

CITY COUNCIL MINUTES

City of Hillsdale
December 6, 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 Bruce Sharp, Ward 3 Bill Zeiser, Ward 3 Robert Socha, Ward 4
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Council Members absent:	Cynthia Pratt Raymond Briner
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Also Present: David Mackie (City Manager), Attorney Tom Thompson, Katy Price (City Clerk), Scott Hephner (HCPD/HCFD), Jake Hammel (DPS Director), Alan Beeker (Planning/Zoning), Kristin Bauer (Engineer), Bryonna Barton (Library Director), Penny Swan, Lance Lashaway, Doug Ingles, Sheri Ingles, Dennis Wainscott, Stephanie Myers, Ron Sweinhagen, and Corey Murray (HDN).

Approval of Agenda

City Manager Mackie requested that Old Business Item A. Pace Special Assessment Agreement- Keefer House Hotel Waiver be added to the agenda.

Motion by Council Member Morrissey, seconded by Council Member Stuchell to add Old Business Item A. Pace Special Assessment Agreement- Keefer House Hotel Waiver to the agenda as requested.

Roll call:		
	Council Member Vear	Aye
	Council Member Stuchell	Aye
	Council Member Morrissey	Aye
	Mayor Stockford	Aye
	Council Member Socha	Aye
	Council Member Zeiser	Aye
	Council Member Sharp	Aye

Motion passed 7-0

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

Roll call:

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

Motion passed 7-0

Public Comment

Penny Swan, commented on the City Facebook page and the shared health department press release posts made from the staff. Swan stated she doesn't want to see the City pushing or sharing the health department propaganda.

Lance Lashaway, commented on City's Facebook page and doesn't think the City should be posting the health department propaganda.

Consent Agenda

- A. Approval of Bills
 - 1. City and BPU Claims of October 28, 2021: \$ 1,644,644.34
 November 11, 2021: \$ 377,772.36
 November 24, 2021: \$ 948,451.40
 - 2. Payroll of October 28, 2021: \$ 177,254.67
 November 11, 2021: \$ 178,207.63
 November 24, 2021: \$ 188,515.49
- B. City Council Minutes of November 15, 2021
- C. Planning Commission Minutes of October 20, 2021
- D. Housing Commission Minutes of September 15, 2021
- E. TIFA Minutes of September 21, 2021
- F. TIFA Program Review Committee Minutes of November 2, 2021
- G. TIFA Targeted Development Committee Minutes of November 9, 2021
- H. Hillsdale College Union Street Block Party Use of Street Agreement

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

Roll call:

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

Motion passed 7-0

Communications/Petitions

- A. EDC Gift Card Program
- B. 2021 NYE Event
- C. Hillsdale Community Library Open House Event
- D. Comcast Programming Advisory Email

E. Comcast Price Changes Letter

Bryonna Barton, new Library Director reviewed her background in library science.

All items presented for the purpose of information only.

Introduction and Adoption of Ordinances/Public Hearings

A. B-2 Downtown Zoning Ordinance Adoption

Alan Beeker, Planning/Zoning administrator reviewed the ordinance amendments with council. In 2017, the City rewrote the B-2 Zoning Ordinance to change from a Land Use ordinance to a Form Based ordinance. In the course of the past four years, the need for minor corrections were noted. The Planning Commission has worked through the proposed amendment and held the public hearing at their regular meeting on November 17, 2021. The Planning Commission voted to recommend adoption of the amended B-2 Zoning ordinance.

Council discussion ensued on item Sec. 36-274: Lot and Building Placement. Specifically on overhead doors.

Motion by Council Member Morrisey, seconded by Council Member Socha to approve the B-2 Downtown Zoning Ordinance as presented. **Ordinance 2021-03.**

Roll call:

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

Motion passed 6-1

Old Business

A. PACE Special Assessment Agreement

City Manager Mackie reviewed the agreement and amendment waiver. Keefer House Hotel LLC is wanting to close all their financing this week.

Council discussion ensued.

Motion by Council Member Vear, seconded by Council Member Socha to approve the Keefer House Hotel waiver request.

Roll call:

Council Member Vear	Aye
Council Member Stuchell	Aye
Council Member Morrisey	Aye
Mayor Stockford	Aye
Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Sharp	Aye

Motion passed 7-0

New Business

A. 2021 Audit Presentation

Gabridge Co. representative Joe Verlin reviewed the City’s audit. He presented a clean audit and stated the city overall had a very good year, it is actually remarkable and a lot of effort went into making sure financial conditions were preserved during an uncertain time.

Council Member Vear thanked Mr. Verlin for doing a nice informative presentation of walking council through the audit.

Mayor Stockford thanked Mr. Verlin as well.

Manager Mackie stated that the audit was in process after a transition of two finance directors and also worked with current finance firm WoodHill Group.

Council Member Stuchell congratulated Manager Mackie and department heads for a good audit.

No action taken.

B. 2022 Council Meeting Dates

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

The January 18, 2022, July 5, 2022 and September 6, 2022 council meetings would be held on Tuesday following the Martin Luther King, Independence and Labor Day holidays.

Motion by Council Member Sharp, seconded by Council Member Socha to approve the 2022 Council meeting dates.

By a voice vote, the motion passed unanimously.

C. Lennox Distilling LLC Micro Brewer

Carlin Edwards Brown PLLC on behalf of Lennox Distilling LLC is requesting approval from the City of Hillsdale to operate a new Micro Brewer, Small Wine Maker and Small Distillery with On-Premises Tasting Room Permit to be located and operated at 181 Uran Street Hillsdale, Michigan. The Michigan Liquor Control Commission requires local governing body approval for these types of licenses.

Motion by Council Member Sharp, seconded by Council Member Vear to approve the request for operating a new Micro Brewer, Small Wine Maker and Small Distillery with On-Premises Tasting Room Permit. **Resolution #3483.**

Roll call:

Council Member Vear	Aye
Council Member Stuchell	Aye
Council Member Morrissey	Aye
Mayor Stockford	Aye

Council Member Socha	Aye
Council Member Zeiser	Aye
Council Member Sharp	Aye

Motion passed 7-0

D. ARP Finds and City Requirements - Discussion

Council Member Socha requested the item be discussed. Socha read through information online that stated that 45 communities in the state refused the funds. In discussion reading the article he saw there were a lot of strings attached. He also saw that if the City refused the funds it would go to someone else.

Manager Mackie stated that governmental funds require a certain amount of items you would have to comply with.

City Attorney Thompson mentioned that the requirements are typically items municipalities already have in place.

Mackie reviewed the City is slated to receive \$837,000.00 of ARP funds. The City received around \$415,000.00 this calendar year. The purchase of a trackless machine in the amount of \$198,000.00 was made and there are two water related projects slated for the ARP funds moving forward.

No action taken.

E. 2021-22 Utility Pot Holing – Water Service Investigations

The City Engineer developed a Request for Proposal (RFP) for the investigation and evaluation of storm water drainage on S. Manning Street, south of Bacon Street. Pricing related to this RFP was sought from five (5) Engineering Consultants with proposals returned from two (2) of these Consultants on November 10, 2021. Tetra Tech, Inc. \$14,500.00 and Fleis & Vandenbrink \$20,800.00. This investigation is intended to evaluate the immediate area of the drainage on S. Manning St. and the Consultant will conduct a capacity analysis of the storm sewer system along Bacon Street to its outlet. Once data has been gathered and evaluated the Consultant will develop two alternatives that may potentially help drainage in this area. Future implementation of any proposed alternatives will be dependent on available funding.

Following receipt of these proposals City Staff identified two other areas with long standing drainage and/or other issues related to storm water conveyance. As such pricing was requested from the low bidder, Tetra Tech, for additional evaluation work related to these areas. The first area is near the intersection of Morry and S. Howell Street where no storm sewer system exists currently. The second area is near the intersection of Oak & Willow Streets where an existing storm system is possibly failing and creating an issue on a piece of private property. Pricing for this work was received from Tetra Tech on November 29, 2021 for an additional amount of \$21,900 total for evaluation at both additional areas.

Motion by Council Member Sharp, seconded by Council Member Morrissey to award the Storm water Investigation and bid to Tetra Tech, Inc. of Ann Arbor, MI in the base amount of \$14,500 for the work on Manning Street and also award the additional requested work for Howell Street and Oak Street for the additional amount of \$21,900 for a total of contract of \$36,400.

Roll call:

Council Member Vear	Aye
Council Member Stuchell	Aye
Council Member Morrissey	Aye
Mayor Stockford	Aye
Council Member Socha	Aye

Council Member Zeiser	Aye
Council Member Sharp	Aye

Motion passed 7-0

F. Westwood Drive Area Engineering Services

The City Engineer developed a Request for Proposal (RFP) for Engineering Services associated with a potential future project in the Westwood Area. This RFP requested the Consultant provide all services necessary to develop the construction drawings and specifications related to a utility and road construction project associated with the following streets within the City; Westwood Drive, Picardy Place, Azalea Court, Corona Court, Scenic Drive, Sumac Drive, Cold Springs Circle, and Westwood Street (from Cold Springs to Lewis). We also requested design work for Highland and Glendale Avenues as additional potential design work in this RFP. Pricing requested was in a "not to exceed" framework, meaning the Consultant will bill the city only for services provided within the scope of work provided in the RFP documents. Should the scope of work change occur during design some additional costs may be incurred, which will be negotiated with the Consultant based on their published hourly rates.

Pricing related to this RFP was sought from five (5) Engineering Consultants. The "not to exceed" pricing was received from three (3) of these Consultants on November 10, 2021.

<i>Engineering Consultant</i>	<i>Westwood</i>	<i>Highland</i>	<i>Glendale</i>	<i>Grand Total</i>
Mannik & Smith Group	\$109,041.00	\$16,152.40	\$16,152.40	\$141,345.80
Fleis & Vandenbrink	\$151,900.00	\$23,900.00	\$23,900.00	\$199,700.00
Rowe Professional Svcs	\$156,900.00	\$21,080.00	\$21,800.00	\$199,780.00

It is intended this design work will be completed in the 2022 calendar year. The preliminary construction estimate for this project is \$4.5 Million, in 2021 dollars. Assuming all needed funding can be secured during 2022 this construction project would be completed during the 2023 calendar year. Funding will be sought through multiple avenues for this project including, but not limited to, bonding, the street millage and Act 51 funds, the water and sanitary sewer enterprise funds and a Special Assessment District.

Motion by Council Member Sharp, seconded by Council Member Morrissey to award the Westwood Drive Area Engineering Services to Mannik & Smith Group of Adrian, MI in the base "not to exceed" amount of \$109,041.00 for the design work in the Westwood Area. Staff also recommend City Council award the additional requested design work for Highland and Glendale Avenue in the amounts of \$16,152.40 and \$16,152.40, respectfully for a total design cost of \$141,345.80.

G. Proposed 2022 Special Assessment Districts for Street Projects

City Council has noted that one of their primary goals is to address the declining quality of the city's street system. To that end city staff, in 2021, utilized the Special Assessment process as delineated in the City of Hillsdale's Code of Ordinances, Article V.-Finances, Division 3.-Special Assessments and any other applicable sections of the City Charter and/or Code of Ordinances to facilitate rehabilitation projects on several city streets.

The Department of Public Services (DPS) Director, City Engineer and City Manager recommend the following streets for inclusion in proposed Special Assessment Districts (SAD) for street rehabilitation projects and associated utility work during the 2022 calendar year.

SAD 22-5 – Uran Street - 0.353 mile (8 Prop. in SAD): Industrial Drive to Arch Avenue, may include ditch line work for storm water movement.

SAD 22-6 – S. Howell Area, including the following streets and limits – 0.825 mile (58 Prop. in SAD): S. Howell Street (0.256 mile): E. Hallett Street to Southern City Limits, may include storm water and road base work.

Lynwood Avenue (0.508 mile): Reading Avenue to S. Howell Street, may include storm water work.

Morry Street (0.061 mile): Walnut Street to S. Howell Street, may include storm water, curb, water main, and road base work.

Motion by Council Member Sharp, seconded by Council Member Morrissey to direct City Engineer Bauer to develop plans, specifications and cost estimates to submit to council for consideration of establishing the Special Assessment Districts listed above.

Roll call:

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

Motion passed 7-0

H. City Facebook Information – Discussion

Council Member Socha led discussion on CDC and health department information. He stated he is frustrated that the City published the health department’s public press releases requesting people to get vaccines and mask advisories on the City’s Facebook page. He gave some history on vaccines. Socha encouraged Council to consider what is appropriate and not appropriate to publish on the City’s social media.

Council Member Sharp stated that he trusts the science on the vaccines and believes releases should be shared.

Manager Mackie mentioned to be clear social media posts where authorized by him. The City is being transparent and sharing the public health and safety information. There is no City position given on either for or against the vaccines and/or mandates. These items are shared for public information only and to be transparent.

Mayor Stockford stated that it is a controversial issues and asked that prudence be given when deciding what to post on social media.

Further Council discussion ensued.

No action taken.

Miscellaneous Reports

A. Proclamation – None

B. Appointments—Lance Fansler – IPMC Board
Reappointments- Amber Yoder, Cathy Kelemen, Jacob Parker – Election Commission

Motion by Council Member Sharp, seconded by Council Member Socha to approve all appointments and reappointments as presented.

By a voice vote, the motion passed unanimously.

C. Other – None

General Public Comment

Jack McLain, commented on the Westwood Drive and stated it is at least 70 years old needs work. He had a questions on the B-2 Ordinance specifically about the overhead door item and asked if a

variance would be required from the ZBA to put in a new door. McLain also commented on the audit for TIFA and EDC.

Dennis Wainscott, commented about the vaccine and health department mask advisories.

Penny Swan, commented that she doesn't care who wants or don't want to take the Covid-19 vaccine. She stated she doesn't think it is appropriate to post the health departments advisories on the City's Facebook page as it is a controversial issue.

City Manager's Report

DPS director Hammel reviewed the leaf collection. He stated there was some issues with cars being parked in street, weather and a day of equipment fail. Planning on finish the collection in four to five days.

Mackie mentioned the Airport Taxiway is almost completed waiting on lights. Airport fuel sales have increased. Sales from 2020- \$124,000.00 currently 2021 sales are \$193,000.00. Library Open House is Thursday, December 9, 2021 at 4:00 p.m.

Mayor's Reception for all board members that serve the City is Monday, December 20, 2021 at 5:30 p.m.

The EDC Gift Card program is going well. There are a lot of businesses currently sold out.

Council Comments

Council Member Stuchell stated that new business Birdie and Howell opened up this week. Lot of good work and good investment. Owner is interested in serving on the TIFA board.

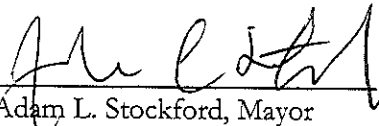
Council Member Sharp encouraged Council to see the vacant lot at 65 and 69 Westwood St.

Adjournment

Mayor Stockford, seconded by Council Member Vear moved to adjourn the meeting.

By a voice vote, the motion passed unanimously.

The meeting adjourned at 9:10 p.m.


Adam L. Stockford, Mayor


Katy Price, City Clerk