English less than "very well"	10	0.1%
Other languages	27	0.4%
Speak English less than "very well"	0	0.0%

### 2. Frequency of Contact with LEP Individuals

The City, inclusive of Dial-A-Ride, has conducted an informal survey of our employees with regard to whether they have had encounters with LEP individuals in the performance of their job functions and found that there was only one department that reported encountering LEP individuals. We have offices accessible to the public and therefore accessible to LEP individuals and we have staff that work in the field that could encounter LEP individuals. Additionally, regular council meetings are held the first and third Mondays which would potentially bring LEP individuals to these meetings. Given the small concentration of LEP individuals, as displayed in Table #1 (above), the probability of our transit employees to encounter any LEP individual is very low.

### 3. The Nature and Importance of the Program, Activity, or Service to LEP

The City of Hillsdale serves individuals throughout the city in a variety of ways including managing roads, water, sewer, police, fire, elections, and other services to citizens of the city and individuals from outside of the city, such as visitors and those traversing the state. The nature of the services that the city provides is very important to an individual's

day-to-day life. Therefore the denial of services to an LEP individual could have a significant detrimental effect. Although the LEP population in the city is small, we will ensure accessibility to all of our programs, services, and activities.

#### **4. The Resources Available to the City of Hillsdale and Overall Cost**

US Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

*"Certain DOT recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written LEP plan."*

The City of Hillsdale serves very few LEP persons and has very limited resources; therefore it has decided to include a LEP section in its Title VI Program in order to comply with the Executive Order.

#### Limited English Proficiency Plan

The City of Hillsdale has developed the following strategy to ensure those persons who do not speak English as their primary language and those who have a limited ability to read, write, or speak or understand English are accommodated:

- A. Below are tools to help identify persons who may need language assistance:
- Examine records requests for language assistance from past transit service records to anticipate the possible need for assistance in the future.
  - Survey drivers and other first line staff on an annual basis at the beginning of each fiscal year regarding their experience on having any direct or indirect contact with LEP individuals.
- B. The Hillsdale Dial-A-Ride has or will implement the following LEP procedures. The creation of these steps are based on the very low percentage of persons speaking other languages or not speaking English at least "well," and the lack of resources available in the Hillsdale Dial-A-Ride service area:
- The Census Bureau's "I Speak Cards" will be available at the transit office and City Hall at all times.
  - When an interpreter is needed, in person or on the telephone, the Hillsdale Dial-A-Ride staff will attempt to determine what language is required. Staff shall use the telephone interpreter service – Language Line Services at <http://www.language.com>. On the Language Line home page the staff will select the Need an Interpreter Now link and follow the directions to receive an access code.
  - An oral interpolator may be located through the local college language department;

- The AltaVista Babel Fish website will be added to the favorites listing for easy access via Microsoft Internet Explorer on a computer located at the DART facility located at 981 Development Drive or at the Library. This will aid staff in the interpretation of services on a one on one basis for LEP individuals using DART.

C. All Hillsdale Dial-A-Ride staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the Hillsdale Dial-A-Ride staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities
- Inform drivers of what language assistance services DART offers;
- Use of LEP "I Speak Cards";
- How to access AltaVista Babel Fish via the computer at the DART facility or at the Library;
- Documentation of language assistance requests;
- How to use the Language Line interpretation and translation services;
- How to handle a Title VI and/or LEP complaint (See Appendix B)

D. Due to the lack of LEP population in Hillsdale and limited resources available in the transit program there is no formal process to provide appropriately translated notices to LEP persons. However, the following are a few options that Hillsdale Dial-A-Ride will incorporate when and or/or if the need arises:

- If staff know that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a know concentration of LEP persons, meeting notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- When running a general public meeting notice, staff will insert the clause, based on the LEP population and when relevant, that translates into "A (insert alternative Language) translator will be available". For example: "Un traductor del idioma espanol estara disponible" This means "A Spanish translator will be available".
- Key print materials, including but limited to schedules and maps, will be translated and made available at the Hillsdale Dial-A-Ride dispatch office, on board vehicles and in communities when a specific concentrated LEP population is identified.

E. This plan is designed to be flexible and is one that can be easily updated. At a minimum, the Hillsdale Dial-A-Ride will follow the Title VI Program update schedule for the LEP Plan.

Each update should examine all plan components such as:

- How many LEP persons were encountered?
- Were their needs met?
- What is the current LEP population in the City of Hillsdale;

- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified Hillsdale Dial-A-Ride programs? Are there other programs that should be included?
- Have the Hillsdale Dial-A-Ride's available resources, such as technology, staff, and financial costs changed?
- Has the Hillsdale Dial-A-Ride fulfilled the goals of the LEP Plan? and
- Were any complaints received?

F. Since the last LEP Plan was submitted the City of Hillsdale Dial-A-Ride has not encountered anyone with limited English proficiency. Neither has there been any changes in the types of languages where translation services are needed. The language assistance programs that the Hillsdale has implemented are still adequate and the LEP Plan goals have been met. Hillsdale Dial-A-Ride has not received any Title VI complaints.

### **VIII. Public Participation**

As an agency receiving federal financial assistance, since the last Title VI program submission, the City of Hillsdale Dial-A-Ride has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities. The public is invited to participate in these activities:

**Council Meetings** Hillsdale City Council conducts regular meetings on the first and third Mondays of each month where the public is invited to attend and make comments regarding Dial-A-Ride. Currently these meetings are live streamed on the internet. An archive of past meetings is available as well as all current and past agendas and minutes. These public meetings are advertised in advance by official postings at City Hall, on the internet, local radio stations, and newspapers. The public is given an opportunity to speak on any topic at every council, including Dial-a-Ride.

**Customer Complaints** Citizens may call the City Manager's Office to lodge a complaint or comment. All complaints/comments are distributed to the relevant manager who researches the complaint and responds back to the citizen.

**Annual Application** City of Hillsdale Dial-A-Ride submits to the Michigan Department of Transportation annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

**Local Advisory Committee** Public comments can be directed to the members of the Local Advisory Committee which meets annually during the Michigan Department of Transportation annual application process.



**IX. Table Depicting Minority Representation on Committees and Councils Selected By City of Hillsdale Dial-A-Ride**

Below is a table depicting the membership of non-elected committees and councils directly associated with City of Hillsdale Dial-A-Ride. The table below shows the membership of this council, broken down by race. That council currently has three (3) members are either transit users, have a disability, or are 65 years of age or older. One member is appointed jointly with the Local Area Agency on Aging.

Minorities are strongly encouraged to participate. Transit staff encourage their ridership to participate in this council. Residents of several low-income housing facilities are notified of vacancies and encouraged to participate.

<b>Body</b>	<b>Caucasian</b>	<b>African American</b>	<b>Native American</b>	<b>Asian</b>	<b>Hispanic</b>	<b>Other</b>
<b>Population</b>	<b>94%</b>	<b>0.5%</b>	<b>1.2%</b>	<b>1.8%</b>	<b>1.7%</b>	<b>0.8%</b>
<b>Local Advisory Council</b>	<b>100%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**IX. Title VI Equity Analysis of Facilities Construction**

The City of Hillsdale, Dial-A-Ride shall complete a Title VI equity analysis during the planning state with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The City of Hillsdale, Dial-A-Ride shall engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis must compare the equity impacts of various sitting alternatives, and the analysis must occur before the selection of the preferred site.

When evaluating locations of facilities, the City of Hillsdale, Dial-A-Ride should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.

If the City of Hillsdale, Dial-A-Ride determines that the location of the project will Hillsdale, Dial-A-Ride may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The City of Hillsdale, Dial-A-Ride must show how both test are met; it is important to understand that in order to make this showing, the City of Hillsdale, Dial-A-Ride must consider and analyze alternatives to determine whether those alternative would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.

## **Appendix A      Employee Annual Education Form**

### **Title VI Policy**

No person shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of the City of Hillsdale Dial-A-Ride are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to Kay Freese, Title VI Coordinator.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

**Appendix B**

**Acknowledgement of Receipt of Title VI Program**

I hereby acknowledge the receipt of the City of Hillsdale Dial-A-Ride's Title VI Program. I have read the program and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print your name

\_\_\_\_\_  
Date

**Appendix C TITLE VI COMPLAINT FORM**

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and send it to:

City of Hillsdale  
Dial-A-Ride  
c/o Kay Freese  
97 N. Broad Street  
Hillsdale, MI 49242

Please print clearly:

**Section I:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ (home) \_\_\_\_\_ (cell) \_\_\_\_\_ (message)

Electronic Mail Address: \_\_\_\_\_

Accessible Format Requirements    Large Print \_\_\_\_\_    Audio Tape \_\_\_\_\_  
TDD \_\_\_\_\_    Other \_\_\_\_\_

**Section II:**

Are you filing this complaint on your own behalf?    Yes\*    No

\*If you answered "yes" to this question, go to Section III.

If you are filing this complaint on behalf of a third party please supply the name and relationship of the person for whom you are complaining and explain why you are filing for them.

\_\_\_\_\_  
\_\_\_\_\_

If you are filing on behalf of a third party, did you obtain their permission? (Yes/No)



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**Section IV:**

Have you previously filed a Title VI complaint with this agency? \_\_\_\_\_ Yes \_\_\_\_\_ No

**Section V:**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court: \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, check all that apply and please provide information about a contact person (name, title, agency name, address, telephone number) at the agency/court where the complaint was filed.:

Federal Agency: \_\_\_\_\_

Federal Court: \_\_\_\_\_

State Court: \_\_\_\_\_

State Agency: \_\_\_\_\_

Local Agency: \_\_\_\_\_

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**Section VI:**

Please provide the name of the agency the complaint was against and a contact person, title and telephone number:

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You may attach any written materials or other information that you think s relevant to your complaint.

Sign and date below

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print your name

\_\_\_\_\_  
Date

Please submit this form, either in person or by mail to the Title VI Coordinator at:

City of Hillsdale  
Dial-A-Ride  
97 N. Broad Street  
Hillsdale, MI 49242

**APPENDIX D Letter Acknowledging Receipt of Complaint**

[Date]

[Name]

[Street Address]

[City]

Dear [ ]:

This letter is to acknowledge receipt of your complaint against the City of Hillsdale Dial-A-Ride alleging a violation of Title VI of the Civil Rights Act of 1964, more specifically,

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An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 517-437-6443 or write to me at this address.

Sincerely,

Kay Freese  
Title VI Coordinator  
Hillsdale Dial-a-Ride  
97 N. Broad Street  
Hillsdale, Michigan 49242



**APPENDIX E Letter Notifying Complainant that the Complaint Is Substantiated**

[Date]

[Name]

[Street]

[City, State, Zip]

Dear [ ]

The complaint referenced in your letter dated [ ] alleging a Title VI violation by Hillsdale Dial-a-Ride has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including [the one/those] mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Kay Freese  
Title VI Coordinator  
Hillsdale Dial-a-Ride

**APPENDIX F Letter Notifying Complainant that the Complaint Is Not Substantiated**

[Date]

[Name]

[Street Address]

[City, State, Zip]

Dear [ ]:

The matter referenced in your complaint of [date] against the City of Hillsdale Dial-A-Ride alleging \_\_\_\_\_ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had, in fact, been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The City of Hillsdale Dial-A-Ride has analyzed the materials and facts pertaining to your case for evidence of the City's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I, therefore, advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to: 1) appeal within seven (7) calendar days of receipt of this final written decision from City of Hillsdale Dial-A-Ride and/or, 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at:

Federal Transit Administration Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor - TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Kay Freese  
Title VI Coordinator  
Hillsdale Dial-a-Ride

**APPENDIX G: CITY OF HILLSDALE DIAL-A-RIDE  
TITLE VI PUBLIC NOTICE**

The City of Hillsdale Dial-A-Ride operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Hillsdale Dial-A-Ride.

For more information on the City of Hillsdale Dial-A-Ride's civil rights program, and the procedures to file a complaint, contact 517-437-6443; or go on line at [www.cityofhillsdale.org](http://www.cityofhillsdale.org); or email [kfreese@cityofhillsdale.org](mailto:kfreese@cityofhillsdale.org); or visit our administrative offices located at 97 N. Broad Street, Hillsdale, MI 49242.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

If information is needed in another language, please contact 517-437-6443.

# CITY OF HILLSDALE, MICHIGAN

## RESOLUTION NO.

**WHEREAS**, the City of Hillsdale operates a public transportation system, Hillsdale Dial-A-Ride using Federal financing; and

**WHEREAS**, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance; and

**WHEREAS**, Title VI further provides that "no person in the United states shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance: (42 U.S.C. Section 2000d); and

**WHEREAS**, the City of Hillsdale Dial-A-Ride is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration Circular 4702.1.B.; and

**WHEREAS**, the City of Hillsdale Dial-A-Ride has developed a Title VI Program to assist in its administration and management of the Title VI related activities; and

**WHEREAS**, the Michigan Department of Transportation has reviewed the City of Hillsdale Dial-A-Ride's Title VI Program and determined that it contains all the required elements.

**WHEREFORE, BE IT RESOLED**, that the Council of the City of Hillsdale herby adopts this plan in accordance with Title VI of the Civil Rights Act of 1964.

PASSED IN OPEN COUNCIL MEETING THIS 16TH DAY OF DECEMBER, 2013.

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Scott M. Sessions, Mayor

ATTEST:

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Robilyn Swisher, City Clerk

## Appointments

### Board of Special Assessors:

Aimee England – 1 year term expiring November 2014

### Zoning Board of Appeals:

Aimee England – 3 year term expiring November 2016

Adam Stockford – 3 year term expiring November 2016