

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

April 15, 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/nhd-ados-fre **Join by phone (US) +1 617-675-4444**
PIN: 336 766 025 8933#

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, (joined the meeting at 7:09 p.m.), and Andrea Martin – Montrose MI, (joined the meeting at 7:36 p.m.). Also present were City Manager Neil Rankin, City Clerk Tina Rush, and Attorney Otis Stout, and **2 citizens**.

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

CITIZEN OF THE MONTH:

1. *THE MONTH OF APRIL 2021, MONTROSE CHAMBER OF COMMERCE:* No one from the Chamber was logged on during the meeting.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF MAY:*

- **MOTION** by Richard **SECOND** by Arnold to nominate Frank Taylor for Citizen of the Month for the month of May. Roll Call Vote: Arnold – Aye, Richard – Aye, Heslop – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

PUBLIC HEARINGS: NONE

PRESENTATIONS: NONE

REPORTS

Member Aaron Burch joined the meeting at 7:09 p.m.

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 general business license inspections and making headway.

3. *HYDRO-CORP INSPECTION SERVICES:* *On file at city office.* Hydro-Corp's inspections were delayed due to recent Covid exposure.

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

PUBLIC COMMENTS: NONE

MATTERS OF COUNCIL ACTION:

1. *APPROVAL OF THE 03/18/21 REGULAR MEETING MINUTES:*

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- **MOTION** by Richard **SECOND** by Arnold to accept the 03/18/21 meeting minutes as presented. Roll Call Vote: Bigelow – Aye, Arnold – Aye, Burch – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

2. APPROVAL OF TREASURER REPORT & CHECK REGISTER & POSSIBLE HANDOUT:

- **MOTION** by Arnold **SECOND** by Richard to accept the treasurer's report and pay our bills. Roll Call Vote: Richard – Aye, Heslop – Aye, Arnold – Aye, Burch – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

3. ***DISCUSSION/DIRECTION GENERAL BUSINESS LICENSE***: Rankin said at last month's meeting Joe Follett with Montrose Area Historical Association asked the question regarding the city's general business license, that they as a nonprofit and charity should not be subject to this payment. This same question was brought by the Masonic Temple that because of the non-profit status it should not be subject to inspection as well. The local chapter of the Masons is not listed being a charity by the IRS. If anything, the ordinance should be renamed building inspection ordinance. Home Rule Law allows the City to conduct these inspections as a condition of occupancy. Our ordinances pursuant to the provisions of Public Act No. 230 of 1972 (MCL 125.1501 et seq.), allow our building inspector to act as the enforcement agent for the administration and enforcement of the state construction code and zoning ordinances of the city. Council could have created a comprehensive list of business/buildings where activities take place with related fees that describe Bowling Alleys to Dance Halls. However, it is much simpler to call it a business regardless of the activity taking place. As for churches exempted to obtain a license/inspection I believe the reasoning was severalfold. First, many Churches operate schools in the same building or attached building, i.e. Sunday Schools. Secondly, as it relates to places of large public gatherings the State Fire Marshall has jurisdiction. This would include schools and government buildings. Soup kitchens operated by charities still need to meet health and cleanliness standards, the same as high-end restaurants. If a charity fails to meet basic safety, it should not be open.

- **MOTION** by Heslop **SECOND** by Bigelow to move forward with the general business license inspection and send the ordinance back to the Planning Board to address non-profit and charitable organizations. Roll Call Vote: Heslop – Aye, Burch – Aye, Martin – Aye, Arnold – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. ***DISCUSSION/DIRECTION FEE SCHEDULE UPDATE***: Rankin explained that the city's fee schedule is not covering today's current costs for administration and publication. Rankin compared fee schedules with several communities and recommended the following updates, Zoning Appeal Application \$150 to \$225; Special Use Application \$150 to \$225; Variance Application \$150 to \$225; Site Plan Review – Planning Commission regular meeting \$150 to \$225; Site Plan Review – Planning Commission special meeting \$225 to \$350; Site Plan Review – Commercial (regular or special meeting) – add the verbiage, "plus additional

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costs". Discussion ensued on the planning board requesting from council to set a fee for snow removal.

- **MOTION** by Arnold **SECOND** by Bigelow that we direct Mr. Rankin to go and find us a couple of contractors, look at the 2 or 3 problem areas that we always have and give us an estimate on what charge to remove that snow, once we have that, we send that to Planning Commission, the highest one, is the one we adopt, then we set a penalty fee of \$250 for the first time, \$500 for the second time and \$1,000 for the third time that they don't do this and we have to hire these guys to come do it. Roll Call Vote: Bigelow – Aye, Heslop – Aye, Martin – Aye, Burch – Aye, Richard – Aye, Arnold – Aye, and Mayor Brown – Aye. Motion Carried.

Prior to the roll call vote, Rush asked if the court costs would be in "addition" and Arnold said yes.

- **MOTION** by Arnold **SECOND** by Richard to adopt the changes to the fee schedule as recommend by the Planning Board. Roll Call Vote: Burch – Aye, Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. Motion Carried.

5. *DISCUSSION/DIRECTION MOSQUITO ABATEMENT BALLOT PROPOSAL*: Rankin said that the City's current special assessment for mosquito abatement expires in July, 2021. This means it will be levied on the July 2021 tax bill, however, the contract continues beyond that until 2022. And the city will need to place this on the ballot. Council would ideally add this to either the General or Primary Election in 2021. If neither happens it will need to be on the May 2022 election. Most likely there will be a school election in May. The thought process was to have the resolution ready to go. Based upon the last contract and increase of 3% per year for years 1-3 and 6% years 4 and 5. The special assessment would need to be \$45 with our current company. I have contacted APM which the township uses and Rose Pest Solutions to provide an estimate with keeping similar services. A 3-year contract at 3% increase would move the current contract of year 5 at \$26,693.97 to year 1 of new contract to \$27,490, year 2 \$28,314 and year 3 \$29,165. The contract and millage are not operating concurrently and the fund balance is keeping it a positive balance. A three-year millage at \$45 would essentially breakeven. Council suggested sending out a RFP for a 5-year mosquito abatement service.

6. *BUDGET AMENDMENT #2*: Richard read aloud the proposed amendments in the council packet; 101-265-752 building and grounds from -0- to \$750 due to planter boxes being purchased for the city office; 248-703-752 DDA activities from \$200 to \$6,300 for purchase of the downtown banners; 402-510-975 equipment expense from -0- to \$8,015 for purchasing the snow plow for the pickup truck and 591-906-991 debt service \$40,400 to \$107,000 to pay off the USDA water loan 91-03.

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- **MOTION** by Richard **SECOND** by Heslop that we accept Budget Amendment No. 2. Roll Call Vote: Arnold – Aye, Richard – Aye, Martin – Aye, Burch – Aye, Bigelow – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

7. *APPOINTMENT OF DEBORAH GROSS TO THE ELECTION COMMISSION:* Mayor Brown recommended the appointment of Deb Gross to the Election Commission.

- **MOTION** by Arnold **SECOND** by Richard to accept Deborah Gross' nomination to the Election Commission. Roll Call Vote: Richard – Aye, Bigelow – Aye, Martin – Aye, Heslop – Aye, Burch – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

8. *DISCUSSION/DIRECTION CITY MANAGER EVALUATION:* Rankin said attached is his annual evaluation form. I have been a fulltime contracted employee since March 2019 and I try to get an annual evaluation around my anniversary hire period. If you could please fill these out and provide them to the clerk she will tally and have my scored performance by the next meeting. No action taken.

9. *DISCUSSION/DIRECTION CITY OFFICE SUMMER HOURS:* Rankin reported that last summer the office went to a 4-10 hour day, Monday-Thursday 8am-6:00pm. I would like to continue to offer a certain level of flexibility for employees, however I found out that a 10-hour day was not everyone's cup of tea. I am proposing that during the summer months Memorial-Labor Day that the office will be open with some employees working 8am-6pm and open for lunch working Monday-Thursday while others will opt to work Monday-Friday 8am-5pm and may flex working at home but someone will be in the office on Friday, they will need to coordinate their schedule accordingly. This provides additional open office hours without an additional cost. I anticipated to have energy savings last year but for the fact that the office is quite energy efficient I didn't see significant savings.

- **MOTION** by Arnold **SECOND** by Richard to accept the proposed summer hours. Roll Call Vote: Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, Bigelow – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

PUBLIC COMMENTS: Mayor Brown acknowledged City Engineer Geric Rose was on-line.

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: Mayor Brown announced that the Chamber and the DDA Board joined together for "Movies at the Park" which will be June 12th at Barber Park – The Goonies, July 9th at the Montrose Depot – Apollo 13 and August 13th at the Lion's Park – Zootopia. Also, the banners that the DDA purchased have come in and will be installed soon. Arnold recommended contacting the library who is looking into contracting for all FOX, all SONY & Disney movies for approximately \$120 per year.

ELECTION COMMISSION: Rush mentioned that absentee ballots are now available and she also mailed out 188 letters responding to those who requested to be placed on the permanent absentee list, notifying them that the City does not offer this due to low voter turnout.

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GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: NONE

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Heslop said the meeting takes place next week and he will report at the next council meeting.

GENESEE COUNTY METROPOLITAN ALLIANCE: Richard said the meeting takes place next week and he will report at the next council meeting.

PLANNING BOARD: Richard reiterated the direction council gave them and the board approved a home occupation application for 184 S. Genesee Street.

911 CONSORTIUM: Bigelow said that the next meeting isn't until June and asked council for endorsement of the 911 millage renewal. Stout recommended council not endorse the millage, leave it up to the people to vote on it.

ZONING BOARD OF APPEALS: NONE.

REPORTS FROM CITY MANAGER AND CITY ATTORNEY:

CITY MANAGER: Rankin read aloud his report; The city will be advertising for summer help in the next weeks and will have two part-time seasonal employees and may consider bringing in a part-time employee depending how well that employee works out. This would offer a level of flexibility for the DPW. The City has been ramping up for this Summer. This includes working on the budget, finishing the newsletter and a lot of housekeeping. Rankin recently applied for the city TIP funding requests from Congressman Kildee's office for Feher Drive: ***City of Montrose Feher Drive Saginaw St to Park St Reconstruction of Road, Sidewalk, Curb and Gutter \$680,000.00 \$170,000.00 \$850,000.00***. The secondary water line is being wrapped up and will be pressure tested this week. The rain however has made things muddy mess on the Township end.

CITY ATTORNEY: Cases are moving along between the police department and code enforcement.

MAYOR AND COUNCIL COMMENTS: Richard said he purchased a tiller to assist with the garden at the school that teacher Mrs. Sanborn maintains and will be attempting to grow pumpkins this year. Burch & Brown reiterated how Covid has affected friends and families and encouraged continual safety measures.

COMMUNICATIONS TO THE COUNCIL: NONE

ADJOURNMENT:

Mayor Brown adjourned the meeting at 8:50 p.m.

Prepared by City Clerk, Tina Rush