

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

February 9, 2017

CALL TO ORDER

Mayor Colleen Brown called the regular Council meeting to order at 7:00 p.m. The meeting was held at the Montrose City Office located at 141 Parkway Drive, Montrose.

ROLL CALL

Present Council Members were Mayor Colleen Brown, Eldon Dunklee, Christy Sanborn, Robert Arnold, Mark Richard, Tom Bigelow, and Debbie Gross. Also present were City Clerk Tina Rush, City Attorney Otis Stout, City Manager Neil Rankin and 5 citizens. Eldon Dunklee departed at 9:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Mayor Brown led the Pledge of Allegiance.

CITIZEN OF THE MONTH

1. *THE MONTH OF FEBRUARY 2017, JERRY MEARS:* Council honored Mears for his volunteerism with being dedicated to the Depot.
2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF MARCH 2017:*
 - **MOTION** by Arnold **SECOND** by Richard to nominate John Newcomber for getting funding for the Depot as Citizen of the Month for the month of March. All Ayes. Motion Carried.

PUBLIC HEARINGS: None.

PRESENTATIONS:

1. *ELIZABETH AND NORTH STREET – ANDREW BISHA – WADE TRIM:* Bisha addressed the drainage issues on Elizabeth and North Street. He proposed a three part plan. The first part would include a kick off meeting, in which Wade Trim will come and plot the sight with a couple representatives from the City to pinpoint where the problems are and preferences on how to fix these problems. Part two will be the survey of the ditches, the drainage structures, the edge of driveways, the edge of road, but wouldn't have to go past the sidewalk. The final report would be Wade Trim's suggestions on what is needed to be done and the pricing for the work to be done. Council Member Gross commented there was a survey done eight years ago, and if it was possible to use that survey in place of a current survey to cut costs. Mayor Brown asked how long a survey is good for. Bisha replied it is a matter of what has changed since it was last done.

REPORTS

1. *POLICE & FIRE DEPARTMENT REPORTS FOR JANUARY:* On file at city office
2. *GEORGE BROWN INSPECTION SERVICES:* On file at city office.

PUBLIC COMMENT ON AGENDA ITEMS: NONE.

Mayor Brown commented there are potential investors in the community here that wish to address council and she asked if they could be placed on the agenda so they can speak.

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- **MOTION** by Richard **SECOND** by Sanborn to add potential investors at the beginning of the agenda. All Ayes. Motion Carried.

Mayor Brown wanted to add the Knights of Columbus' application for a peddler permit to the agenda.

- **MOTION** by Richard **SECOND** by Arnold to add Knights of Columbus application for a peddler permit to the agenda. All Ayes. Motion Carried.

MATTERS OF COUNCIL ACTION

1A. *MEDICAL MARIJUANA MEDICINAL FACILITY – TIM ATLIF (PART OF GREEN ZONE GROUP) of 3952 KINGS MILL RD, NORTH BRANCH, MI, GEORGE (INVESTOR) of 341 LAKEWOOD DRIVE, NORTHWOOD HILLS, MI, SANDRA MCCORMICK (MCDA) of 165 N. BRIDGE ST, DIAMONDALE, MI.* presented information for building a Medical Marijuana Medicinal Facility within the city limits of the City of Montrose.

Mayor Brown suggested having a special meeting in two weeks to get public input.

- **MOTION** by Gross **SECOND** by Gross to hold a special meeting Tuesday, February 28, 2017. All No's. Motion Not Carried.
 - **MOTION** by Gross **SECOND** by Bigelow to have a special meeting to invite the public for Monday, February 27, at 7:00 p.m. here. All Ayes. Motion Carried.
1. *APPROVAL OF THE 11/10/16 CITY COUNCIL REGULAR MEETING MINUTES*
 - **MOTION** by Dunklee **SECOND** by Bigelow to approve the November 10, 2016 City Council Regular Meeting Minutes. All Ayes. Motion Carried.
 2. *APPROVAL OF 1/12/2017 CITY COUNCIL REGULAR MEETING MINUTES:*
 - **MOTION** by Dunklee **SECOND** by Sanborn to approve January 12, 2017 City Council regular meeting minutes. All Ayes. Motion Carried.
 3. *APPROVAL OF CHECK REGISTER/TREASURER REPORT & POSSIBLE HANDOUT:* Gross questioned the attorney fees being billed to the Depot fund. She was told the Depot is charged for attorney fees that the Depot incurs.
 - **MOTION** by Richard **SECOND** by Bigelow to pay the bills as submitted including check out. Richard – Aye, Dunklee – Aye, Sanborn – Aye, Arnold – Aye, Bigelow – Aye, Gross – Aye, and Mayor Brown - Aye. All Ayes. Motion Carried.
 4. *APPROVAL OF BRENT RUN LANDFILL INVOICE REMOVAL OF STREET SWEEPINGS:* Rankin said there were piles of street sweeping that needed to be removed at the DPW per EPA. Republic took it as regular waste but then it came back onto the City as hazardous materials. The Brent Run Landfill said this needed to be charged at the higher rate under DEQ.
 - **MOTION** by Gross **SECOND** by Richard to pay the bill to Brent Run Landfill as presented. Dunklee – Aye, Gross – Aye, Sanborn – Aye, Arnold – Aye, Richard – Aye, Bigelow – No, and Mayor Brown – Aye. Six (6) Ayes and One (1) No. Motion Carried.

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5. APPROVAL OF ENGAGEMENT LETTER WITH BERTHIAUME & COMPANY:

- **MOTION** by Sanborn **SECOND** by Bigelow to approve engagement letter. All Ayes. Motion Carried.

6. APPROVAL OF ADDITIONAL REQUIRED WORK FOR FINANCIAL AUDIT YEAR ENDING JUNE 30, 2016: Rankin stated that in November Berthiaume gave him notice the audit was running slightly more than anticipated. This was to be expected since switching auditors from Abraham & Gaffney to Berthiaume.

- **MOTION** by Gross **SECOND** Sanborn by to approve additional required work for financial audit year ending June 30, 2016 as presented. Bigelow – Aye, Sanborn – Aye, Gross - Aye, Richard – Aye, Arnold – Aye, Dunklee – Aye and Mayor Brown – Aye. All Ayes. Motion Carried.

7. ANNUAL PERFORMANCE/ACT 51 COMPLIANCE AUDIT: Rankin said two years ago in March 2015 the State started an audit on financial statements the City gives to the State of Michigan regarding Act 51. The City submits reports yearly. The State wants an audit done by an outside entity ensuring the funds are being spent on what it is supposed to be used for. It is an additional \$1,000 cost to have an independent auditor do the audit. The State will not compensate the City for this and audits will be required annually.

- **MOTION** by Gross **SECOND** by Richard to approve the \$1,000 per audit year for Act 51 money with our auditing company Berthiaume as presented. Gross – Aye, Arnold – Aye, Sanborn – Aye, Richard – Aye, Bigelow – Aye, Dunklee – Aye and Mayor Brown – Aye. All Ayes. Motion Carried.

8. DISCUSSION DIRECTION RE: CITY OWNED PROPERTY 250 OAK STREET: Rankin said this property was acquired from Genesee County Treasurer. Mayor Brown questioned why the City took this property because now the City has to pay the cost to tear the house down. Arnold said there are federal funds to help pay to tear the house down. He said to talk to Deb Cherrie at the County Treasurer's office because she is president of the Landbank and she knows all about the State and Federal funds and may know how to get us on the right track. Mayor Brown mentioned the building inspector condemned the property. It was mentioned the City could maybe sell the property. Stout said to check the rules of selling the property, if someone buys the property, the house either needs to be repaired or tore down. It was mentioned the house could be auctioned or ask the neighbors if they wish to purchase the property. Stout said to advertise the property for bid to potential investors and to notify realtors.

9. APPROVAL OF 2017 POVERTY EXEMPTION STANDARDS:

- **MOTION** by Bigelow **SECOND** by Arnold to so moved as presented to us. All Ayes. Motion Carried.

10. MEMORANDUM OF UNDERSTANDING WITH THE VILLAGE OF CHESANING: Rankin explained the Chesaning administrator was questioning if another municipality had a street sweeper. Rankin called Dr. Feltman, the administrator, and asked him if he would like to trade services; the use of the City's street sweeper for the use of their wood chipper. The Village of

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Chesaning's attorney drafted an agreement on how the two municipalities would share equipment utilizing the State rate for using this equipment. The document can also be used for other pieces of equipment. Gross was concerned about the wear and tear on the City's street sweeper. Discussion continued on the how often the Village of Chesaning would use the street sweeper, if it would be used for leaf pickup, and the training of using the street sweeper.

- **MOTION** by Bigelow **SECOND** by Sanborn to adopt this memorandum of understanding between the Village of Chesaning and the City of Montrose. Richard – No, Bigelow – Aye, Sanborn – Aye, Gross – No, Dunklee – Aye, Arnold – Aye, and Mayor Brown – Aye. Five (5) Ayes and Two (2) No's. Motion Carried.

11. APPOINTMENT OF KEITH YOUNG TO THE PLANNING BOARD:

- **MOTION** by Dunklee **SECOND** by Bigelow to motion. All Ayes. Motion Carried.

12. ANNUAL APPOINTMENT OF THE VARIOUS BOARDS: Mayor Brown said everyone has confirmed they do want the positions.

- **MOTION** by RICHARD **SECOND** by SANBORN to sweeping motion to appoint. All Ayes. Motion Carried.

13. APPROVAL OF RFP FOR EMERGENCY WATER MAINTENANCE SERVICES: Rankin contacted the top three RFP's and they all agreed to honor the pricing that was presented three months ago. Sam and Rankin selected Rhode Brothers. Mayor Brown asked rather than going in a contract with them can we do an agreement with them. They agree to these prices and we can use them if we need them. If by some chance we are not happy with them we don't have to use them for the next however many years. Rankin said yes. We want to have someone we can call for emergency services with agreed upon pricing and we know the equipment that they have. Mayor Brown is concerned with using Rhode because she has heard from other communities stop using Rhode after a period of time because of execution such as, clean up and interaction with customers. Gross mentioned doing a year with the option of a thirty day backout.

- **MOTION** by Gross **SECOND** by Richard to go with Rhode Brothers for three year contract with a thirty (30) day option out and lock their prices in at as presented as recommended by our City Manager. Bigelow – Aye, Gross – Aye, Sanborn – Aye, Richard – Aye, Dunklee – Aye, Arnold – Aye, Mayor Brown – Aye. All Ayes. Motion Carried.

*Eldon Dunklee left at 9:00 p.m.

14. APPROVAL OF RFP FOR POLICE SERVICES: Rankin put together a RFP from the special meeting to hand out for bid. Bigelow and Rankin met with the township with what council spoke about and the township is in the process of making another proposal for the City, which should be presented to the City before the next meeting. Bigelow would like an open special meeting after receiving the proposal to discuss. Sanborn questioned when is the end date for submission of bids. Discussion ensued and a date was set for Friday, March 31st at close of business day for submission of bids.

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- **MOTION** by Gross **SECOND** by Sanborn to accept the RFP with due date of March 31 at close of business. Sanborn – Aye, Gross – Aye, Richard – No, Arnold – Aye, Bigelow – No, Mayor Brown - Aye. Four (4) Ayes, Two (2) No's. Motion Carried.

15. *APPROVAL OF PROPOSAL & CONTRACT FOR DRAINAGE IMPROVEMENT ON ELIZABETH & NORTH STREET:* Rankin said there is \$10,000 available in the capital improvement fund for water and there are no current projects for capital improvements.

- **MOTION** by Bigelow **SECOND** by Richard to pay up to \$7,500 to enter into an agreement with Wade Trim. Richard – Aye, Bigelow – Aye, Gross – No, Sanborn – Aye, Arnold – Aye, Mayor Brown - Aye. Five (5) Ayes, One (1) No. Motion Carried.

16. *DISCUSSION AND DIRECTION RE: CONSUMERS ENERGY LIGHTING CONVERSION OF MV TO LED:* Rankin said Consumer's audit found a savings of \$7,000. Consumer's gave a price breakdown for converting all mercury vapor to LED and converting all mercury vapor and high pressure sodium to LED. Mayor Brown commented the monthly savings estimate is \$91.00 per month. There are thirteen lights to change. The \$1,000 spent will be paid back within a year.

- **MOTION** by Richard **SECOND** by Bigelow to motion. Richard – Aye, Sanborn – Aye, Gross – Aye, Arnold – Aye, Bigelow – Aye, Mayor Brown - Aye. All Ayes. Motion Carried.

17. *APPROVAL OF JENNINGS GRANT APPLICATION FOR THE DEPOT:* Rankin said the Depot committee approached the City looking to get a grant from the Jennings Foundation to cover operational expenses. Rankin wants to look into this more to clarify what the grant money can be used for because generally grants are usually allocated to get a specific result or specific purchase. He is not sure if grants can cover operational expenses. He wants to be able to clarify exactly what the grant money is going to be spent on. John Newcomber was in the audience and stated he typed a letter, which was approved by the Depot committee. The letter was requesting \$6,000 for operation and gave a list of committees and organizations that meet at the Depot. Newcomber spoke with someone at the Jennings Board who said his letter was fine.

- **MOTION** by Richard **SECOND** by Sanborn to motion. Richard – Aye, Bigelow – Aye, Arnold – Aye, Sanborn – Aye, Gross – Aye, Mayor Brown - Aye. All Ayes. Motion Carried.

18. *APPROVAL/DISAPPROVAL OF MEMBER ROBERT ARNOLD'S ABSENCE AT THE 10/13/16 REGULAR CITY COUNCIL MEETING:*

- **MOTION** by Richard **SECOND** by Bigelow to approve. All Ayes. Motion Carried.

19. *APPROVAL/DISAPPROVAL OF MEMBER ELDON DUNKLEE'S ABSENCE AT THE 1/17/17 SPECIAL CITY COUNCIL MEETING:*

- **MOTION** by Richard **SECOND** by Bigelow to approve. All Ayes. Motion Carried.

20. *KNIGHTS OF COLUMBUS PEDDLERS LICENSE APPLICATION:* The Knights of Columbus is requesting to have the Peddler's License fee waived.

- **MOTION** by Gross **SECOND** by Sanborn to accept the Knights of Columbus Peddler's Permit and waive the fees. Richard – Aye, Sanborn – Aye, Arnold – Aye, Gross – Aye, Arnold – abstain, and Mayor Brown – Aye. Four (4) Ayes, One (1) Abstain. Motion Carried.

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PUBLIC COMMENT ON NON-AGENDA ITEMS: None.

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: Next meeting February 14th at 7:30 a.m.

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Bigelow stated everything is still on track for the KWA. The pipeline is completed, water is flowing and tested all the way from Port Huron to the process plant in Lapeer County. They are in the process of getting the pumps in place. It should be operational and have water flowing by October 2017.

GENESEE COUNTY METROPOLITAN ALLIANCE: Richard will email the minutes.

PLANNING BOARD: Richard reported they talked about medical marijuana facilities. The next meeting is February 16th at 7:00 p.m.

911 CONSORTIUM: Sanborn reported Genesee County Dispatch is proposing for the May 2nd election an increase to a \$1.86 per month for cell phone usage for the taxes to assist the budget. Without the increase they will have exhausted their funds within eight years, this will allow for it to stay self-sustaining. Along with this they will be updating all of the facilities, equipment and maintenance for all of the municipalities in the County.

ZONING BOARD OF APPEALS: Next meeting Thursday, February 23rd at 7:00 p.m.

REPORTS FROM CITY MANAGER AND CITY ATTORNEY

CITY MANAGER:

CDBG

The city has used the remaining \$1,122.40 from the tree removal/blight grant to remove one more tree in town. All dollars available have been exhausted.

If you have any questions, concerns or just want to chat please feel free to stop by or call. Have a great weekend and stay warm.

CITY ATTORNEY: Attorney Stout spoke about the MMLA and the Planning Commission meeting coming up and gathering information since the last time they talked.

MAYOR AND COUNCIL COMMENTS: Bigelow mentioned Wednesday February 22nd is a Knights of Columbus wild game dinner for \$15.00 at the door. Gross would like the due dates for all the contracts the City has. She has had three complaints brought to the City Office about spring clean-up. She would like a copy of the ordinance on this. She would also like to know the minimum amounts that are required by law to keep in the water and sewer accounts. Arnold said there was a meeting for the Community Garden. There needs to be another meeting to come up with an agreement. Mayor Brown said there is a property owner on Grover Street that would like to donate his lot to the City. This lot butts up against the community garden lot. The lot also contains a garage. The building inspector needs to inspect it before the City decides to

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take the lot. Richard said he stands by what he said last month that the City is paying 42% of the police budget and 20% resources are coming in here and we are subsidizing them. The township needs to ante up. Sanborn would like to acknowledge the DPW for their fast and efficient response to the water main break earlier this week on S. Saginaw St. Mayor Brown thanked everyone for their time and allowing the people to come tonight and speak.

COMMUNICATIONS TO THE COUNCIL: *On file at the city office*

ADJOURNMENT

Mayor Brown adjourned the meeting at 9:41 p.m.

Prepared by City Deputy Clerk/City Treasurer, Chrystal Raible