

**MONTROSE CITY COUNCIL REGULAR MEETING MINUTES**  
**May 17, 2018**

**CALL TO ORDER:** Mayor Pro-Tem Mark Richard called the regular Council meeting to order at 7:01 p.m. The meeting was held at the Montrose City Office located at 141 Parkway Drive, Montrose.

**ROLL CALL:** Present Council Members were Mayor Pro-Tem Mark Richard, Christy Sanborn, Robert Arnold, Tom Bigelow, and Debbie Gross. Also present were City Manager Neil Rankin, City Clerk Christina Rush, City Attorney Otis Stout, and 16 citizens. Members Colleen Brown and Eldon Dunklee were recorded as absent.

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Clerk Tina Rush led the Pledge of Allegiance.

**CITIZEN OF THE MONTH:**

*1. THE MONTH OF MAY 2018, MONTROSE SCHOOL BUS DRIVERS*

Mayor Pro-Tem Richard presented a certificate to some of the bus drivers that were in the audience and thanked them for the great job they do driving and watching over the Montrose children.

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

- **MOTION** by Gross **SECOND** by Sanborn to nominate Maryann Reed from Mayne Street Flowers for the beautiful corsages and flower arrangements she creates and for helping within the community. All Ayes. Motion Carried.

**PUBLIC HEARINGS:** ALFRED STREET SPECIAL ASSESSMENT

Mayor Pro-Tem Richard opened the public hearing at 7:06 p.m. There were no questions and/or comments from the public. Mayor Pro-Tem Richard closed the public hearing at 7:07 p.m. and brought the regular meeting back to order.

**PRESENTATIONS:** KAREGNONDI WATER AUTHORITY (KWA)

Drain Commissioner Jeff Wright and Kevin Sylvester gave a presentation on the Karegnondi pipe line.

**REPORTS**

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

*2. SAFEBUILT INSPECTION SERVICES: On file at city office.*

**PUBLIC COMMENTS:** Anna Sielski spoke about a water main break by her home that occurred a while ago and the water backing up to her home. Her insurance will not cover the damage because it is a city issue. She thought she had this all taken care of and the water backed up again to her home. She has a list of issues the city needs to address: Her culvert is still plugged from the water project. She was told she could have a new culvert if she purchased one, but her culvert is not on the list to be replaced. Her ditch is too deep and can't be mowed or leaves raked. There is standing water in her neighbor's lawn. The garbage people are throwing her garbage cans in the ditch. She would like her ditches to be filled in enough to be raked and

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mowed. She wants something put on the road to keep the dust from going into her home. Carolyn Birchmeier spoke about being the ambulance service for the city. She wanted to let people know that they do the stand-bys for the football games free of charge. The ballot proposal did not get on the ballot for the primary. She is continuing the volunteering membership and is asking for support from the city and township residents. Dave Walker spoke about the dust on Carlann and the ditch project. Rankin addressed Walker's concerns.

- **MOTION** by Gross **SECOND** by Sanborn to add discussion of The Depot's rental agreement on the agenda. All Ayes. Motion Carried.

### **MATTERS OF COUNCIL ACTION:**

#### *1. APPROVAL OF 04/19/18 REGULAR MEETING MINUTES:*

- **MOTION** by Gross **SECOND** by Arnold to approve the April 19, 2018 regular meeting minutes as presented. All Ayes. Motion Carried.

#### *2. APPROVAL OF CHECK REGISTER & TREASURER REPORT:*

- **MOTION** by Gross **SECOND** by Sanborn to approve the check register and treasurer's report as presented. Roll Call Vote: Gross – Aye, Sanborn – Aye, Arnold – Aye, Bigelow – Aye, and Mayor Pro-Tem Richard - Aye. All Ayes. Motion Carried.

*3. RESOLUTION RE: ALFRED STREET FINAL SPECIAL ASSESSMENT DISTRICT:* Prior to roll call vote, Rankin said the number of years for the special assessment needs to be determined. Discussion ensued and it was determined to be five years.

- **MOTION** by Bigelow **SECOND** by Arnold to adopt the Resolution No. 2-2018 for Alfred Street special assessment for not more than five years. Roll Call Vote: Sanborn – Aye, Gross – Aye, Arnold – Aye, Bigelow – Aye, and Mayor Pro-Tem Richard – Aye. All Ayes. Motion Carried.

*4. IT RIGHT CONTRACT:* Rankin said the city has had IT Right since 2013 and there has not been an increase in their cost. Paul from IT Right was here to answer any questions.

- **MOTION** by Gross **SECOND** by Arnold to continue on with IT Right contract as presented. Roll Call Vote: Gross – Aye, Arnold – Aye, Sanborn Aye, Bigelow – Aye, and Mayor Pro-Tem Richard - Aye. All Ayes. Motion Carried.

*5. NEW APPOINTMENT(S) TO THE TAX BOARD OF REVEIW:* Mayor Pro-Tem Richard recommended Nancy Obershaw, Marsha Delay, and Peggy Bauer to be on the Tax Board of Review.

- **MOTION** by Bigelow **SECOND** by Sanborn that Nancy Obershaw, Peggy Bauer, and Marsha DeLay be appointed to the Tax Board of Review. All Ayes. Motion Carried.

*6. SET BUDGET WORKSHOP DATE/TIME & SET BUDGET PUBLIC HEARING DATE:* Rankin asked for direction on council if they wish to have the budget hearing/workshop on the same day as the council meeting or separate date before or after the regular meeting. He would like to have a separate meeting sometime in June. Discussion about what day would be best. The Budget Workshop and Public Hearing date will be June 26<sup>th</sup> at 7:00 pm.

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7. *DISCUSSION DIRECTION RE: GARAGE AT 120 GROVER STREET:* Rankin said the building inspector inspected the garage at 120 Grover Street. The inspector said the garage needs a lot of work. Also a garage is considered an accessory structure and has to have a primary structure attached, without a primary structure you cannot have an accessory structure. It is his recommendation for the city to not take this property. Richard said it is not in compliance with zoning either.

8. *RESOLUTION RE: MICHIGAN ELECTION LAW, 168.662 (1) CHANGE OF POLLING LOCATION:* Rush said according to State statute if polling location is changed it has to be done by June 7<sup>th</sup>. There are two requirements, a resolution needs to be approved by council and notices need to be mailed.

- ***MOTION*** by Gross ***SECOND*** by Arnold to adopt Resolution No. 00-18 as presented. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Gross - Aye, Arnold – Aye, and Mayor Pro-Tem Richard - Aye. All Ayes. Motion Carried.

9. *DISCUSSION DIRECTION RE: PUBLIC SAFETY MILLAGE FOR POLICE/FIRE AND A SCHOOL LIAISON:* Rankin spoke about a ballot proposal to have extra funds for police protection. Bigelow said with the new contract it didn't provide for a police officer inside the school. He said there needs to be a way to offset the cost of police and fire protection and possibly get back a liaison officer for the school. Prior to roll call vote, Gross commented there should be a full council before a decision is made. She said she believes the people will shoot it down because there have been zero improvements in the city. There already is a police service provided. She thinks it is not the right time to be raising taxes and it will cost \$5000 to have an election. We need to take a step back and make improvements before we start asking for more money. Sanborn said there is speeding traffic on her street and her children have to stand on the corner to wait for the bus. She said people know law enforcement is not around patrolling for speeders. Arnold said this doesn't automatically raise taxes, we're voting to put it on the next ballot. It will not be a special election, so it won't cost any more money. This will give the people a chance to decide if they want to raise their taxes and have more police service or not. Rankin said the funds come out of our general fund and there is no other source of revenue for police. Bigelow asked Rush if it will cost \$5000.00 to have an election. Rush said only if it is a separate election. Richard asked how much it will be if it was part of the November election. Rush said it might be approximately \$2,000.00. Bigelow said as a council we owe the people the ability to have the right to vote on this. Gross said the people will need to be educated on this before being put on the ballot and this is bad timing because you only have one shot to get this right. Discussion continued on a ballot proposal for police and fire protection.

- ***MOTION*** by Arnold ***SECOND*** by Bigelow to draw up a ballot proposal for the next available election for a 4 mill public safety millage for five (5) years. Roll Call Vote: Arnold – Aye, Sanborn – Aye, Bigelow - Aye, Gross – No, and Mayor Pro-Tem Richard - No. Three (3) Ayes and Two (2) No's. Motion Carried.

10. *APPROVAL/DISAPPROVAL OF MEMBER(S) ELDON DUNKLEE & DEBBIE GROSS' ABSENCE AT THE 04/19/18 REGULAR CITY COUNCIL MEETING:*

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- **MOTION** by Sanborn **SECOND** by Arnold to approve Eldon Dunklee and Debbie Gross' absence at the 4/19/18 regular council meeting. All Ayes. Motion Carried.

11. *THE DEPOT'S RENTAL AGREEMENT*: Gross would like a \$50.00 deposit to be made for the rental of the Depot. The deposit would be given back if there are no damages and the premises are properly cleaned. There was discussion about the deposit and using a credit card for a deposit.

- **MOTION** by Gross **SECOND** by Arnold to make an amendment to the Depot rental agreement that states for a deposit to be made in the amount of \$50.00 as cash or check to be returned once the key is returned and everything is in good condition effective immediately. Roll Call Vote: Bigelow – Aye, Gross – Aye, Sanborn – Aye, Arnold – Aye, and Mayor Pro-Tem Richard – Aye. All Ayes. Motion Carried.

Council took a five minute recess at 8:50 p.m.

12. *POSSIBLE CLOSED SESSION RE: MCL 15.268 SECTION 8 (C) FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENT IF EITHER NEGOTIATING PARTY REQUEST A CLOSED HEARING.*

- **MOTION** by Bigelow **SECOND** by Arnold to go into closed session. Roll Call Vote: Bigelow – Aye, Arnold – Aye, Gross – Aye, Sanborn – Aye, and Mayor Pro-Tem Richard – Aye. All Ayes. Motion Carried.

Mayor Pro-Tem Richard closed the regular meeting at 8:58 p.m.

13. *RETURN TO OPEN SESSION & BRING REGULAR MEETING BACK TO ORDER:*

Mayor Pro-Tem Richard brought the regular meeting back to order at 9:19 p.m.

**PUBLIC COMMENTS:** NONE

### **REPORTS FROM BOARDS & COMMISSIONS:**

*DOWNTOWN DEVELOPMENT AUTHORITY BOARD:* Next meeting June 12 @ 7:30 a.m.

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION:* NONE

*GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE:* Report on file

*GENESEE COUNTY METROPOLITAN ALLIANCE:* Richard said they are doing a survey and Montrose is in third place. The city can get a \$2000 grant if they get first place. They are going on percentage of responses from each city. Whoever gets the highest response will get the grant. The survey is due by May 31<sup>st</sup>. There is going to be a lot of construction. There will be work on 475.

*PLANNING BOARD:* May meeting cancelled due to no business.

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*911 CONSORTIUM:* Bigelow said the next meeting is June 12<sup>th</sup>. There should be a report next month.

*ZONING BOARD OF APPEALS:* NONE. (2 members are still needed for a quorum).

### **REPORTS FROM CITY MANAGER AND CITY ATTORNEY**

*CITY MANAGER:* City staff has been working very hard on getting ready for the move.

At this point:

- Furniture and seating has been ordered and will be delivered this coming week. This is good furniture that will last and look nice for years to come.
- New cabling in the building. We had no idea the type or location of Ethernet cables in the building or where they were going. IT Right would not be able to set up the network. Township just unplugged everything.
- Carpets cleaned/walls painted
- Record retention has been a big part of what Tina and Chrystal have been working on. Back rooms have been mostly cleared out. DPW has hauled a few boxes and for the most part can we can have the building cleaned and cleared out in a day or two.
- Permanent files are going to be moved to new or repurposed file cabinets so we really haven't had the need for a moving company as of yet.
- Relocating the tower will happen in two weeks, I don't anticipate any down time for more than a few hours. SLC meter plans to do the move the last week in May.
- New signage will be installed on the old Montrose Twp. sign.
- Phone systems will be a VOIP with POE and we should see significant saving over the current provider and many great features.
- Trust Thermal tested the building for asbestos. Located Thermalite Insulating Cement above the drop sealing in and around the old mechanical closet. Mr. Mark Richards provided OSHA documents in what we must disclose to our employees that are doing routine maintenance. Trust Thermal would provide a report and map of location of material for our files. If we remodel this asbestos material will need to be abated.

We are on track and under budget and have not anticipated any issues at this time.

Volunteers from the Lamb of God Fellowship helped Sam last Saturday clean up Lions Park.

Looking to clean the culverts on Elizabeth St./North St. out sometime in the next week. The DPW is coordinating with Edmore that were busy cleaning up the cemetery and village after the high winds from last week.

Newsletters went out and I have begun to do some code enforcement. We are putting a list of non-plated and inoperable vehicles for the police department to address. If you know of any that meet that description please let me know so we can get it taken care of.

*CITY ATTORNEY:* Stout spoke about property maintenance and Neil being on top of that.

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### **MAYOR AND COUNCIL COMMENTS:**

Arnold said on June 9<sup>th</sup> there will be Art in the Park at Lyons Park. The Library will be doing a summer program with Paleo Joe talking about dinosaurs on June 9<sup>th</sup> as well. Bigelow said on June 9<sup>th</sup> there will be the 6<sup>th</sup> annual fishing derby at Barbara Park. There will be a free lunch for 15 and under for kids and their families. Sanborn reported that the Library has started a lot of new activity during the week and on Saturday mornings. Check out their website and FaceBook page to see the various things, such as yoga and quilting classes. Gross said she was stopped by several residents asking about the greenbelt area and being the city's responsibility. When the city plows the roads, the salt and snow goes into those greenbelt areas and is tearing up the grass. The residents would like the city to seed it or fix it to be back to beautification. She was wondering if the DPW could do something to fix this. Richard said on Elizabeth Street there is water being discharged from the houses into the culverts. There is green stuff growing in there, which means there will be mosquito larvae growing. This needs to be addressed.

### **COMMUNICATIONS TO THE COUNCIL:**

1. Unpaid General Business License(s) Going On Tax Roll.

2. Discussion/Direction Asbestos Report For New City Office. Rankin said there was asbestos in the building. It is located above the drop ceiling and in one closet. As the new building owner we will put the report in our file. It would be hard to say if the Township was aware of its existence as we were not provided a date of remodel or when the addition was added. However the law changed in 2013. The inspectors said to not disturb it but to get a Hepa vacuum.

3. Discussion/Direction Telephones & Services for New City Office: Rankin priced out three different phone services and found that Nextiva is the better phone service. They are cheaper with a lot of extra features we currently do not have.

- **MOTION** by Gross **SECOND** by Arnold to go with the Nextiva contract for three years as presented. Roll Call Vote: Gross – Aye, Sanborn – Aye, Arnold - Aye, Bigelow – Aye, and Mayor Pro-Tem Richard - Aye. All Ayes. Motion Carried.

### **ADJOURNMENT:**

- **MOTION** by Arnold **SECOND** by Gross to adjourn the meeting. All Ayes. Motion Carried.

The meeting adjourned at 9:39 p.m.

Prepared by City Treasurer, Chrystal Raible