

## CITY COUNCIL MINUTES

City of Hillsdale  
Council Chambers  
October 1, 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 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:	None
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Also present were: City Manager David Mackie, City Attorney John Lovinger, Attorney Tom Thompson, Scott Hephner (HCPD & HCFD), Chris McArthur (BPU), Jake Hammel (DPS), Bonnie Tew (Finance), Kay Freese (HR), Mary Hill (Library), Andrew Gelzer, Brian DuBois, Penny Swan, Ted Jansen, and Dennis Wainscott.

### Approval of Agenda

Mayor Stockford requested the resignation letter received from Council Member Timothy Dixon be added to the agenda under "Communications".

Council Member Morrissey, seconded by Council Member Sharp, moved to approve the October 1, 2018 agenda as amended. The motion carried unanimously by voice vote.

### Public Comment

Mr. Dennis Wainscott, 34 Garden Street, discussed the items on the agenda that had been received as communication from the Hillsdale Housing Commission. Mr. Wainscott noted the dedication and service of the staff and congratulated them on their excellent 98% PHA score. Mr. Wainscott also thanked Hillsdale Hospital for donating a new wheelchair to the Housing Commission for use at Hilltop Apartments.

Mr. Jack McLain, 1445 South Bunn Road, questioned the Hillsdale Housing Commission minutes of July 18, 2018 where it appeared the meeting was held without a quorum. Mr. Wainscott noted there was a quorum of the commissioners at the meeting and the minutes would be corrected.

**Consent Agenda**

- A. Approval of Bills
  - 1. City Claims of September 20, 2018: \$141,670.12
  - 2. BPU Claims of September 20, 2018: \$269,423.68
  - 3. Payroll of September 20, 2018: \$166,693.11
- B. City Council Minutes of September 17, 2018 Regular Meeting
- C. 2019 S.O.A.R. Agreement with Hillsdale College
- D. August 2018 Financial Reports

Council Member Morrissey, seconded by Council Member Bell, moved to approve the Consent Agenda.

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

Motion passed 7-0.

**Communications/Petitions**

- A. Mitchell Research Center Newsletter – September 2018
- B. Hillsdale Housing Commission
  - 1. Minutes of July 18, 2018 Meeting
  - 2. Minutes of August 15, 2018 Meeting
  - 3. Executive Director Report of September 19, 2018
  - 4. Maintenance Report of September 19, 2018
  - 5. Financial Reports: June – August 2018
  - 6. PHA Score Report for 2018
- C. Resignation Letter from Council Member Timothy Dixon

Items A & B of “Communications” were received for informational purposes only.

Mayor Stockford announced Council Member Dixon had submitted a letter of resignation, as he had moved to a new home outside of the City of Hillsdale. Council Member Dixon’s letter was filed with the papers for the meeting.

Council Member Sharp, seconded by Mayor Stockford, moved to accept Council Member Dixon’s resignation with regret. The motion carried unanimously by voice vote.

**Introduction and Adoption of Ordinances/Public Hearings**

- A. Public Hearing: Resolution No. 3353: Resolution Approving an IFT Application of Dow/Dupont for Industrial Facilities Exemption Certificate for an Industrial Development District

Mayor Stockford opened a public hearing at 7:14 p.m. to receive public comments on an application from Dow/Dupont for an IFT certificate for a project located at 190 Uran Street.

Mr. Jack McLain voiced support for the application request and for the expansion of much-needed jobs in the community. Mr. McLain questioned why a representative from the Industrial Park Commission was not in attendance at the meeting to provide support for the application request.

There being no further public comments, Mayor Stockford closed the public hearing at 7:17 p.m.

Council Member Sharp noted the application included the promise to add 16 new jobs, in addition to retain the 64 existing positions. Council Member Sharp discussed the importance of adding good, well-paying jobs in the city.

Council Member Bell voiced support for the IFT application and highlighted the premise that good things happen when the tax burden is reduced on individuals and businesses.

Mayor Stockford also discussed support for the application and noted Dow had discussed leaving the City of Hillsdale only a few years prior to their present expansion plans.

Council Member Bell, seconded by Council Member Morrissey, moved to adopt Resolution No. 3353: "Resolution Approving an IFT Application of Dow/Dupont for Industrial Facilities Exemption Certificate for an Industrial Development District."

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

Motion passed 7-0.

**Unfinished Business**

A. Resolution No. 3354: A Resolution to Extend the Construction Period for an Obsolete Property Rehabilitation Exemption Certificate Application PA 146 of 2000, as amended

Mayor Stockford reviewed a staff recommendation to approve an amended "Application for Obsolete Property Rehabilitation Exemption Certificate" for property located at 115 E Carleton Rd owned by Grant Baker. Mayor Stockford noted the applicants have requested the construction period of the OPRA be extended through December 31, 2019 due to unforeseen delays in the project.

Council Member Bell voiced support for the project and thanked the Gelzer family for their long-standing support of the City of Hillsdale.

Council Member Sharp thanked Mr. Grant and Mr. Gelzer for their patience with the project and for building a new store on the site.

Council Member Morrissey, seconded by Council Member Bell, moved to adopt Resolution No. 3354: "A Resolution to Extend the Construction Period for an Obsolete Property Rehabilitation Exemption Certificate Application PA 146 of 2000, as amended."

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

Motion passed 7-0.

B. I.C.E. Grant Project – Verbal Update

DPS Director Jake Hammel provided an update on the Infrastructure Capacity Enhancement (ICE) Grant for Garden, Vine, Mead, and Rippon Streets. Director Hammel reported:

1. The contractors had agreed to work Saturdays and Sundays if an effort to complete the project on time.
2. A second contractor was added by Brussee/Brady and would begin work on Tuesday, October 2<sup>nd</sup>.
3. Approximately 85% of water and wastewater mains had been installed and 45% of storm water drains had been completed.
4. Sanitary sewer had been connected to 70% of the homes in the project area and 30% of the water connections had been completed.
5. Eleven (11) drive approaches had been completed (10% completion)
6. 1700 feet of concrete curbing had been installed.
7. The remaining curbing in the Garden-Vine-Mead neighborhood would be completed within one week, along with the remaining installation of water and sewer mains on Rippon Street.

Responding to questions from Council Member Bell, Director Hammel stated the asphalt could be installed if the ground temperature was 50 degrees and rising, while concrete curbing, driveway approaches, and underground work could continue into the winter months. Director Hammel stated the city had an inspector on-site to ensure quality standards were not compromised when trying to finish the project before winter. Director Hammel noted he remained optimistic that at a minimum, a base course of asphalt would be completed before the winter weather arrived.

Council Member Stuchell questioned if staff and the contractor had a deadline in place for determining if asphalt would be installed. Director Hammel noted around November 5<sup>th</sup>, staff would look at the upcoming weather forecasts to help prepare for that determination. Director Hammel stated millings and/or crushed stone could be installed after the asphalt plants closed near November 15<sup>th</sup>.

DPS Director Hammel reported the unexpected water shut-off during the weekend of September 28-30<sup>th</sup> was necessary for worker safety in the Rippon Street area.

Responding to a question from Council Member Zeiser, Director Hammel stated the potential delay in the project schedule was due to a variety of issues, including unforeseen problems with the water table, storm sewer issues, and the selection of a smaller, local contractor for the project. Director Hammel also noted that if gravel was installed in place of asphalt for the winter, the road would be brought to a safe standard for local traffic and for effective snow removal.

Council Member Briner questioned if the city would incur additional costs if the project was not completed until Spring 2019. Director Hammel stated the city would not incur any costs for the project overrun.

### **Old Business**

There was no Old Business on the agenda.

### **New Business**

A. Parking Lot Preservation Contract

DPS Director Hammel reviewed a staff recommendation to approve the 2019 City Parking Lot Restoration project of Lot A, C, E, F, G, H, I, J and the City Hall Lot, in addition to Alternate 1 of the project, which would include repairs to the Waterworks Park parking lot, Waterworks boat launch, Owens Park Drive (North & South Lots), and Kekoose Park lot.

Director Hammel noted the city received only one response for the contract and received notice that other potential bidders opted out, as their seal coating schedules were filled for 2018. Director Hammel stated the city has been pleased with the work performed by Excel Paving on past projects.

Responding to a question from Council Member Briner, Director Hammel stated the restoration would last approximately 3-4 years before it would have to be repeated.

Council Member Bell, seconded by Council Member Briner, moved to approving the City Parking Lot Restoration contract for both the base bid work and Alternate No. 1 work with Excel Paving at a cost of \$28,693.30

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

Motion passed 7-0.

**General Public Comment**

Ms. Penny Swan, 191 South West Street, commended City Council and staff for the many road projects being completed throughout the city.

Mr. Ted Jansen, 104 Hillsdale Street, objected to a code violation notice that he received from city staff in regards to plantings in the city’s rights-of-way. Mr. Jansen felt he was being targeted after threatening a lawsuit at previous Council meetings. Mr. Jansen also noted many other residents who had planted flowers between the sidewalk and the street were not being ticketed by city staff.

Mr. Jack McLain also noted inconsistencies in the city’s enforcement of the noxious weed ordinance and plantings in the right-of-way.

**City Manager’s Report**

City Manager Mackie reported:

1. He had attended the Hillsdale County Economic Development Partnership’s Annual Meeting earlier in the evening and had discussed the projects that were currently underway in the city.
2. The city’s brush and leaf pickup would begin on Monday, October 8, 2018 and be repeated on November 5, 2018
3. A “Lewis Treasure Hunt” would be held at the fairgrounds on October 20, 2018.
4. The “Awesome Autumn” event would be held on Tuesday, October 23<sup>rd</sup> from 5-8 pm in the downtown area.

**Council Comments**

Council Member Stuchell invited everyone to eat at the Coffee Cup Diner on Friday, October 5<sup>th</sup> as the owner had agreed to donate all profits to the Heritage Association for the bronze bear project.

Council Member Bell discussed the comments made by Mr. Jansen about his plantings in the city’s right-of-way and encouraged Council to review the city’s Codes of Ordinances to reduce over-reaching mandates and rules on the citizens.

Council Member Sharp encouraged city staff to uniformly enforce violations and enforcement actions throughout the city. Council Member Sharp also congratulated Police Officer Ted Brendel who retired after 32 years of service to the City of Hillsdale.

Council Member Morrisey voiced support for allowing residents to plant flowers and decorative plants in the city rights-of-way as long as the plants did not impede pedestrians or create danger for vehicular traffic.

Council Member Zeiser also encouraged the city to review the restrictions of plantings in the rights-of-way. Council Member Zeiser stated certain plantings may improve the appearance of the community and encourage people to relocate into the city.

Council Member Sharp noted that with the resignation of Council Member Dixon, the Council was reduced to seven members, which would have an impact on quorum requirements in certain circumstances.

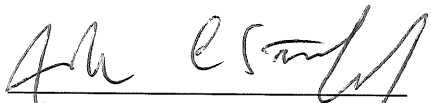
City Attorney Lovinger discussed the issue of plantings in the city's rights-of-ways and encouraged Council to include language to limit the height of plants, if changes were made in the ordinance. Attorney Lovinger noted the plantings in rights-of-ways need to be limited to allow for public safety purposes.

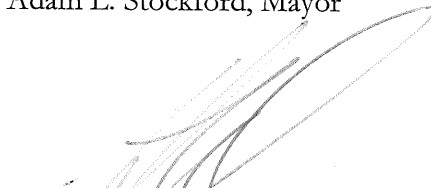
Council Member Briner thanked DPS Director Hammel and Brian DuBois for their on-going dedication and work with the I.C.E. Grant project.

**Adjournment**

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

The meeting adjourned at 7:54 p.m.

  
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Adam L. Stockford, Mayor

  
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Stephen M. French, City Clerk