

Council Chambers
Hillsdale City Hall
97 N. Broad St.
Hillsdale, MI 49242

July 1, 2013
7:00 p.m.
(517)437-6441
www.cityofhillsdale.org

CITY COUNCIL MINUTES

City of Hillsdale
Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Douglas Moon opened the meeting with the pledge of allegiance.

Roll Call

Mayor Douglas Moon called the meeting to order with the following Council members present: Council members Casey Sullivan and Brian Watkins representing Ward One; Council members Ruth Brown and Sally Kinney representing Ward Two; Council members Scott Sessions and Mary Wolfram representing Ward Three; and Council members William Arnold and Mary Beth Bail representing Ward 4.

Also present were City Manager Linda Brown, Deputy City Clerk Michelle Loren, City Attorney Lew Loren, Bonnie Tew, Keith Richard, Rick Rose, Matt Durr (Hillsdale Daily News), Eldonna Bernath, Alexis Kozub, Judy Buzo, James Scheibner, Nate Rusk.

Approval of Agenda

City Manager Linda Brown requested Closed Session Pursuant to P.A. 267 of 1976, Sec. 268, Sec. 8(c) be added to the agenda.

Motion by Councilperson Watkins, supported by Councilperson Sessions, to approve the July 1, 2013 Agenda as amended.

All ayes.

Motion carried.

Public Comment

None

Consent Agenda

The items listed in the Consent Agenda are considered to be routine by the City Council and the City Manager and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Councilmember. In this event, the item will be removed from the Consent Agenda and Council action will be taken separately on said item.

- A. Approval of Bills of June 20, 2013: Claims of \$314,477.52; Payroll of \$92,695.94.
- B. Committee Reports (Pending Approval):
 - 1. EDC Minutes of April 18, 2013
 - 2. O&G Minutes of June 17, 2013
 - 3. Planning Commission Minutes of May 21, 2013
- C. Council Minutes of June 17, 2013
- D. Change Order – Sandy Beach Septic Contract

Councilperson Brown made mention there was one minor discrepancy in the Council Minutes regarding public attendance at the June 17, 2013 meeting but had spoken to City Manager Brown and Deputy Clerk Michelle Loren about the error. Because this was not an error involving procedure or action taken at the meeting that night, the error was corrected prior to this meeting.

Motion by Councilperson Watkins, supported by Councilperson Sessions, to approve the Consent agenda as presented. Roll call: Councilpersons Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – yes; Mayor Moon – yes; Councilperson Arnold – yes.

Approved 9-0.

Motion carried.

Communications

Introduction and Adoption of Ordinances/Public Hearings

- A. An Ordinance to Amend Article II of Chapter 24 of the Code of the City of Hillsdale by Adding New Sections. City Manager Brown reported to Council that, since the Rotary Club dedication of the improved beach house/concession stand at Sandy Beach, the swimming season has started and certain rules need to be in place to provide users a safe and enjoyable experience. At the previous meeting, Council authorized the preparation of an ordinance addressing the concerns. City Manager Brown presented the proposed ordinance prepared by the City Attorney. City manager Brown recommended Council receive the proposed ordinance and set a time for a public hearing on July 15, 2013.

Councilperson Arnold asked if signage would be in place at the beach if the ordinances pass. City Manager Brown stated there would be such signage stating rules and the ordinance number that supports each item.

Motion by Councilperson Sessions, supported by Councilperson Arnold, to receive the proposed ordinance and set a public hearing date of July 15, 2013 at 7:00 p.m.

All ayes.

Motion carried.

Unfinished Business

None

Old Business

None

New Business

- A. City Manager Brown reported that at a recent council meeting the acquisition of additional property to the north of the existing airport was approved. At that time a portion of funding for that purchase was already under contract. City Manager Brown stated the contract for the remainder for the funding had since been received for the amount of \$131,000.00. City Manager Brown also informed Council that FAA made recent updates regarding Terms and Conditions of Accepting Grant Funding. These involve two (2) modifications; the first simply brings FAA's list of guideline documents current; the second addresses the requirement to comply with certain financial reporting programs when invoicing. City Manager Brown recommended Council authorize the Mayor and Deputy Clerk's signatures on the contract for funding for the acquisition as well as on the Terms and Conditions of Accepting Grant Funding for Airport Improvement.

Motion by Councilperson Watkins, supported by Councilperson Sessions, to authorize the Mayor and Deputy Clerk's signatures on the contract for funding for acquisition as well as on the Terms and Conditions of Accepting Grant Funding for Airport Improvements. Roll call: Councilpersons Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes.

All ayes.

Motion carried.

- B. S2 Grant application – BPU – Resolution. City Manager Brown reported to Council that the State of Michigan, through the State Revolving Fund has grant money available to communities who would like to improve their sanitary sewer system. BPU has requested Jeff Pugh of Fleis & Vandenbrink Engineering to compete a grant application for funding for planning costs. These costs have been identified for the BPU to be

BPU
RES #
3139

\$123,696 with a ten percent (10%) match. City manager Brown recommended Council pass Resolution #3139 and authorize the Mayor and Deputy Clerk's signatures on the application for the grant funding, as recommended by the BPU.

Motion by Councilperson Watkins, supported by Councilperson Sullivan, to adopt Resolution #3139 and authorize the Mayor and Deputy Clerk's signatures on the application for grant funding. Roll call: Councilpersons Kinney – yes; Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes.

Approved 9-0.

Motion carried.

- C. Capital Improvement Plan – Storm Water Master Plan. City Manager Brown stated that Council had previously requested the firm of Fleis & Vandenbrink prepare a Capital Improvement Plan – Storm Water Master Plan for use in making future decisions regarding street improvements. City Manager Brown reported the plan had been completed and representatives from Fleis & Vandenbrink were present to present the findings and completed plan.

CAPITAL
IMPROV.
PLAN
STORM
WATER
MASTER
PLAN

Councilperson Mary Wolfram stated she felt Council should not be asked to adopt the plan as they had not had time to review it prior to the meeting. Mayor Moon stated Council did not have the proper knowledge of the subject to review and understand the plan fully without the expertise of the hired firm.

Motion by Councilperson Wolfram to not look at the plan.

No support.

Motion died.

Fleis and Vandenbrink representatives Craig Shumaker and Jeff Wingard gave an extensive presentation/PowerPoint explaining highlights of the Plan and the process by which conclusions determined.

Questions were asked by council members regarding various streets and their condition throughout the city, decisions made by the firm in prioritizing the improvements to streets, and the process of implementation.

BPU Director Rick Rose approached the podium to impress upon Council the importance of having a plan in place; this is a starting point for the City. For years, there has been a lot of talk without a process to properly address the issue of streets in Hillsdale. He also stated that without a plan in place, the BPU is also left in limbo much of the time and cannot do their jobs properly without knowing what direction they should be going.

Motion by Councilperson Watkins, supported by Councilperson Arnold, to adopt the Capital improvement Plan – Storm Water Master Plan. Roll call: Councilpersons Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – no; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes.

Approved 8-1.

Motion carried.

- D. Request to Host Air Show at Hillsdale Municipal Airport. City Manager Linda Brown reported that, in a recent conversation with Airport Manager, James Sheibner, she became aware of a plan to hold a fundraising event at the City's airport. City Manager Brown requested the City Attorney consider the matter and render an opinion regarding the Airport Manager or Hillsdale Aero's ability to conduct such an event without the City's authorization. City Manager Brown presented Council with the prepared opinion for review. The opinion addresses several concerns raised in connection with the event; one of the most significant being the potential exposure for liability as it appears the City would not be protected under governmental immunity as the event is not a governmental function. Another concern was in regard to a concern that if one non-profit is allowed to conduct a fundraising event at the site, the City would need to make

HILLSDALE
AIRPORT
HOST
AIRSHOW

that same opportunity available to all non-profits, regardless of what their cause is. Mr. Sheibner provided material explaining the details of the event and its participants.

Council members expressed their appreciation for the event, but also their concerns. City Attorney Loren gave an explanation of the concerns surrounding the event and stated there are ways to work some of this out. Mr. Loren suggested Council recommend the matter to the Community Development Committee for discussion with legal representatives present. Mr. Loren recommended the Council give the CDC power to act in order to help move the possible approval of the proposed event along.

Crossroads representatives approached Council with background information regarding their non-profit organization and the benefit this fundraiser would have to offer area youth.

Motion by Councilperson Watkins, supported by Councilperson Wolfram, to refer the matter to the Community Development Committee and give authority to act on behalf of Council regarding a request to Host Air Show at Hillsdale Municipal Airport pending legal review.

Approved 8-1.

Motion carried.

- E. Sidewalk Special Assessment. City Manager Linda Brown reported that in regard to the sidewalk repair program, three (3) special assessment districts have been proposed for the upcoming fiscal year by Assessor Kim Thomas. City Manager Brown stated these districts included sidewalks in sections of Lynwood Boulevard, N. Manning Street and Charles Street. City Manager Brown recommended Council adopt resolutions designating the districts and set a public hearing date.

Motion by Councilperson Sullivan, supported by Councilperson Watkins, to adopt Resolution #3140 2013-01 Lynwood Boulevard and set a public hearing date for July 15, 2013 at 7:00 p.m. Roll call: Watkins – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes.

Approved 9-0.

Motion carried.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Resolution #3141 2013-02 N. Manning Street and set a public hearing date for July 15, 2013 at 7:00 p.m. Roll call: Councilperson Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Watkins – yes.

Approved 9-0.

Motion carried.

Motion by Councilperson Sessions, supported by Councilperson Sullivan, to adopt Resolution #3142 2013-03 Charles Street and set a public hearing date for July 15, 2013 at 7:00 p.m. Roll call: Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – yes.

Approved 9-0.

Motion carried.

- F. Project Authorization of SAW Grant Application. City Manager Linda Brown reported Fleis & Vandenbrink have been keeping the City informed as to the progress of funding becoming available for the Storm water Asset Management and Wastewater (SAW) Program. During a recent meeting with some City staff and the BPU, it was learned that a portion of the funding might be utilized to assist with some of the costs in the plan presented that very night (Capital Improvements and Storm Water Master Plan). Funding will also be eligible for sanitary storm sewer and wastewater assets as well. City Manager Brown recommended Council authorize the City Manager's signature on the work authorization allowing Fleis & Vandenbrink to complete the preliminary work and complete the application for funding.

Sidewalk
Special
Assessment
2013-01
RES# 3140

2013-02
RES# 3141

2013-03
RES# 3142

SAW
GRANT
APPLICATION

Motion by Councilperson Arnold, supported by Councilperson Sullivan, to authorize the City's Manager's signature on the work authorization allowing Fleis & VandenBrink to complete the preliminary work and complete the application for funding. Roll call: Councilpersons Arnold – yes; Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – yes; Mayor Moon – yes.

Approved 9-0.

Motion carried.

- G. Motion by Councilperson Sullivan, supported by Councilperson Arnold, to go into closed session pursuant to P.A. 267 of 1976, Sec. 15.268, Sec. 8(c) to discuss negotiation strategy. Roll call: Councilpersons Bail – yes; Brown – yes; Kinney – yes; Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – yes; Mayor Moon – yes; Councilperson Arnold – yes.

CLOSED
SESSION

Approved 9-0.

Motion carried.

Council returned from closed session.

Motion by Councilperson Arnold, supported by Councilperson Wolfram to authorize City Manager to act accordingly and authorize the Mayor and Deputy Clerk's signature as necessary. Roll call: Councilperson Brown – yes; Kinney – yes; - Sessions – yes; Sullivan – yes; Watkins – yes; Wolfram – yes; Mayor Moon – yes; Councilpersons Arnold – yes; Bail – yes.

Council Comment

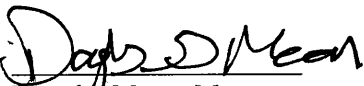
Councilperson Wolfram announced several dates of various events taking place in the City.

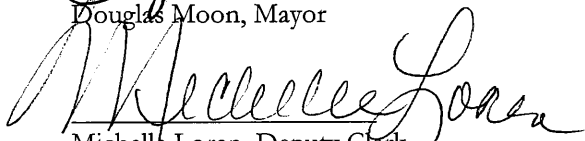
Adjournment

Motion by Councilmember Arnold, seconded by Councilmember Sessions, to adjourn.

Motion carried.

9:29 p.m.


Douglas Moon, Mayor


Michelle Loren, Deputy Clerk