

**CITY COUNCIL MINUTES**

City of Hillsdale  
September 20, 2021  
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. Clerk Price took roll call.

Council Members present: Adam Stockford, Mayor  
R Greg Stuchell, Ward 1  
Anthony Vear, Ward 1  
William Morrissey, Ward 2  
Cynthia Pratt, Ward 2  
Bruce Sharp, Ward 3  
Bill Zeiser, Ward 3  
Raymond Briner, Ward 4  
Robert Socha, Ward 4

Council Members absent: None

Also Present: David Mackie (City Manager), Attorney Tom Thompson, Katy Price (City Clerk), Scott Hephner (HCPD/HCFD), Jake Hammel (DPS Director), Alan Beeker (Zoning), Penny Swan, Jack McClain, Dennis Wainscott, Eric Hoffman, James Galloway, Josh Hypes, Logan Washburn, Jordan Adams, Josh Barker and Corey Murray (HDN).

**Approval of Agenda**

Council Member Socha requested to add Communications/Petitions item B. Email Correspondence for resident concerning Hope House.

Motion by Council Member Morrissey, seconded by Council Member Stuchell to add Communications item B. to the agenda.

By a voice vote, the motion passed unanimously.

Motion by Council Member Morrissey, seconded by Council Member Socha to approve the agenda as amended.

By a voice vote, the motion passed unanimously.

**Public Comment**

Dennis Wainscott 34 Garden St, commented that his board term was expiring in November and would like to be reappointed to the Housing Commission.

**Consent Agenda**

- A. Approval of Bills
  - 1. City and BPU Claims of September 2, 2021: \$1,068,184.01
  - 2. Payroll of September 2, 2021: \$201,299.87
- B. City Council Minutes of September 7, 2021
- C. Housing Commission Minutes of July 21, 2021
- D. Finance Minutes of Minutes of June 28, July 26, August 9, August 23 and September 7, 2021

- E. Street Closure/Use Agreement – Keefer House Hotel
- F. Use Agreement Pub n Grub- Ratification of Signature

Council Member Stuchell stated that he would like to clarify on the Council minutes that it mentioned that he had been served a letter, he stated he was not served but handed a letter from Mr. McClain.

Council Member Socha, mentioned that he received a noise complaint from a constituent on the Pub n Grub event held downtown.

Motion by Council Member Morrissey, seconded by Council Member Stuchell to approve the Consent agenda as presented.

Roll call:

Council Member Vear	Aye
Council Member Briner	Aye
Council Member Sharp	Aye
Council Member Pratt	Aye
Council Member Stuchell	Aye
Mayor Stockford	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Morrissey	Aye

Motion passed 9-0

**Communications/Petitions**

- A. Email: Hillsdale Co. Hazard Mitigation Plan
- B. Email: Hope House Correspondence

Council Member Socha read the email for the Hope House aloud that he received from a resident.

All items presented for the purpose of information only.

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

- A. Public Hearing: Industrial Facility Tax Exemption- DDP Specialty Electronic Materials US, Inc (DuPont)

Mayor Stockford opened podium at 7:15 p.m. for public comment.

No public comment.

Mayor Stockford closed podium at 7.15 p.m.

Motion by Council Member Socha, seconded by Council Member Pratt to approve the IFT exemption to DDP Specialty Electronic Materials US, Inc (DuPont) **Resolution #3471.**

Roll call:

Council Member Vear	Aye
Council Member Briner	Aye
Council Member Sharp	Aye
Council Member Pratt	Aye
Council Member Stuchell	Aye
Mayor Stockford	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Morrissey	Aye

Motion passed 9-0

**Old Business**

A Leaf Collection Verbal Update- Jake Hammel

Jake Hammel (Public Services Director) reported collection will tentatively start October 20 and run into November 2021. The department will handle the collection by ward with the new equipment.

Transfer Station building is going up and electricity is going in over the next few days. Everything is on schedule to be completed for the beginning of October 2021.

No action taken.

B Demolition of 65 & 69 Westwood Street

Alan Beeker (Planning/Zoning) reported to council that an environmental survey was performed on both properties in July 2021. Upon receipt of the inspection results, a demolition packet was sent out to seven excavation contractors. On September 7, 2021, City Staff received two bids for the demolition. Parrish Excavating and Dubois Trucking were the only contractors to submit a bid. Dubois Trucking submitted the low bid for \$49,600. However, they included two conditions in their bid that might disqualify their submittal. The first, they are requesting a 25% payment before starting work and second, they removed the liquidated damages section of the City's payment conditions.

Parrish's bid came in at \$53,438.12. The City has budgeted \$50,000 under demolition.

Council discussion ensued on the Parrish bid as they were over original budget.

City Manager Mackie asked City Attorney Thompson to review and explain the procedure for code enforcement and demolition of a property to council.

Motion by Council Member Sharp, seconded by Council Member Socha to award bid to demolition 65 & 69 Westwood Street to Parrish Excavating in the amount of \$53,438.12.

Roll call:

Council Member Vear	Aye
Council Member Briner	No
Council Member Sharp	Aye
Council Member Pratt	Aye
Council Member Stuchell	Aye
Mayor Stockford	No
Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Morrisey	Aye

Motion passed 7-2

**New Business**

A. Set Public Hearing for Commercial Rehabilitation Exemption- Hoffman Trust #1

The clerk's office is in receipt of an "Application for Commercial Rehabilitation Exemption Certificate" for property located at 3890 W Carleton Rd owned by Eric Hoffman Trust #1. The application is for tax abatement on the rehabilitation on one of the former Jonesville Products buildings. The property was originally developed for industrial and light manufacturing. The project has an estimated cost of \$1,133,844 to rehab the building for the body shop, detail, and some storage.

Eric Hoffman, (Stillwell Ford) discussed the need for a Commercial Rehabilitation exemption as he has been expanding his business and rehabbing the old building.

Motion by Council Member Socha, seconded by Council Member Briner to set a public hearing for Monday, October 4, 2021 at 7:00 p.m. for the Commercial Rehabilitation Exemption for Hoffman Trust #1.

By a voice vote, the motion passed unanimously.

B. Amendment of TIFA Internal Loan Resolution 3408

David Mackie (City Manager) reported the in February 2020, City Council passed Resolution 3408 approving an interdepartmental loan between the BPU Electric Fund and TIFA in the amount of \$200,000 for the Dawn Theater project. The loan had a funding date of April 1, 2020. Recently it was identified, in the City's financials, that the loan was not funded until October, 2020. The resolution and statement of indebtedness proposed seeks to clean up the loan documentation by changing the funding date and payment schedule to an October 1, 2020 start date. No other loan terms have been modified.

Council discussion ensued on why the date needed changed.

Mr. Mackie stated funds weren't transferred when they were initially stated in the original resolution.

Motion by Council Member Sharp, seconded by Council Member Socha to approve the Resolution amending the date for the TIFA Internal Loan. **Resolution #3472.**

By a voice vote, the motion passed unanimously.

C. Modern Waste Systems Refuse Collection Contract Assignment

City Manager Mackie stated the City has been notified by Modern Waste Systems that it's being acquired by Tusk MI LLC. As such, Modern Waste/Tusk is requesting that Modern Waste's contract be officially assigned to Tusk.

Motion by Council Member Socha, seconded by Council Member Vear to assign Modern Waste contracts to Tusk MI LLC and authorize signatures from Mayor and Clerk.

Roll call:

Council Member Vear	Aye
Council Member Briner	Aye
Council Member Sharp	Aye
Council Member Pratt	Aye
Council Member Stuchell	Aye
Mayor Stockford	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Morrissey	Aye

Motion passed 9-0

D. Certification of Abandoned Property for Accelerated Forfeiture Act Resolution

Alan Beeker (Planning/Zoning Administrator) reviewed Public Act 132 of 1999, the Certification of Abandoned Property for Accelerated Forfeiture Act (Michigan Compiled Law Sections 211.961-211.966) allows for cities, villages and townships to certify property as abandoned for the purpose of accelerating the property tax forfeiture and foreclosure process under the provisions of the General Property Tax Act. If property is certified as abandoned, the forfeiture for unpaid 2021 taxes would become effective March 1, 2022 and the foreclosure would be accelerated by 1 year to March 1, 2023. In order to certify properties as abandoned, Council must pass a resolution (annually) by October 1st . Once a resolution is passed, staff can identify and inspect properties suspected of being abandoned. Abandoned properties could be posted and notice sent to the recorded owner before February 1st that the tax forfeiture and foreclosure process will be accelerated if the taxes are

returned to the county treasurer as delinquent as of March 1st . In order to avoid the accelerated foreclosure, the owner could either pay the outstanding taxes, penalties, interest & fees or file an affidavit stating that the property is not abandoned.

Mayor Stockford stated he was hesitant in accelerating by resolution. He then shared a recent issue one church had.

Council discussion ensued.

Motion by Council Member Stuchell, seconded by Council Member Socha to approve the abandoned property for accelerated forfeiture act resolution. **Resolution #3473.**

Roll call:

Council Member Vear	Aye
Council Member Briner	Aye
Council Member Sharp	Aye
Council Member Pratt	Aye
Council Member Stuchell	Aye
Mayor Stockford	No
Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Morrissey	Aye

Motion passed 8-1

E. Southern Michigan Bank & Trust Account Administrator

David Mackie (City Manager) reported that the resolution is removing Mr. Joseph Mangan, previous finance director from all Southern Michigan Bank & Trust accounts and adding David Mackie as a new user.

Motion by Council Member Sharp, seconded by Council Member Morrissey to approve the resolution to remove previous finance director from Southern Michigan Bank & Trust accounts and to add David Mackie as an administrator. **Resolution #3474.**

By a voice vote, the motion passed unanimously.

**Miscellaneous Reports**

- A. Proclamation – Public Power Week – October 3 through October 9, 2021.
- B. Appointments—None
- C. Other – None

**General Public Comment**

Penny Swan, Ward 4, commented on the Pub n Grub event and the noise complaint, stated that events are noisy doesn't matter where they are. Swan spoke on the Hope House and Homeless issues in downtown.

James Galloway, 9 Rippon Ave, thanked Council and attorney for an informative meeting, he stated he appreciated hearing about the process of going through a demolition from Attorney Thompson.

Jack McClain, Hillsdale Twp, apologized for his actions at the Council meeting previously. McClain stated he thought the trash in downtown should be in an enclosure. He also mentioned that he was leery as he was out for a walk by the courthouse in downtown when a group of people came out and followed him. He doesn't see anything wrong with the Hope House but just leery about that one incident.

Jordan Adams, Ward 3, commented on the council minutes and was inquiring about the City Manager/ BPU Director position. Adams thanked the line workers for all their hard work over the

last few months.

**City Manager's Report**

Manager Mackie reported Sunday, September 26<sup>th</sup> Statue dedication ceremony at Stock's Park at 1:00 p.m.

Park rentals have been high this year, doing very well and renting into October 2021.

Public Power Week Mackie thanked all the communities around the area that assisted and helped the BPU in repairing and restoring power from the last few storms.

Union contracts will be tentatively ready and presented to Council within the next few meetings.

Council Member Sharp asked about the fourth firefighter.

Chief Hephner stated the fourth firefighter has been selected and is being offered the job tomorrow, Tuesday, 9/21/21.

**Council Comments**

Council Member Sharp thanked the rest of Council for following through on the demolition of 65 and 69 Westwood Street. He also thanked the Street department and BPU for addressing and repairing the sink hole found at his neighbors.

Council Member Briner gave an update on the Airport Fly-in. The event was heavily attended and the Exchanged Club served over 700 people for breakfast. Briner thanked all that helped out and made it a great success. Also mentioned that fair week is next week.

Council Member Morrissey stated an O&G meeting will be set up with a few members from the BPU board to discuss the City Manager/BPU Director position.

Mayor Stockford state that the Hope House and the homeless are unrelated and are two separate issues.

Council Member Stuchell updated council on the successful Art Around Town event over the past weekend.

Council Member Briner stated that the Taco Walks and Foodie Walks did very well this summer and would like to see it continue in the future.


Council Member Socha apologized to Attorney Thompson for his actions at the last council meeting. He also mentioned that he is concerned about the Hope House and the downtown businesses owners losing business.


**Adjournment**

Council Member Sharp, seconded by Council Member Morrissey moved to adjourn the meeting.

By a voice vote, the motion passed unanimously.

The meeting adjourned at 8:30 p.m.

  
\_\_\_\_\_  
Adam L. Stockford, Mayor

  
\_\_\_\_\_  
Katy Price, City Clerk