

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

March 18, 2021

CALL TO ORDER: Mayor Colleen Brown called the regular Council meeting to order at 7:03 p.m. The meeting was held via meet.google.com/cie-bvun-meq **By phone: (US) +1 617-675-4444**
PIN: 848 224 221 3604#

ROLL CALL: Present Council Members were Mayor Colleen Brown – Montrose MI, Robert Arnold – Montrose, MI, Mark Richard – Montrose MI, Tom Bigelow – Montrose MI, Ryan Heslop – Montrose MI, Aaron Burch – Montrose MI, and Andrea Martin – Montrose MI. Also present were City Manager Neil Rankin, City Clerk Tina Rush, and Attorney Otis Stout, and **3 citizens**.

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

CITIZEN OF THE MONTH:

1. *THE MONTH OF MARCH 2021 MONTROSE SENIOR CENTER STAFF:* There was no one available to receive the award.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF APRIL:* Mayor Brown recommended the Montrose Chamber of Commerce for the work they have done so far.

- **MOTION** by Richard **SECOND** by Burch to nominate the Montrose Chamber of Commerce for Citizen of the Month for the month of April. Roll Call Vote: Arnold – Aye, Richard – Aye, Burch – Aye, Heslop – Aye, Bigelow – Aye, Martin – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

PUBLIC HEARINGS: *RE-ZONING OF PARCEL 60-20-526-027:* Mayor Brown opened up the public hearing at 7:07 p.m. Rankin said this property was recently purchased by Retrofoam. They are currently requesting to change the zoning classification from Manufactured Home Park to Industrial. This would put the parcel back to its original zoning classification. Retrofoam is wanting to begin construction on a 20,000 square foot expansion on the property for the business. There were no questions and/or comments from the public. Mayor Brown closed the public hearing and brought the regular meeting back to order at 7:08 p.m.

PRESENTATIONS:

1. *GENESEE COUNTY HABITAT FOR HUMANITY UPDATE/COMMUNITY BUILD:* Tom Hutchison, the executive director for Genesee County Habitat for Humanity spoke about the new build that they will be doing in the City of Montrose. Habitat is going to prioritize this build before other ones; therefore, permits are going to be pulled in the next month or so with the hopes of building beginning in the spring or summer. He presented a PowerPoint presentation on the house Habitat will be building in the city. Mayor Brown asked how someone could apply to be the owner of one of these homes and Mr. Hutchison saying there is already a family chosen for the home in Montrose, however, people can contact Habitat for Humanity and start an application process. Mayor Brown also asked how people in the community can volunteer to help. Mr. Hutchison said the job listing is on the website www.geneseehabitat.org and it closes a week from tomorrow. Because of Covid, they are not currently accepting any volunteer groups. Most likely by the time they start this build they will be. People can email

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volunteer@geneseehabitat.org or email him directly at director@geneseehabitat.org if they are interested in volunteering.

1. *ASSESSOR REPORT/MARCH BOARD OF REVIEW*: City of Montrose assessor Bob Naumann spoke about the March Board of Review. The Board of Review went smoothly this year. He went over the change of assessment notices that were sent to tax payers on assessment value changes.

2. *NEIGHBORHOOD ENHANCEMENT PROGRAM*: Rankin said the Neighborhood Enhancement Program just finished up the last round. There was a total of nine property owners that had taken advantage of the program. The city was awarded another grant for home improvements. The grant will be available at the end of May. Rankin showed a slide show of the improvements that were made on the homes from the first NEP grant.

REPORTS

1. *FIRE & POLICE DEPARTMENT REPORTS*: *On file at city office.*

2. *BUILDING INSPECTION SERVICES*: *On file at city office.* Rankin said the building inspector is moving on with the building inspections and making headway.

3. *HYDRO-CORP INSPECTION SERVICES*: *On file at city office.* Rankin said Hydro-Corp is finishing up their reports and sending them into the State of Michigan.

4. *RENTAL PROPERTY INSPECTIONS*: None/on Hold/Starting in April.

PUBLIC COMMENTS: Harry Joe Follett is the president of the Montrose Area Historical Association. He spoke in regards to the business license ordinance claiming they are not a business. In Clio and Flushing, the museum is not considered a business and does not require a license. He spoke with Joseph Risk, the supervisor for Vienna Township and explained this situation to him. Joseph asked him how much he is paid to run the museum and he said nothing. Then Joseph would not consider him a business. He spoke with the Jennings Foundation who also said the museum is not a business. Mr. Follett would like the council to discuss this and have a reply from the council. Prior to roll call vote Richard said he doesn't know anything about museums and would like to be able to research this before it is discussed at the council meeting

- **MOTION** by Arnold **SECOND** by Martin to add #12 to the agenda discussion on the museum issue with the business inspections. Roll Call Vote: Richard – No, Martin – Aye, Heslop – Aye, Arnold – Aye, Burch – No, Bigelow – Aye, and Mayor Brown – Aye. Five (5) Ayes and Two (2) No's. Motion Carried.
- **MOTION** by Arnold **SECOND** by Bigelow to add DPW roof as #13 to the agenda. Prior to roll call vote, Richard said if this needs to be done now that would be fine but if not, prior information would be beneficial in the packet for agenda items. Roll Call Vote: Heslop – Aye, Burch – Aye, Martin – Aye, Arnold – Aye, Richard – No, Bigelow – Aye, and Mayor Brown – Aye. Six (6) Ayes and One (1) No. Motion Carried.

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MATTERS OF COUNCIL ACTION:

1. APPROVAL OF THE 02/18/21 REGULAR MEETING MINUTES:

- ***MOTION*** by Richard ***SECOND*** by Burch to approve the minutes since he had a chance to review them. Roll Call Vote: Bigelow – Aye, Heslop – Aye, Martin – Aye, Burch – Aye, Richard – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

2. APPROVAL OF TREASURER REPORT & CHECK REGISTER & POSSIBLE HANDOUT: Prior to roll call vote, Richard asked Rankin if there were any concerns as to how the budget is going at this time. Rankin said we are on track.

- ***MOTION*** by Richard ***SECOND*** by Arnold to pay the bills as submitted. Roll Call Vote: Burch – Aye, Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

3. PROPOSAL FOR ENGINEERING SERVICES FOR WASHINGTON STREET RECONSTRUCTION: Rankin said in the 2021-2026 CIP, Washington Street has been recommended to be reconstructed. Bids will go out this Spring/Summer and work to be completed this fall. He plans to submit a grant request for TEDF B funding from MDOT that is due by June 1st. As the city was funded for Genesee two rounds ago, the city is not likely to get funded but at worst council would have plans and can decide if the city wants to move forward on this needed project. Prior to roll call vote, Richard said we need to have projects ready because at the Genesee Metro they're not sure what federal funds will be coming in due to the stimulus and Covid. He thinks this is a wise expenditure of money and Neil can get some decent grants.

- ***MOTION*** by Richard ***SECOND*** by Arnold approve the proposal the engineering costs for Washington Street. Roll Call Vote: Arnold – Aye, Richard – Aye, Martin – Aye, Burch – Aye, Bigelow – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

Mayor Brown said she would like to get pre-engineering costs for Hickory Street and would like council's opinion on having Neil start on this. Arnold said Feher Drive is at the top on the improvement list and is a smaller project. Mayor Brown recommended adding both. Richard agreed to getting costs for both. Arnold agrees as well. Prior to roll call vote Rankin said for next fiscal year budget he was allocating funds for the engineering cost for this project.

- ***MOTION*** by Burch ***SECOND*** by Martin propose that we begin pre-engineering work on Hickory Street and Feher Drive. Roll Call Vote: Richard – Aye, Bigelow – Aye, Martin – Aye, Heslop – Aye, Burch – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. PROPOSAL FOR ENGINEERING SERVICES FOR BLUEBERRY PARK RECREATION PASSPORT GRANT IMPROVEMENTS: Rankin said the Passport Grant the city was awarded requires an engineering firm to develop the plans. The city has an agreement in place and the cost would be the match to receive the grant funding. The proposal from Fleis & Vandenbrink outlines the components and need plan for the DNR.

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- **MOTION** by Richard **SECOND** Heslop to spend the \$12,500 on engineering costs for Blueberry Park upgrades. Roll Call Vote: Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, Bigelow – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. *ADOPTION OF REZONING PARCEL 60-20-526-027 ZONING MAP AMENDMENT ORDINANCE:* Rankin said Planning Board approved the rezoning at their last meeting.

- **MOTION** by Heslop **SECOND** by Bigelow that we adopt the ordinance for the re-zoning. Roll Call Vote: Bigelow – Aye, Martin – Aye, Burch – Aye, Richard – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried

6. *CONTRACT WITH GREAT LAKES OUTDOOR CINEMA:* Rankin said The DDA at the February 2021 meeting approved spending up to \$5000 for a movie experience working with the Montrose Chamber of Commerce. The Chamber is willing to underwrite the cost of the movies and the DDA would cover the cost of the screens and set up. He contacted Great Lakes Outdoor Cinema, who is more local than other places. They will set everything up and take it down. All contracts have to reviewed by our city attorney and as two of the events would be taking place outside of the DDA district/property he felt it should have approval by council. Movie dates would be June 12th, July 9th and August 13th. Locations would be at Barber Park, the Depot, and Lions Park. The DDA and Chamber would work on providing promotional materials in the coming weeks. Heslop asked if this was locking the city into dates and pricing. Rankin said no.

- **MOTION** by Heslop **SECOND** by Bigelow to approve the contract for Great Lakes Outdoor Cinema. Roll Call Vote: Martin – Aye, Burch – Aye, Richard – Aye, Arnold – Aye, Heslop – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

7. *UPDATING DDA BYLAWS:* Mayor Brown asked if the only change was changing the annual organization date. Rankin said yes, the date is being moved to February to coincide with the Zoning Board of Appeals.

- **MOTION** by Arnold **SECOND** by Burch to approve the updated DDA Bylaws. Roll Call Vote: Arnold – Aye, Martin – Aye, Heslop – Aye, Richard – Aye, Burch – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

8. *MONTROSE COMMUNITY SCHOOLS REQUEST TO WAIVE OF LATE FEES:* Rankin said Montrose Community schools had a late fee on their water bill for February. Janet had encouraged them to go to an email format, which they did for March and that payment had posted by March 11th. They did pay the late fees for February on the March bill. Richard asked if the school system has ever been late on a bill. Rankin said they have not been late on bills before and because of the mail issue have encouraged them to have their bill emailed. Arnold said if we start waiving fees for one resident, the city will have to waive it for everyone. Bigelow said the school didn't get their bill until after it was already late how come we charge them a late fee if they got it after it is late. Richard said \$519.00 is pretty steep. Burch said they are tax payers the same as the rest of us and the bills can be emailed. Just as the rest of us have to pay our bills on time, so should

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the school. In the interest of fairness, he doesn't think we should offer them leniency. Mayor Brown said if we start waiving it for some, we will have to waive it for everyone. Water bills are due the 25th of month or the next business day every single month regardless if you get a bill in the mail or not. No action was taken.

9. *DISCUSSION/DIRECTION CONTRACT FOR RHODE BROS. FOR EMERGENCY SERVICES:* Prior to discussion, Mayor Brown said she has asked in the past that every single contract with the City of Montrose be brought to city council six months prior to the contract expiring so council can decide whether they want to explore going a different way. She is upset because this contract needs to be signed by April 1st. Can they please get that going forward so there are no surprises? Richard said he agrees and would like more of an advance notice for contracts. Rankin apologized for this and said it can still be taken out to bid for emergency services. We can enter into the agreement with Rhode for 30 days with an option to opt out so we're not left with a company to do this type of work. They have worked with issues in the city in the past. If council doesn't want go forward with it today, they don't have to. We can always come back in 30 days to opt out. Mayor Brown said Sam has said they are pretty good to work with them. She is not opposed to renewing a contract with them, she is just opposed to getting a contract put in front of them that is due in 15 days. Richard thinks that it's foolhearted to do what Mr. Rankin mentioned because he would like an appropriate amount of time to do research. It is difficult to make a good decision unless you have the information. Rankin said the pricing has stayed the same and that there is a 30-day op out clause, which means the city can opt out at any time with a 30-day notice.

- **MOTION** by Bigelow **SECOND** by Richard to enter into a three-year contract with Rhode Brothers as our emergency water backup. Roll Call Vote: Bigelow – Aye, Martin – Aye, Richard – Aye, Burch – Aye, Arnold – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. *DISCUSSION/DIRECTION RESOLUTION FOR EXTENSION TO CONDUCT COUNCIL MEETINGS VIRTUALLY:* Rankin said the number of people that can gather have been limited to roughly 25 people. Other municipalities have chambers that are designed to hold meetings virtually and can still interact with the public, unfortunately we don't have that. The rules of maintaining a 6 feet distancing is difficult with the size of the city's chambers. Some municipalities are moving forward with a resolution to continue to hold meetings virtually until August 2021. With a declared emergency by the county, the city has the ability to pass a resolution to continue virtually. The resolution would state that the mayor would move forward with continuing to meet virtually based on the laws that passed with the changes for the open meetings act. There was discussion about the meetings continuing virtually. After roll call vote, there was discussion about bringing this topic up at every monthly meeting.

- **MOTION** by Bigelow **SECOND** by Burch to adopt the resolution to continue meeting virtually if needed through August 2021. Roll Call Vote: Richard – Aye, Heslop – Aye, Bigelow – Aye, Martin – Aye, Burch – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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11. DISCUSSION/DIRECTION RFP FOR SIDEWALK REPLACEMENT: Rankin said DPW has identified a number of sidewalks that need to be replaced. This RFP will address sidewalks that are damaged or non-existing and would include removal, base material, ramps where needed and restoration. The CDBG for 2021 should be approved later this year and those earmarked funds will go to remainder of ADA project for approachments. Letters will be sent out to provide notice to property owners that will need to be assessed as they do have the option to replace the sidewalk themselves.

- **MOTION** by Richard **SECOND** by Heslop that we put in an RFP for sidewalk replacement. Roll Call Vote: Burch – Aye, Heslop – Aye, Richard – Aye, Martin – Aye, Arnold – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

12. DISCUSSION/DIRECTION ON THE MUSEUM ISSUE: Richard said he will probably abstain because he does not have the appropriate research to make a sound decision. If it isn't urgent, is it possible to table it and put it on the agenda for the next meeting? Bigelow asked if Mr. Follet is he arguing about the building being inspected or having to pay for a business license? These are two separate issues. Rankin said the city is looking at businesses that the public can access. The ordinance offers three exemptions which are government buildings, local schools, and churches. The non-profit organizations are considered a business because they can have the public come into the building utilizing some type of service. The ordinance would have to be changed if you're wanting to add non-profits to the exempt list. Rankin reiterated this is a business license and building inspection program. Bigelow believes the building still needs to be inspected but separate the fee from the business license. There was discussion about why the city requires business inspections and business licenses. There was also discussion about what the business license fee covers. Rankin said the fee covers both the license and the inspection. Mayor Brown suggested to table this discussion so Neil can look into this.

- **MOTION** by Heslop **SECOND** by Richard to table this discussion until next month and do as Mark suggested and have Neil get us more information about it. Roll Call Vote: Bigelow – Aye, Heslop – Aye, Arnold – Aye, Burch – Aye, Martin – Aye, Richard – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

13. DISCUSSION/DIRECTION DPW ROOF: Rankin would like to send out an RFP to remove and replace the steel on the roof on the DPW garage as the roof is leaking on the inside.

- **MOTION** by Bigelow **SECOND** by Richard to send an RFP out for roof replacement at the DPW Hall. Roll Call Vote: Heslop – Aye, Richard – Aye, Arnold – Aye, Bigelow – Aye, Martin – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

PUBLIC COMMENTS: Flint Express had a comment but could not get the sound to work. Council discussed once again about the business license and inspections. Mayor Brown stated it is not the city's intent to shut down any businesses but to maintain compliance and expose any issues that could be considered hazardous. Business owners will have time to bring their buildings up to compliance.

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REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: NONE.

ELECTION COMMISSION: NONE. NOTE: 1 member still needed.

GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: Mayor Brown said the speaker was Flushing City Attorney Matt McComb who spoke on virtual meetings.

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Heslop said what was discussed was metering and state reporting waste water flow during dry and significant rain events. Grant funding was discussed and a resolution for adding a water tower to help with fire control measures and water pressure during high drought events.

GENESEE COUNTY METROPOLITAN ALLIANCE: Richard said there is a transportation Economic Development Fund (TEDF), which is a category B funding for cities and villages less than 2,000 in population. Three million dollars is coming to the State, max grant is \$200,000. It is a 50/50 grant and projects need to be in by June 1st.

PLANNING BOARD: Richard said they approved the rezoning. They are also looking at the snow removal ordinance.

911 CONSORTIUM: Bigelow emailed Tina and Neil about the new 911 millage. He is requesting council for next month before the election to support the renewal of the millage with a resolution. Rankin said that he will have to ask the attorney if this is legal to do.

ZONING BOARD OF APPEALS: NONE.

REPORTS FROM CITY MANAGER AND CITY ATTORNEY:

CITY MANAGER: There will be some funding with the stimulus package around \$152,000. This money can be used for projects that are sewer/water related. We will try to put in the budget for the next fiscal year.

CITY ATTORNEY: NONE

MAYOR AND COUNCIL COMMENTS: Bigelow reminded people that it is COVID-19 not the overseas flu or the China flu. Be respectful. Heslop said that the State of Michigan all adults age 16 and up will be eligible for the vaccine April 5th. Also, he wanted to thank Neil for all the hard work he put in on the Neighborhood Enhancement Grant Program, judging by the pictures it was a huge success. Richard said maybe we need for the less technical individuals a training on virtual meetings. He sees some struggling with these meetings. He also said he does not like getting unexpected items popping up on the agenda. Burch said he appreciated Mr. Bigelow's statement regarding COVID-19. Mayor Brown wanted to remind everyone April 18th through April 25th is Earth week. The new community group, "The Montrose Porch Project" is doing the first annual

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community clean-up, Scrapping for Porches. If you have any scrap metal, they will be coming around Sunday the 25th to collect scrap metal. This is their first fund raiser. Cap-con went well.

COMMUNICATIONS TO THE COUNCIL: NONE

ADJOURNMENT:

Mayor Brown adjourned the meeting at 9:32 p.m.

Prepared by City Treasurer, Chrystal Raible