

CITY COUNCIL MINUTES

City of Hillsdale
April 15, 2024
7:00 P.M.

Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Stockford opened the meeting with the Pledge of Allegiance.

Roll Call

Mayor Stockford called the meeting to order. Clerk Price took roll call.

Council Members present:	Adam Stockford, Mayor Anthony Vear, Ward 1 R Greg Stuchell, Ward 1 William Morrissey, Ward 2 Cynthia Pratt, Ward 2 Bruce Sharp, Ward 3 Gary Wolfram, Ward 3 Robert Socha, Ward 4 Joshua Paladino, Ward 4
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Also Present: David Mackie (City Manager), Tom Thompson (City Attorney), Katy Price (City Clerk), Jason Blake (DPS Director), Scott Hephner (Chief HCPD/HCFD), Mark Hawkins (HCFD Deputy Chief), Kim Thomas (Assessor), Brandon Janes (I.T.), Peter Merritt (City Treasurer), Doug Ingles (County Commissioner), Patricia Gardon, Pam Tippner, Don Tippner, James Roan, Blake Roan, Ben Cuthbert, Ian Church, Todd Williams, Cindy Merritt, CJ Toncray and Gerald Murray II.

Approval of Agenda

Motion by Councilman Morrissey, support by Councilman Vear, to approve the agenda as presented.

All ayes. Motion carried.

Public Comment

Gerald Murray II, asked about the Special Assessment District procedures.

Consent Agenda

- A. Approval of Bills
 - 1. City and BPU Claims of March 28, 2024 - \$1,598,913.73
 - 2. Payroll of April 11, 2024 - \$192,218.36
- B. City Council Minutes of April 1, 2024
- C. Finance Minutes of April 1, 2024
- D. Budget Work Session Minutes of April 8, 2024
- E. Street & Sidewalk Closure for Hillsdale College Commencement
- F. CAPA 5k Glow Run

Motion by Councilman Morrissey, support by Councilman Vear, to approve the Consent Agenda.

Roll Call:

Councilman Paladino	Aye
Councilwoman Pratt	Aye
Councilman Sharp	Aye
Councilman Socha	Aye
Councilman Stuchell	Aye
Councilman Vear	Aye
Councilman Wolfram	Aye
Mayor Stockford	Aye
Councilman Morrissey	Aye

Motion passed 9-0

Communications/Petitions

- A. BPU Press Release
- B. 2024 Electronics Recycling Event
- C. Food Truck – Solicitor & Peddlers Registration
- D. MRC Spring Newsletter
- E. Hillsdale County Commissioner Update- Doug Ingles

Commissioner Ingles reported on the Lifeways building and county property located near 25 Care Drive.

Introduction and Adoption of Ordinances/Public Hearings

- A. Public Hearing- Ordinance Amendment for Parking Violations Fines

On March 12th, 2024, The City of Hillsdale Public Services Committee (PSC) met to discuss parking fines and noted the City has not adjusted parking fines in many years. The Committee reviewed all parking fines pertaining to Section 32-56 through and including Section 32-57 of Article II of Division II, Chapter 32 of the Code of Ordinance of the City of Hillsdale. After considerable discussion, the Public Services Committee recommended to amend and raise all parking fines from \$10 to \$20 and handicap parking violations from \$50 to \$75.

Mayor opened podium at 7:12 p.m.

With no public comment Mayor closed podium at 7:13 p.m.

Motion by Councilman Socha, support by Councilman Vear, to approve the Ordinance Amendment to increase the parking violations as presented. **Ordinance 2024-06.**

All ayes. Motion carried.

- B. Public Hearing- Special Assessment Districts 2022-07 Westwood Area, 2024-08 St. Joe/Griswold St. Assessment Roll Confirmation

Council received plans for proposed street improvements in the Westwood area to be partially funded by special assessment at a meeting held October 3, 2022. An opportunity for all interested persons to be heard was given. At that time, Council adopted resolution 3516 (SAD 22-07) establishing the Westwood Area Special Assessment District (SAD) and directing the work to be completed.

Council also received plans for proposed street improvements to W St. Joe and Griswold Streets to be partially funded by special assessment at a meeting held August 21, 2023. Following a public hearing, Council adopted resolution 3572 (SAD 2024-08) establishing the W St Joe/Griswold SAD and directing that work to be completed.

The City Engineer estimated the costs of the projects and forwarded them to the Assessor for certification of the assessments to be confirmed by Council. The breakdown for each district based on the estimated total costs are as follows:

District	Total Bid Cost	50%	# of Parcels	Per Parcel Share
22-07	\$2,670,533.00	\$1,335,266.50	83	\$16,087.55
2024-08	\$1,098,488.12	\$549,244.06	44	\$12,482.82

Mayor opened podium at 7:17 p.m.

Pat Tippner commented her concerns of transportation as the project on Westwood commenced.

Ian Church, 109 Cold Springs Cir., asked council for mercy on the assessment as he has three parcels which one is shared with two (2) other residents. Church said it would be a hardship on his family and asked council to reduce the assessment.

James Roan, 70 W. St. Joe St., asked Council what the purpose was for the reconstruction and asked about parking during construction. He also shared about a project 20 years ago.

Ben Cuthbert, 115 Cold Springs Cir., supported Mr. Church and asked council to forgive a portion of his full assessment and reduce his amount from \$8333 to \$5000.

Gerald Murray II, commented he didn't receive initial notice of Stablishing the S.A.D. and he asked why the streets were being funded and done by special assessments. He mentioned about the potential parking issue during construction as he has multiple unit parking.

Patricia Gardon, 28 Glendale St., asked about the Westwood area Special Assessment District. She inquired about how the special assessments were formed by which is lot by lot, property by property.

With no other public comment Mayor closed podium at 7:34 p.m.

Lengthy Council discussion ensued.

Kim Thomas, City Assessor explained how Mr. Church's properties were assessed. She mentioned that the joint property he is co owning they property owners are also paying more for their assessment.

Councilman Vear commented on tax parcels, combined/joint property owners and tax bills.

Councilman Stuchell commented that Mr. Church has come to Council to ask for a reduction in his assessment. He also asked Thomas if the other owners in that joint property have come and asked for a reduction. Thomas stated owners haven't.

City Manager Mackie, commented that the City provided a couple solutions to split the lot is appropriately from over a year ago. The owners didn't want to go with those options. Mr. Mackie stated the City staff tried to do what is appropriate for the City while reviewing the legal options. Mackie stated he wouldn't recommend granting them an exemption as it would be granting a special favor to Mr. Church.

Council discussion ensued on revenues for the street funding.

Councilman Sharp asked Ms. Thomas about the Special Assessment threshold and if the other Cities have the same.

City Assessor Thomas stated the City of Hillsdale is up to \$5000 set by policy, other cities she looked at were up to \$15,000.

Councilman Stuchell commented that not everyone comes to Council to ask for an exception. He mentioned that everyone doesn't come to Council for an exception Mr. Church has.

Councilman Socha stated he is in the middle on this issue with Mr. Church's properties. He feels other residents have come and expressed their concerns and burdens and yet Council voted for the Special Assessment Districts. He was concerned with the precedents are being set if the exception is made.

Councilman Wolfram stated this is a unique situation no precedents would be set.

Councilman Paladino stated that council was in the business of exemptions, subsidies and tax breaks to wealthy developers and it's about who we want to support.

Motion by Councilman Paladino, support by Mayor Stockford, to strike and remove 109.7 Cold Springs Circle from the Assessment roll for Special Assessment District 2022-07.

More Council comments followed.

City Manager Mackie commented his recommendation is not to support the motion.

Thomas gave clarification property on parcel #006-227-177-09.

Motion by Councilman Paladino, support by Mayor Stockford, to strike and remove 109.7 Cold Springs Circle from the Assessment roll for Special Assessment District 2022-07.

Roll Call:

Councilwoman Pratt	Nay
Councilman Sharp	Nay
Councilman Socha	Aye
Councilman Stuchell	Aye
Councilman Vear	Nay
Councilman Wolfram	Aye
Mayor Stockford	Aye
Councilman Morrissey	Aye
Councilman Paladino	Aye

Motion passed 6-3

Motion by Councilman Vear, support by Councilman Socha, to approve the assessment roll as amended for Special Assessment District 2022-07 Westwood area. **Resolution #3591.**

Roll Call:

Councilman Sharp	Nay
Councilman Socha	Aye
Councilman Stuchell	Aye
Councilman Vear	Aye
Councilman Wolfram	Aye
Mayor Stockford	Nay
Councilman Morrissey	Aye
Councilman Paladino	Nay
Councilwoman Pratt	Nay

Motion passed 5-4

Assessor Thomas stated the resolution will need to be adjust to \$402,500 from 405,000.

Motion by Councilman Sharp, support by Councilman Vear, to approve the assessment roll as presented for Special Assessment District 2024-08 St. Joe/Griswold St. **Resolution #3592.**

Roll Call:

Councilman Socha	Aye
Councilman Stuchell	Aye
Councilman Vear	Aye
Councilman Wolfram	Aye
Mayor Stockford	Nay
Councilman Morrissey	Aye
Councilman Paladino	Nay
Councilwoman Pratt	Nay
Councilman Sharp	Aye

Motion passed 6-3

C. Adoption of Renewable Energy Systems Ordinance

Alan Beeker, Planning Administrator, reported with the growing need and popularity of renewable energy sources, the Planning Commission has amended Secs. 36-431 & 36-432. The PC saw Renewable Energy Systems becoming a viable use for both commercial and residential property owners in the future. The ordinance was initially presented to Council for adoption on 12/3/2023. Council sent it back to Planning Commission with directives to make amendments to the proposed ordinance. The included ordinance reflects the new guidelines and Council directives for Renewable Energy Systems.

Motion by Councilman Sharp, support by Councilman Morrissey, to adopt the Renewable Energy Systems Ordinance.

All ayes. Motion carried.

Old Business

A. Emergency On-Call Holiday City Agreement

Jake Hammel, Electric Superintendent. The HBPU electric department was been approached by AMP to consider providing after hours emergency services to the Village of Holiday City OH. The contract would be would be between AMP and the City of Hillsdale BPU. Agreement has a 90 day clause.

Motion by Councilman Sharp, support by Councilwoman Pratt, to approve the Emergency On-Call Holiday City Agreement as presented.

All ayes. Motion carried.

B. Closed Session

Motion by Council Paladino, support by Councilwoman Pratt move the item to New Business as item F. Closed Session- Purchase of Real Property.

All ayes. Motion carried.

New Business

A. Resolution to Amend PACE Program & Report

On July 15, 2019, Council established a PACE Program in the City of Hillsdale. Property Assessed Clean Energy, or PACE, is a long-term financing tool for commercial property owners to pay for energy efficiency, water efficiency, and renewable energy upgrades. Commercial property owners desiring to make these improvements can obtain 100% pre-funding for energy savings upgrades on their facilities and pay back the PACE loan through a special assessment on their property taxes. Public Act 270 of 2010 authorizes local units of government to adopt PACE Programs to promote the installation of energy efficiency improvements and renewable energy systems by owners of commercial or industrial property within a district designated by the local unit of government. Act 270 allows private commercial lenders to finance energy projects; authorizes local units of government to issue bonds, notes and other indebtedness; and authorizes the assessment of properties for the cost of the energy projects. Act 270 provides for repayment to the local unit of government or the private lender through a voluntary property assessment. The property assessment remains with the property and has the same priority as other property tax and assessment liens in the event of foreclosure.

Lean & Green Michigan, LLC, currently administers the City of Hillsdale's PACE program at no charge to the City of Hillsdale. The City was recently contacted by Lean & Green Michigan, LLC, to inform us of amendments to the PACE statute that went into effect in February 2024. They have updated our PACE Program Report to reflect these changes.

Todd Williams Lean & Green Representative reviewed the PACE program and changes to the program.

Motion by Councilman Socha, support by Councilman Vear, to amend the PACE program & report. **Resolution #3593.**

All ayes. Motion carried.

B. Resolution to Amend Resolution Setting Annual Service Fee for the Workforce Housing Development at 440 & 450 Hidden Meadows Drive

Sam Fry, Economic Development Coordinator, reviewed on November 20, 2023, Council adopted Resolution No. 3579 Setting Annual Service Fee for the Workforce Housing Development at 440 & 450 Hidden Meadow Drive. The project developer, Allen Edwin Homes, has filed Articles of Incorporation for SDI WFH Hillsdale, LLC, which will be used to manage its properties located in Hillsdale, Michigan. Ownership and agreements will be under one name for submission to MSHDA. The resolution and the restrictive covenant they signed with the city will need updated with the new entity name.

Motion by Councilman Socha support by Councilwoman Pratt, to approve the resolution to amend the resolution for the Workforce Housing Development and update the entity name to SDI WFH Hillsdale, LLC as presented. **Resolution #3594.**

All ayes. Motion carried.

C. City Hall & BPU Cleaning Contract

Sam Fry, Economic Development, reported City staff put out a Request for Proposals (RFP) for contractual cleaning services for City Hall and BPU Offices on February 28, 2024, since the current cleaning contract with East2West Enterprises, Inc. expires on April 30, 2024. The scope of cleaning services requested by staff stayed the same as the prior RFP, with the only minor change being that the BPU requested weekly cleaning, rather than the two cleanings per month that they are receiving now. One company, East2West Enterprises, Inc., submitted a bid in response to the published RFP. East2West Enterprises, Inc. is the company which has provided contractual cleaning services for City Hall and the BPU Offices since 2019, and staff are satisfied with the work they have performed. The cost for cleaning City Hall is \$675/mo. and the cost for cleaning the BPU offices is \$300/mo., these prices are fixed for the duration of the contract. The City and BPU each pay for their respective cleanings from their contractual services/building maintenance budgeted funds.

Motion by Councilman Sharp, support by Councilman Socha, to approve the cleaning contract with East2West Enterprises, Inc as presented.

Roll Call:

Councilman Socha	Aye
Councilman Stuchell	Aye
Councilman Vear	Aye
Councilman Wolfram	Aye
Mayor Stockford	Aye
Councilman Morrissey	Aye
Councilman Paladino	Aye
Councilwoman Pratt	Aye
Councilman Sharp	Aye

Motion passed 9-0

D. BPU Trucks Bid Award

Jake Hammel mentioned staff was looking to replace two pickups. One is for the WWTP and the other for Electric Department. BPU went out for bids on a double cab GMC (or similar) which offers a four door cab. Invitations to bid were posted on bidnet, the City's web page, and sent to local dealers. Seven bids were received. The low bidder with add-ons was Stillwell Ford at \$44,713.88 per truck. Both departments have funds set aside for these purchases.

Motion by Councilman Sharp, support by Councilwoman Pratt, to approve the two (2) BPU Truck purchase from Stillwell Ford in the amount of \$44,713.88 for each truck.

Roll Call:

Councilwoman Pratt	Aye
Councilman Sharp	Aye
Councilman Socha	Aye
Councilman Stuchell	Aye
Councilman Vear	Aye
Councilman Wolfram	Aye
Mayor Stockford	Aye
Councilman Morrisey	Aye
Councilman Paladino	Aye

Motion passed 9-0

E. Noise Variance Request – Hinkley/Adams Wedding

Courtney Hinkley requested a noise variance for her and Garrett Adams wedding on May 18, 2024 held at Mrs. Stock’s Park. They plan on having a D.J paying form 4:00 p.m. until midnight.

Motion by Councilman Socha, support by Councilman Sharp, to approve the noise variance for the Hinkley/Adams wedding on May 18, 2024.

By a voice vote, the motion passed unanimously.

F. Closed Session – Purchase of Real Property 8:38 p.m.

Motion by Councilman Socha, support by Councilman Vear, to go into closed session for the purpose of discussion of purchase of real property.

By a voice vote, the motion passed unanimously.

Out of closed session 9:14 p.m.

Motion by Councilman Socha, support by Councilman Sharp, to resume meeting.

By a voice vote, the motion passed unanimously.

Miscellaneous Reports

- A. Proclamations – None
- B. Appointment- None
- C. Other- None

General Public Comment

None

City Manager Report

City Manager David Mackie updated Council on budget workshop on April 22, 2024 at 6:00 p.m. covering budget from DPS, BPU, Streets, and Library.

Downtown parking issue for court hearing and funeral tomorrow at 10:00 a.m.

Council Comment

None

Adjournment

Motion by Councilmember Sharp, seconded by Councilmember Pratt to adjourn the meeting.

April 15, 2024

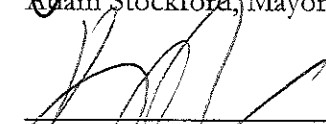
City Council Minutes

By a voice vote, the motion passed unanimously.

The meeting adjourned at 9:19 p.m.



Adam Stockford, Mayor



Katy Price, City Clerk