

**CITY COUNCIL MINUTES**

City of Hillsdale  
 Council Chambers  
 March 5, 2018  
 7:00 P.M.

Regular Meeting

**Call to Order and Pledge of Allegiance**

Mayor Adam Stockford opened the meeting with the Pledge of Allegiance.

**Roll Call**

Mayor Adam Stockford called the meeting to order.

Council Members present:	Adam Stockford, Mayor R. Gregory Stuchell, Ward 1 Timothy Dixon, Ward 2 William Morrissey, Ward 2 Bruce Sharp, Ward 3 William Zeiser, Ward 3 Matthew Bell, Ward 4 Raymond Briner, Ward 4
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Council Members absent:	Brian Watkins, Ward 1
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Also present were: City Manager David Mackie, City Clerk Stephen M. French, City Attorney John Lovinger, City Attorney Tom Thompson, Scott Hephner (HCPD & HCFD), Alan Beeker (Zoning); Jake Hammel (DPS), Chris McArthur (BPU), Mary Hill (Library), Corey Murray (Hillsdale Daily News), Nic Rowin (Hillsdale Collegian), Greg Kurtz, Peter Merritt, Heather Tritchka, Kristin Lucas, Melanie Hodos, Shawn Hodos, Dave Morris, Brianna Crall, Dennis Wainscott, and Brian DuBois.

**Resignation of Council Member Watkins**

Mayor Stockford announced earlier in the day, Council Member Watkins had communicated his immediate resignation from Council due to an increase in work responsibilities and related travel schedule.

Council Member Sharp, seconded by Council Member Bell, moved to accept the resignation of Council Member Watkins with deep regret.

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

**Approval of Agenda**

Mayor Stockford requested the meeting agenda be amended to include the resignation communication received from Council Member Watkins.

Council Member Morrissey, seconded by Council Member Bell, moved to the March 19, 2018 agenda with the inclusion of Council Member Watkins' communication. By a voice vote, the motion passed unanimously.

### Public Comment

Mr. Jack McLain, 1445 South Bunn Road, discussed proposed Resolution #3334 and questioned the standard used by the City Assessor when determining to waive fees following a failure to file property transfer affidavits. Mr. McLain noted the St. Anthony's Cemetery was located in Hillsdale Township, and not in the City of Hillsdale, as was presented at the March 5, 2018 Council meeting. Mr. McLain also raised questions regarding the land division application on West Street, including the current zoning of the property, the height restrictions of the building, and the appropriate application fee for the lot split.

Mr. Dennis Wainscott, 34 Garden Street, discussed the social media policy revision and questioned if the amended policy would allow him to take pictures or video during a city event or meeting. Mr. Wainscott also thanked Council Member Watkins for his service to the City of Hillsdale.

Ms. Penny Swan, 192 South West Street, encouraged Council to approve the contract with Domestic Harmony. Ms. Swan also encouraged Council to delay action on the lot split application, if questions remained on the accuracy of the application. Ms. Swan questioned if the amended social media policy would prevent her from streaming public meetings on social media. Ms. Swan thanked Council Member Watkins for his service to the city.

### Consent Agenda

- A. Approval of Bills
  - 1. City Claims of February 22, 2018: \$109,657.41
  - 2. Sewer Fund Claims of February 22, 2018: \$195,462.52
  - 3. BPU Claims of February 22, 2018: \$308,401.77
  - 4. Payroll of February 22, 2018: \$162,786.64
- B. City Council Minutes
  - 1. February 19, 2018 Regular Meeting
- C. Planning Commission Minutes of January 16, 2018
- D. Hillsdale College Noise Variance, Alley Closure, and Use Agreement Request
- E. Operations and Government Committee Minutes of February 12, 2018

Council Member Morrissey, seconded by Council Member Briner, moved to approve the Consent Agenda as presented.

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

Prior to a vote on the motion, City Attorney Lovinger discussed the Council Rule of Procedure 11.3 that pertained to Council Members voting in which there was a financial conflict of interest. City Attorney Lovinger noted there was no conflict of interest in having Council Members employed by Hillsdale College to vote on the noise variance and road closure request that was included on the Consent Agenda.

**Communications/Petitions**

## A. Resignation Correspondence from Council Member Watkins

Mayor Stockford read the email received from Council Member Watkins announcing his immediate resignation. A copy of the email was filed with the Council papers for the meeting.

Mayor Stockford noted that due to the resignation of Council Member Watkins, the election of a replacement for Ward 1 would occur on the August and November elections. Mayor Stockford noted that if three or more candidates filed for the open seat, a primary election would be held in August 2018 that would determine the two candidates who would continue to the November general election.

**Introduction and Adoption of Ordinance/Public Hearing**

There was no ordinances or public hearings on the meeting agenda.

**Unfinished Business**

## A. Social Media Policy Revision

Council Member Morrissey detailed the proposed Social Media Policy amendments that had been discussed and recommended for approval by the Operations and Governance Committee. Council Member Morrissey reported the policy amendments centered on the applicability of the policy to appointed and elected officials.

Council Member Morrissey, seconded by Council Member Sharp, moved to approve the amended Social Media Policy as presented.

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

**Old Business**

## A. Vehicle Exhaust Extraction System at Fire Station

Chief Hephner reported the vehicle exhaust extraction system at the fire station had been completed and the system was fully operational. Chief Hephner noted the components were much more durable and were of higher quality than the previous system.

## B. DPS Plow/Dump Truck Grant Update

DPS Director Hammel reported the department had received confirmation that the grant for a third plow/dump truck had been approved by the Environmental Protection Agency (EPA) and the Department of Environmental Quality (DEQ). Director Hammel stated the department had placed the order for the third vehicle and anticipated delivery by the deadline of August 2018.

C. Garden/Vine/Mead/Rippon Street Project Update

City Manager Mackie reported the State of Michigan had provided the city with an additional \$120,000 in grant funds, to raise the total grant receipt to the maximum \$2.0 million. City Manager Mackie stated city staff continued to review the project estimates and would attempt to complete the entire project as planned.

Responding to a question from Council Member Stuchell, City Manager Mackie reported city staff had met with Brussee/Brady, the company that submitted the low bid for the project, to discuss some concerns that had been raised on the ability of the contractor to complete the project.

**New Business**

A. Contract with Domestic Harmony

City Manager Mackie detailed the services offered by Domestic Harmony that included crisis intervention, 24-hour supportive counseling, transportation, temporary shelter, housing placement assistance, and information and referrals in legal and financial matters.

Mayor Stockford noted some Council Members and those in the community have historically had disagreements with Council contracting with a non-profit organization and receiving public funds. Mayor Stockford discussed the vital services offered by Domestic Harmony and the many times city police officers had utilized these services in challenging situations.

Responding to a question from Council Member Stuchell, Ms. Christine Lucas representing Domestic Harmony reported the organization assisted persons from outside of Hillsdale County, although those instances were fairly rare. Ms. Lucas also reported the annual budget of Domestic Harmony for 2018 was \$305,000. Council Member Stuchell questioned if the \$5,000 recommendation was adequate for the services provided by Domestic Harmony, and if the city should increase funding for the organization. Council Member Stuchell noted the services provided by Domestic Harmony involved public safety, which was the highest priority that had been established by Council.

Ms. Lucas reported approximately half of the townships within Hillsdale County provided funding for Domestic Harmony, and those funding levels averaged \$250.00 per municipality. Ms. Lucas also provided information on the number of clients served by Domestic Harmony during 2017.

Council Member Dixon disclosed he was an uncompensated, volunteer, board member for Domestic Harmony and would receive no direct, financial benefit in regards to the recommended contract.

Council Member Morrissey, seconded by Council Member Sharp, moved to approve the contract with Domestic Harmony in the amount of \$6,000.

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

B. Lot Division Application from West Street Living LLC, 240 N. West St

Zoning Administrator Alan Beeker reviewed the lot division application from West Street Living LLC for a project located at 240 North West Street. Mr. Beeker stated the application had requested

the parent parcel be split into twelve lots, three of which would have 2 separate living areas. Mr. Beeker also noted city staff and Planning Commission recommended the lot division application be approved with the condition that all sales include a common area maintenance agreement due to the common façade, parking areas, and lawn. Mr. Beeker reported the current zoning of the property was RM-1.

Responding to a question from Council Member Sharp, Zoning Administrator Beeker noted the new construction was undertaken by a private developer and the site would be subject to local and state property taxes.

City Attorney Lovinger noted Council Member Morrissey could vote on the motion, as Council Member Morrissey’s approval of the lot split at the Planning Commission level was advisory in nature, and not adjudicative.

Council Member Bell, seconded by Council Member Dixon, moved to approve the Lot Division Application from West Street Living LLC, 240 N. West St., with the condition that all sales include a common area maintenance agreement.

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

C. Resolution No. 3333: Approval of an Amendment to Master Agreement Number 2017-0063/A-1 with the Michigan Department of Transportation (MDOT)

City Clerk French reviewed the proposed resolution that would acknowledge the Michigan Department of Transportation’s (MDOT) revision of the purchasing threshold for competitive procurement requirements. City Clerk French stated the threshold for procurement requirements was raised from \$3,000 to \$3,500 by the State of Michigan. City Clerk French stated an amended resolution was also necessary, as the original Master Agreement permitted former Mayor Scott Sessions’ signature and with the election of Mayor Stockford, a new resolution noting this change was required.

Council Member Bell requested future agenda items be phrased as neutral, and not include language that infers Council approval or denial.

Council Member Sharp, seconded by Council Member Bell, moved to adopt Resolution No. 3333: Approval of an Amendment to Master Agreement Number 2017-0063/A-1 with the Michigan Department of Transportation (MDOT).

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

D. Resolution No. 3334: Resolution to Allow for the Waiver of Penalty for Failure to File Property Transfer Affidavits

City Manager Mackie reviewed the staff recommendation, which would permit the City Assessor to waive additional taxes and interest, should a property buyer fail to timely file a Property Transfer Affidavit with the Assessing Office within the allotted 45 days from the purchase. City Manager Mackie noted the fees had been levied sparingly, and used only in situations in which there was a willful neglect or when information was intentionally withheld in order to fraudulently maintain a lower taxable value.

Council Member Stuchell encouraged the city to monitor this issue and administer oversight of the waiver program to ensure transparency and accountability.

Council Member Bell, seconded by Council Member Stuchell, moved to adopt Resolution No. 3334: Resolution to Allow for the Waiver of Penalty for Failure to File Property Transfer Affidavits.

Roll call:	Council Member Bell	Aye
	Council Member Briner	Aye
	Council Member Dixon	Aye
	Council Member Morrissey	Aye
	Council Member Sharp	Aye
	Council Member Stuchell	Aye
	Council Member Zeiser	Aye
	Mayor Stockford	Aye

Motion passed 8-0.

E. Treasurer Vacancy – Discussion

Mayor Stockford reported City Treasurer Julie Beeker had accepted a full-time position with the Hillsdale County Treasurer's Office, which created a vacancy in the city's position. Mayor Stockford discussed many other cities the size of Hillsdale had combined the Treasurer's position with another city position, such as a Finance Director or City Clerk. Mayor Stockford noted, however, the current language of the City Charter prohibited the Treasurer's position to be combined with any other position within the city.

City Manager Mackie noted the job vacancy would be posted in the near future and interested applicants were encouraged to contact the City Manager's Office. City Manager Mackie stated a charter amendment could be presented to the voters, which would then, if approved, allow the Treasurer's position to be combined position with another city office, to create a costs savings.

City Attorney Lovinger noted the city could appoint someone in the interim to assume the duties of the City Treasurer, until a permanent appointment is made by the Mayor.

Council Member Bell questioned if combining the job of Treasurer with another role within the city would affect the effectiveness and/or accountability of city services.

Council Member Zeiser noted that amending the charter in this instance would not prevent Council from appointing a Treasurer in the future, who was separate from any other city employee or office.

City Attorney Lovinger stated a new City Treasurer would have to be appointed prior to the time any charter amendment could be drafted and presented to the voters. City Attorney Lovinger stated that while the responsibilities of the Treasurer could be performed by city staff in the interim, this appointment could not continue for an on-going, extended period of time.

### Miscellaneous Reports

A. Appointment of Mr. Peter Merritt to the Airport Advisory Committee.

Council Member Bell, seconded by Council Member Morrissey, moved to appoint Mr. Peter Merritt to the Airport Advisory Committee. By a voice vote, the motion passed unanimously.

**General Public Comment**

Mr. Peter Merritt, 25 Sumac, thanked Council for the appointment to the Airport Advisory Committee.

Mr. David Morris, 144 Oak Street, objected to Council's decision to arbitrarily increase funding to Domestic Harmony. Mr. Morris challenged individual Council members to donate to Domestic Harmony.

Mr. Jack McLain encouraged city staff to include more minutes and agendas to be included on the city's website. Mr. McLain also noted men were victims of domestic abuse, even though the percentages were much less than women. Mr. McLain stated information found on the city's website had not be updated and was not accurate.

Ms. Penny Swan thanked Council Members for the clarification on the Social Media Policy that was made earlier in the meeting. Ms. Swan also requested more agendas and minutes be posted on the city's website for the board and committee meetings. Ms. Swan requested the Finance Committee allow public comments prior to their deliberations on the agenda items, rather than limiting public comment near the end of the meeting agenda. Ms. Swan also requested the Finance Committee have a separate accounting created for the revenues and expenses of the city airport.

Mr. Greg Kurtz, 151 Westwood Drive, questioned if city staff had scheduled the reconstruction of Westwood Drive and infrastructure in that area. Mr. Kurtz discussed there had been many water main breaks recently and driving service had deteriorated even more.

Ms. Christine Lucas thanked Council for their support of Domestic Harmony and noted the organization also provided services to men who were victims of domestic assault.

**City Manager's Report**

City Manager Mackie reported:

1. The Finish Line Restaurant was closed for renovations
2. The library was looking for volunteers for various programs
3. Over 40 people attended the Oak Wilt Disease workshop held at the Hillsdale Community Library on March 1, 2018

**Council Comments**

Council Member Zeiser noted the poor condition of Westwood Drive and the streets in the immediate area. Council Member Zeiser discussed the immense costs of street reconstruction and infrastructure repairs.

Council Member Morrissey requested the city's Pavement Surface Evaluation and Rating spreadsheet be uploaded to the city's website.

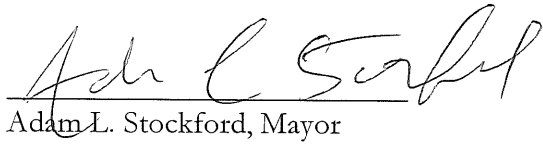
Council Member Bell noted the poor road conditions found throughout the State of Michigan and the failure at the state level to properly fund infrastructure improvements.

Mayor Stockford requested the March 19, 2018 agenda include discussion of a Welcome Committee and creating Certificates of Achievement.

**Adjournment**

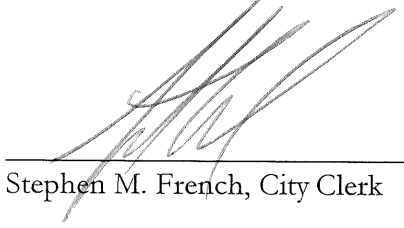
Council Member Bell, seconded by Council Member Zeiser, moved to adjourn the meeting. By a voice vote, the motion passed unanimously.

The meeting adjourned at 9:12 p.m.



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Adam L. Stockford, Mayor



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Stephen M. French, City Clerk