

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

December 21, 2015
7:00 p.m.
(517)437-6441
www.cityofhillsdale.org

CITY COUNCIL MINUTES

City of Hillsdale
Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Scott Sessions opened the meeting with the pledge of allegiance.

Roll Call

Mayor Scott Sessions called the meeting to order with the following Council members present: Council member Adam Stockford representing Ward One; Council member Timothy Dixon representing Ward Two; Councilmembers Bruce Sharp and Emily Stack-Davis representing Ward Three; and Councilmembers Patrick Flannery and Matthew Bell representing Ward Four.

Absent was Ward I Council member Brian Watkins.

Also present were: City Manager David Mackie, Interim City Clerk Michelle Loren, City Attorneys John Lovinger and Tom Thompson, Kay Freese (HR), Police Chief Scott Hephner (HCPD), Mary Wolfram (HPG), Kathy Flaughner, (DPS), Mike Barber (BPU), Jake Hammel (BPU), Alan Beeker (Planning), Julie Beeker (Treasurer), Jason Walters (Patriot Aviation), Dena Walters (Patriot Aviation), Jeff King (AAC), Katherine King, Michael Tackett (MERS), Andy Barrand (HDN), Josh Colletta (Hillsdale News Now), Dennis Wainscott, Penny Swan, Martha Smith, Dave Wheeler (Marvo).

Motion by Councilman Bell, supported by Council member Stack-Davis, to excuse the absence of Council member Watkins from the December 21, 2015 meeting.

All ayes.

Motion carried.

Approval of Agenda

Mayor Sessions requested New Business Item B. Appointment of City Clerk be removed from the agenda as he had not yet made a decision. Council member Stack-Davis asked for an update. Mayor Sessions stated he and City Manager Mackie had held interviews and he had not yet made a decision.

Motion by Council member Flannery, supported by Councilperson Stockford, to approve the December 21, 2015 meeting agenda as amended.

All ayes.

Motion carried.

Public Comment

None

Communications and Petitions

None

Consent Agenda

- A. Approval of Bills from Claims of December 3, 2015: Payroll \$103,032.90; Claims \$77,346.29
- B. Committee Reports (Pending Approval)
 - 1. Airport Advisory Committee Minutes of October 22, 2015
 - 2. Finance Minutes of December 7, 2015
 - 3. Board of Review Minutes of December 15, 2015
 - 4. Planning Commission Minutes of November 17, 2015
- C. Council Minutes of December 7, 2015
- D. November 2015 Code Enforcement Report

Motion by Council member Stack-Davis, supported by Council member Flannery, to approve the Consent Agenda. Roll call: Councilmembers Bell – yes; Stack-Davis – yes; Dixon – yes; Flannery – yes; Sharp – yes; Stockford – yes; Mayor Sessions – yes.

Motion carried 7-0.

Communications/Petitions

None

Introduction and Adoption of Ordinance/Public Hearing

A. Public Hearing: IFT Marvo Properties, LLC.

Mayor Sessions opened the public hearing to receive comment regarding IFT Application by Marvo Properties, LLC. No public comment was made. Mayor Sessions then opened the floor for Council discussion.

Motion by Councilman Bell, supported by Councilperson Stack-Davis, to adopt Resolution No. 3254 approving IFT Application by Marvo Properties, LLC and authorize the Mayor and Clerk's signatures. Roll call: Councilmembers Stack-Davis – yes; Dixon – yes; Flannery – yes; Sharp – yes; Stockford – yes; Mayor Sessions – yes; Council member Bell – yes.

Motion carried 7-0.

B. Set Public Hearing: Establishment of Plant Rehabilitation – 221 Industrial Drive

Motion by Council member Flannery, supported by Council member Stack-Davis, to set January 4, 2016 at 7:00 p.m. as the date and time to hold a public hearing regarding the establishment of a Plant Rehabilitation District at 221 Industrial Drive.

All Ayes.

Motion carried.

C. Public Hearing: TIFA Development Plan Amendment

Mayor Sessions opened the public hearing to receive comment regarding the adoption of the TIFA Development Plan Amendment. No public comment. Mayor Sessions opened the floor for Council discussion. No Council discussion.

Motion by Council member Flannery, supported by Council member Dixon, to adoption Resolution No. 3255 approving the TIFA Development Plan Amendment. Roll call: Council members Dixon – yes; Flannery – yes; Sharp – yes; Stockford – yes; Mayor Sessions – yes; Councilmembers Bell – yes; Stack-Davis – yes.

Motion carried 7-0.

Old Business

A. Special Election Costs/Candidates Filing Deadlines.

Mayor Sessions presented Council with a report prepared by Finance Director Bonnie Tew regarding costs to the City for special elections. Council reviewed the report and made inquiry asking questions of both City Manager Mackie and Interim City Clerk Loren. After considerable discussion, it was determined that Council did not care to hold a special election in May, 2016 but to revisit the matter in time for filing for the August, 2016 election date. Council member Stack-Davis requested reminders of the filing dates be included in future packets so they would not go forgotten.

New Business

A. MERS 457 Plan.

Human Resource Director, Kay Freese and MERS Representative Michael Tackett gave an overview of what the move of the employees' current ICMA Retirement account to the MERS 457 would look like. Council member Bell in particular made inquiry to satisfy that there was benefit to the employees for making this move.

Motion by Councilman Bell, supported by Councilperson Stack-Davis, to adopt Resolution No. 3256 approving the MERS Supplemental Retirement Program with Loan Addendum and authorize the Mayor and Clerk's signatures on the MERS 457 Participation Agreements and MERS Uniform 457 Supplemental Retirement Program Resolution. Roll call: Councilmembers Flannery – yes; Sharp – yes; Stockford – yes; Mayor Sessions – yes; Councilmembers Bell – yes; Stack-Davis – yes; Dixon – yes.

Motion carried 7-0.

B. Annual MDOT Right of Way Permit.

Motion by Council member Stockford, supported by Council member Stack-Davis, to adopt Resolution No. 3257 approving application by DPS for the annual Right of Way Permit through MDOT. Roll call: Councilmembers Sharp – yes; Stockford – yes; Mayor Sessions – ye s; Councilmembers Bell – yes; Stack-Davis – yes; Dixon – yes; Flannery – yes.

Motion carried 7-0.

C. Appointment of Interim DPS Director.

Mayor Sessions announced the appointment of Jake Hammel as Interim Board of Public Utilities. City Manager David Mackie gave an overview of Mr. Hammel's background and attributes. Mr. Mackie also stated that as the appointment is interim, Mr. Hammel will be up for review and possible permanent appointment as Director.

Motion by Council member Sharp, supported by Councilmember Flannery, to approve the appointment of Jake Hammel as Interim Director of the Department of Public Services. Roll call: Councilmembers Stockford – yes; Mayor Sessions – yes; Councilmembers Bell – yes; Stack-Davis – yes; Dixon – yes; Flannery – yes; Sharp – yes.

Motion carried 7-0.

D. Designation of "councilperson" submitted by Council member Bell

Councilman Bell presented Council with a drafted resolution stating the use of "councilperson" when addressing members of the council be discontinued and instead be addressed as "councilman or councilwoman" respectively.

Mayor Sessions strongly expressed his concerns with the resolution stating it violated his 1st Amendment rights and bordered on discrimination. Mayor Sessions stated he would refuse to sign the resolution should it pass as he considered it to be unlawful. After debate and lengthy council discussion, Councilman Bell withdrew his proposed resolution.

Miscellaneous

None

City Manager Report

City Manager David Mackie reported the City was rewarded a \$28,200.00 with a \$3,100.00 match by the City for the purchase of fire department turnout gear (helmets, boots, and gloves). Mr. Mackie also reported the Board of Public Utilities had been awarded a grant in the amount of \$30,000.00 with a \$48,000.00 match by the City for new lighting.

City Manager Mackie stated the Board of Public Utilities would be holding a meeting on December 22, 2015 at 5:00 p.m. to determine their recommendation for the appointment of the new BPU Director.

Lastly, Mr. Mackie reported the Airport Advisory Committee held a meeting on Saturday, December 19, 2015 to discuss future projects in the continuing efforts to clean up and move the airport forward in its improvements.

Council member Stack-Davis inquired about the progress of the airport manager search. City Manager Mackie responded that there had been two inquiries into the position and that the City had published the opening as well.

Council member Flannery commented that he had received several complaints regarding the new lighting at Sharp and Manning

General Public Comment

None

Council Comment

Councilman Bell commented on the violation of rules of procedure by Council. Councilman Bell stated he had submitted a resolution that did not appear on the agenda by decision of the City Manager. Mr. Bell stated the resolution addressed change to public comment and how it is received at council meetings as well as changing the procedure for introduction of agenda items to appear for Council discussion.

Council member Sharp expressed his disappointment in not appointing the City Clerk at the December 21, 2015 meeting. Mr. Sharp suggested the appointment be made at the January 4, 2016 meeting and that information be providing regarding the candidates for review by members of council prior to the January 4, 2016 meeting.

Council member Stack-Davis stated she had done some research on the candidates and that she would like for Council to possibly interview one of the candidates in order to clarify some of the information regarding one in particular.

Council member Flannery concurred with council member Sharp about not appointing the City Clerk as was expected and not having the proper information necessary in order for Council to make a decision regarding the approval of the appointment.

Council member Stack-Davis mentioned the need for public comment both at the beginning and end of each council meeting to open to anything the resident feels the need to comment on.

Council member Stockford agreed that general public comment should be at the beginning of council meetings.

Councilmembers continued to discuss pros and cons of general public comment.

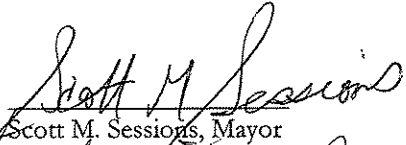
Adjournment

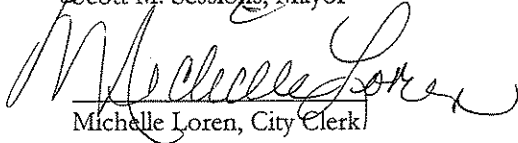
Motion by Council member Stockford, supported by Council member Flannery, to adjourn.

All ayes.

Meeting adjourned.

8:26 p.m.


Scott M. Sessions, Mayor


Michelle Loren, City Clerk