

# MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

May 21, 2020

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**CALL TO ORDER:** Mayor Colleen Brown called the regular Council meeting to order at 7:00 p.m. The meeting was held on-line via Meet.google.com/hma-hvgo-dsr.

**ROLL CALL:** Present Council Members were Mayor Colleen Brown, Ryan Heslop, Robert Arnold, Christy Sanborn, Mark Richard, Tom Bigelow, and Debbie Gross. Also present was City Manager Neil Rankin, City Clerk Tina Rush, DPW Supervisor Sam Spence 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 MAY ROXANNE ROGERS:* Ms. Rogers was unavailable.

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

- **MOTION** by Arnold **SECOND** by Richard to nominate Angie Florian & her staff for the June Citizen of the Month. Roll Call Vote; Sanborn – Aye, Gross – Aye, Bigelow – Aye, Arnold – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

**PUBLIC HEARINGS:** *PROPOSED ORDINANCE NO. 443 RE: AMENDMENT TO ARTICLE II CHAPTER 50-24 ENTITLED, "SURFACING"*

Mayor Brown opened the public hearing at 7:10 p.m. Council member Richard questioned clarification on verbiage but there were no questions and/or comments from the public. Mayor Brown closed the public hearing at 7:14 p.m. and brought the regular meeting back to order.

**PRESENTATIONS:** NONE

**REPORTS:**

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

2. *SAFEbuilt INSPECTION SERVICES:* Bigelow asked for clarification on the proposed fee increase for pools and Heslop asked if there are backlogs of permits. Rankin replied that the proposed fee increase for pools would be based on value of construction, not just a flat rate and SAFEbuilt is current with all permits.

3. *HYDRO-CORP INSPECTION SERVICES:* NONE

**PUBLIC COMMENTS:** NONE

**MATTERS OF COUNCIL ACTION:**

1. *APPROVAL OF 04/16/20 REGULAR MEETING MINUTES:*

- **MOTION** by Richard **SECOND** by Gross that we add in that the meeting was done remotely other than that it all appears correct for the minutes of April 16<sup>th</sup> 2020. Roll Call Vote: Arnold – Aye, Richard – Aye, Gross – Aye, Heslop – Aye, Bigelow – Aye, Sanborn – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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- **MOTION** by Gross **SECOND** by Richard that we have the trees on Saginaw Street as item No. 10. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Arnold – Aye, Gross – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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

**MOTION** by Gross **SECOND** by Arnold that we approve the check register. Roll Call Vote: Richard – Aye, Sanborn – Aye, Heslop – Aye, Arnold – Aye, Bigelow – Aye, Mayor Brown – Aye and Gross – Aye. All Ayes. Motion Carried.

**3. BUDGET AMENDMENTS 2:** Rankin reported that a budget amendment is required for 101-253-702 due to the Treasurer moving to a full-time position and the DPW has done more patching/crack sealing this year which increased the liability of the local streets general fund number, 203. These amendments will be covered by fund balances. There will be one more budget amendment for the June meeting to close out the fiscal year. Prior to the roll call vote Gross asked why MERS is increasing and Rankin explained that MERS is the employee's pension program and the increase is due to equipment rental of gross salaries by the DPW due to additional work on local streets.

**MOTION** by Arnold **SECOND** by Richard that we adopt both budget amendments. Roll Call Vote: Sanborn – Aye, Gross – Aye, Heslop – Aye, Bigelow – Aye, Richard – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

**4. RECOMMENDATION FROM SAFEBUILT UPDATING FEE SCHEDULE:** Rankin conveyed that in discussion with SAFEbuilt, they have proposed the following three (3) fee schedule changes; Demolition permits based on square footage. \$0.10 per square foot or \$50.00, whichever is greater; Commercial roof and pool permits based on value of construction, (currently the base permit fee for both commercial roofing and pools is \$90.00). Should council choose to adopt these, the City's building fee schedule would still be significantly less than the 2013 State of Michigan adopted building fees and adopting these changes would make Montrose similar in fee structure of surrounding communities in commercial. Members questioned whether or not it is feasible to increase costs and Rush explained that this type of construction which raises the value of your property. A permit is required because you are only allowed so many items on your property, first for safety purposes and second because these types of construction increases the value of your property. Rankin conveyed that according to the assessing records it does not reflect the value of construction because that information is not required on the current applications. Gross would like to leave it up to the assessor to guess what the value of construction would be. Sanborn asked what the minimum depth required for pools without a permit and Rankin replied anything that is 48" or 4' of water does not require a permit. Richard commented that he thought pools decreased the property. Mayor Brown agreed with the increase to commercial roofing but not increasing the pool fees. Bigelow questioned value increase for roofing and how 100% of the permit fees are going to SAFEbuilt. Rush replied that residential roof permits do not go to the assessor. Richard commented that it is considered maintenance. The consensus was to have SAFEbuilt come to a meeting to answer questions.

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- **MOTION** by Arnold **SECOND** by Richard that we table this until the next meeting so that SAFFbuilt can come and explain this to us in person. Roll Call Vote: Arnold – Aye, Richard – Aye, Sanborn – Aye, Gross – Aye, Bigelow – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. *DISCUSSION/APPROVAL OF PROPOSED ORDINANCE NO. 443:* Members questioned clarification of paragraph c., improvements to city streets.

- **MOTION** by Richard **SECOND** by Arnold that we send the proposed ordinance No. 443 that'd be 50-2 paragraph c that we have the Planning Board look at that into modifying so that it's a little more palpable and clearing understanding of that part. Roll Call Vote: Heslop – Aye, Arnold – Aye, Sanborn – Aye, Richard – Aye, Bigelow – Aye, Gross – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

6. *CONTRACT RENEWAL WITH ROHDE BROS. EXCAVATING:* The DPW/ City has contracted with Rohde Bros. of Saginaw for the last three years for Emergency Water Services. This arrangement augments the DPW with needed labor, knowledge and equipment. The DPW has completed a number of tasks working with Rohde Bros. including hydrant and valve replacement. Approval tonight would provide an additional 12-month extension if the city wished to go that route. The only current changes to the contract would the prices of labor (labor foreman, laborer).

- **MOTION** by Arnold **SECOND** by Richard to approve the contract. Roll Call Vote: Bigelow – Aye, Gross – Aye, Sanborn – Aye, Richard – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

7. *CONTRACT WITH GCWWS SECONDARY SUPPLY LINE PROJECT:* Rankin said that John O'Brien with GCWWS has revised the proposal in constructing a secondary water service to the City of Montrose with the extension of the watermain on Nichols and Wilson Rd. The City has examined all other options to ensure a continuous water supply if the current watermain has any disruptions. This is the most cost-effective option that will not require significant or long-term maintenance and training. Our city engineer has examined the options and has provided council studies on these options that have included connecting to Allen Drive. These options have been cost prohibitive or do not improve the current capacity (flow rates).

Obviously, the largest hurdle is the price, in this proposal the County would cover the engineering costs, inspection and incidental costs such as bond and legal. The 50/50 split for the project could be as low as \$298,520 with no contingencies and as high as \$343,298 with contingencies.

Additionally, the city would be able to finance the project through Genesee County (pending approval by Genesee Co. Board of Commissioners) without the need take out municipal bonds or significantly impact the fund balance. Proposed terms are for a period of ten years at no more than 5% interest. The treasurer also looked at the proposal from a financial standpoint with the retirement of the 2013 Bonds on May 1<sup>st</sup> and has provided her

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recommendation. Rankin believes this is best opportunity to complete a project that has been discussed by the city for over 30 years and having spoken with Mark Emmendorfer he knows this project would most likely have the support the Township Board as they completed and shelved preliminary plans several years ago. Additionally, I know it is almost impossible for three governmental organizations to align priorities and finance a project of this scope as changing boards, councils, staff and financial position often make agreements like this difficult to accomplish. This project if completed would significantly impact future development in the city and also address the need to improve fire suppression today. In the last seven years the DPW Supervisor has had to address of pressure as a result of valve related issues requiring boil orders. Although this is inconvenient for the city residents it is also costly in the amount of time our DPW spends sending out notices and completing EGLE reports that must document each incident.

- **MOTION** by Richard **SECOND** by Gross that we table this agreement. Roll Call Vote: Sanborn – Aye, Gross – Aye, Richard – Aye, Arnold – No, Heslop – No, Bigelow – No, and Mayor Brown – No. Three (3) Ayes. Four (4) Nays. Motion Did Not Carry.
- **MOTION** by Bigelow **SECOND** by Sanborn that we accept the proposal with Genesee County for the secondary water line. Roll Call Vote: Arnold – Aye, Richard – No, Gross – No, Heslop – Aye, Bigelow – Aye, Sanborn – Aye, and Mayor Brown – Aye. Four (4) Ayes. Three (3) Nays. Motion Carried.

### 8. RE-APPOINTMENT(S) TO THE TAX BOARD OF REVIEW:

Mayor Brown recommended the re-appointments of Peggy Bauer and Nancy Obershaw.

- **MOTION** by Arnold **SECOND** by Richard that we re-appoint as stated. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Arnold – Aye, Gross – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

### 9. APPROVAL/DISAPPROVAL COUNCIL MEMBER CHRISTY SANBORN' ABSENCE AT THE APRIL 16, 2020 REGULAR COUNCIL MEETING:

- **MOTION** by Richard **SECOND** by Arnold to approve Christy's absence for the April meeting. Roll Call Vote: Richard – Aye, Heslop – Aye, Bigelow – Aye, Sanborn – Aye, Gross – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. TREES ON SAGINAW STREET: Gross & Mayor Brown asked if the trees & bushes located in the city's right-of-way along S. Saginaw Street could be trimmed and/or removed if necessary. Richard commented that if the trees and/or bushes blocking a sidewalk, the city does have an ordinance to address that type of issue and this should be rectified by the property owner, not the City. Mayor Brown commented that they are not necessarily obstructing the sidewalk, they are obstructing the view.

**PUBLIC COMMENTS:** NONE

**REPORTS FROM BOARDS & COMMISSIONS:**

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**DOWNTOWN DEVELOPMENT AUTHORITY BOARD:** NONE

**ELECTION COMMISSION:** \*\*NOTE: 1 member still needed.

**GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION:** Mayor Brown reported that the April and May's meeting was cancelled due to Covid-19 and there are no meetings during the summer months of June, July and August.

**GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE:** Spence said that there should be a meeting next month.

**GENESEE COUNTY METROPOLITAN ALLIANCE:** Richard commented that he is not sure whether or not they had a meeting because he was not notified via email or received a phone call.

**PLANNING BOARD:** Cancelled due to Covid-19.

**911 CONSORTIUM:** Cancelled due to Covid-19.

**ZONING BOARD OF APPEALS:** Next meeting will not take place until 2021 unless a variance application is submitted to be considered.

**REPORTS FROM CITY MANAGER AND CITY ATTORNEY:**

**CITY MANAGER** As the current executive order by the Governor expires on May 28<sup>th</sup>, the city anticipates reopening the office on June 1<sup>st</sup>. The staff encourages residents to continue to utilize the drop box and limit entering the building without an appointment. DPW has installed some temporary partitions in the office.

Permits (building, fire, etc.) are available online and can be either mailed or dropped-off at the office.

Construction of Blueberry Park bathrooms are moving forward. Completion date and the park reopening might not happen by June 1st as construction was suspended for several weeks. In the meantime, the DPW will be making improvements including the installation of the fence along the recently donated property, planting of trees that were provided by a donation from the Blueberry Festival as well as a few other nice touches.

DPW will be also doing some street crack sealing at the end of the month,

The treasurer, assessor and I have been working on the budget trying to get a handle on what post Covid-19 Michigan as it relates to revenue sharing and the transportation fund will look like.

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I'm hoping to announce grant funding from MSHDA in the next few weeks? Days? I have a webinar on Wednesday and will find more on how they execute these neighborhood grants. Everything so far has been good.

I will be ramping up code enforcement this summer. The District Court has been holding Zoom meetings for the last several weeks and I have not aggressively pursued violations as they are a little behind. A ticket I wrote in early February has just made it to the docket, Hopefully court operations return to a more "normal".

I have emailed our rental inspection contractor about the current status and hope to start scheduling inspections in mid/late June. I will start sending out inspection letters in the next week.

Please make sure to check your email to get the latest on the happenings in the city. I am in contact with Genesee County Health Dept. and the State of Michigan on Covid-19 pandemic. I will pass information to you as I get them on county events and actions.

As always if you have any questions please feel free to contact me.

*CITY ATTORNEY:* Stout reported that the courts will re-open based on the Governor's stay-at-home orders.

**MAYOR AND COUNCIL COMMENTS:** Gross asked to have sidewalks on Park Drive on the next agenda. Richard recommended the city look at the infectious control plan from MIOSHA and asked if the city hired a seasonal DPW part-time helper. Rankin replied Eric Vandefifer came back this year to work for the third time. Richard commented that he didn't see a posting and asked if the seasonal worker was a city resident. Sanborn & Mayor Brown commented that they were approached by residents asking if the city would re-consider visiting allowing chickens within city limits. Sanborn also said that the Blueberry Park bathroom looks amazing. Arnold mentioned that other communities are having problems with having sufficient election inspectors to work in the upcoming elections due to COVID-19. Rush replied that she has already spoke with her election inspectors and the City is all set for both elections. We are also looking to implement safety features on election day and there will be training for the election inspectors specifically on COVID-19. Arnold asked if the city has liability if someone came in and contracted COVID-19 on election day and Stout commented that it is too early to tell but the city has government immunity for performing government functions. Mayor Brown commented that she will put a question out to her association of mayor's group. Heslop asked if he could be added to the Genesee County Waste/Water Advisory Committee meeting and mentioned that the tree located at 173 E. State Street is 90% dead. Mayor Brown reported she, along with Joe Crimi, and the Chamber of Commerce have raised enough funds for signs for each of the 2020 graduates. There could also potentially be a parade in the future to honor the 2020 graduates.

**COMMUNICATIONS TO THE COUNCIL:** *On File at City Office.*

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**ADJOURNMENT**

- **MOTION** by Arnold **SECOND** by Bigelow to adjourn this meeting. All Ayes. Motion Carried.

Mayor Brown adjourned the meeting at 8:45 p.m.

Prepared by City Clerk, Tina Rush