

## MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

July 16, 2020

**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 139 S. Saginaw Street in Montrose.

**ROLL CALL:** Present Council Members were Mayor Colleen Brown, Debbie Gross, Christy Sanborn, Robert Arnold, Mark Richard and Tom Bigelow. Also present were City Manager Neil Rankin, City Clerk Tina Rush, Attorney Otis Stout, and 6 citizens. Council Member Ryan Heslop was recorded as absent.

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

### **CITIZEN OF THE MONTH:**

1. *THE MONTH OF JULY ALEESIA WILLIAMSON, MAX GROULX, AND MYLES BURNSIDE:* They will be here next month.

New Day for Strays from Swartz Creek was nominated as Citizen of the Month for March and were here to accept their award. They help with neutering and spaying the stray cats within the city.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF AUGUST:* Gross recommended Deb Strong as citizen of the month. She runs a food pantry out of the back of her business.

- **MOTION** by Gross **SECOND** by Sanborn that we recommend Deb Strong as Citizen of the month for the month of August. All Ayes. Motion Carried.

### **PUBLIC HEARINGS:** NONE

Mayor Brown would like to add item #7 Community Development Block Grant signature card update to the agenda.

- **MOTION** by Richard **SECOND** by Gross to add #7 CDBG block grant. All Ayes. Motion Carried.

Mayor Brown would like to add #1A to the agenda. Melissa and New Day for Strays has a proposal for the city council regarding stray cats.

- **MOTION** by Gross **SECOND** by Richard to add the stray cat's proposal as 1a to the agenda. All Ayes. Motion Carried

**PRESENTATIONS:** *MERS ANNUAL ACTUARIAL REPORT:* Rankin said MERS representatives are not going out to communities at this point to do presentations. Rankin went over the MERS Actuarial report noting that the funds have remained the same at 65% funded and the city is on track with making progress. Employees continue to contribute 8%. Mayor Brown questioned if the city was making additional payments. Rankin said no, the employer contribution has been lowered over the last few years but should council wish to make a one-time payment, they can choose to do so. There was discussion about making a one-time payment.

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### REPORTS

1. *FIRE & POLICE DEPARTMENT REPORTS: On file at city office.* Chief Cochran said he recently hired three part-time officers to work for the department. He went over the stat report and his officers patrolling the city. Please call 9-1-1 even if it is a non-emergency for any disturbances. He discussed golf carts being used and roads that are exempt from being used. He also discussed what is required for a golf cart to be on the roads. He said only people with a valid Michigan driver's license can drive a golf cart. Those that are 16 years old but don't have a Michigan driver's license need to have an ORV Safety Certificate. No one under 16 can be driving a golf cart unless they are with a parent who is a licensed driver. They are not allowed on M57 only city streets. The speed has to be under 25mph.

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

3. *HYDRO-CORP INSPECTION SERVICES: NONE*

4. *ROSE PEST SOLUTIONS: If mosquitos are bad in your yard please call them and let them know.*

5. *RENTAL INSPECTIONS: First inspection was last Tuesday. A report will be included in the next month's meeting packet.*

PUBLIC COMMENTS: NONE

### MATTERS OF COUNCIL ACTION:

1a. *THE STRAY CATS PROPOSAL:* Melissa has been feeding the feral cats by the car wash for the last seven years. She traps the kittens that she can, spays or neuters them, and gives them away to homes. She works with New Days for Strays to help trap the adult cats. New Day will neuter or spay them so they can be released back into the community. This helps to keep the population down. The problem she is having is someone keeps throwing away her feeding bowls in the North Alley. She is asking for permission to place a structure on city property to help feed and shelter the stray cats. She currently has a structure in place with a sign indicating it belongs to the city. Bigelow told her she is not allowed to have a sign on it with the city's name since she was not given permission as of yet to have it there. This could become a liability to the city. There was discussion about granting permission to have a structure placed. Rankin suggested to have a presentation of a solution to address the feral cats in the community. She was invited to come into the city office on Monday to discuss with the manager what can be done. She was asked to remove the "Property of City of Montrose" sign on the current structure.

1. *APPROVAL OF 06/18/20 REGULAR MEETING MINUTES:*

- **MOTION** by Richard **SECOND** by Sanborn to approve the 6/18/2020 meeting minutes as presented. All Ayes. Motion Carried.
- **MOTION** by Bigelow **SECOND** by Arnold to put item #8 onto the agenda, Pool Ordinance discussion. All Ayes. Motion Carried

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

- **MOTION** by Richard **SECOND** by Sanborn to pay the bills as written including the handout. Roll Call Vote: Arnold – Aye, Sanborn – Aye, Richard - Aye, Bigelow – Aye, Gross – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

3. DISCUSSION/DIRECTION PROPOSED ORDINANCE NO. 443: Rankin said Planning Board changed the wording on the ordinance. Planning board recommends the changes to council. This was brought to council/public hearing council earlier and is ready to be adopted. Richard spoke about putting in concrete approaches to help protect the curb and gutter structures.

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

4. DISCUSSION/DIRECTION PARK STREET SIDEWALK EXTENSION RFP: Rankin is looking for approval of the RFP for the sidewalk extension so he can begin getting bids.

- **MOTION** by Bigelow **SECOND** by Sanborn so moved. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Gross – Aye, Richard – Aye, Arnold - Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. APPROVAL OF CHANGE ORDER FOR BLUEBERRY PARK RESTROOMS: Rankin said contractors early on in the construction of the restrooms had to install water and sewer connections. The contractor claimed to be unaware of the soil conditions and what started out as a small hole become very large as they lacked trench boxes, stone and dewatering equipment. Their request was \$4230 for excavation increase change order resulting in an \$800 increase for pavement restoration to Chippewa. Rankin negotiated this price down to 1/3 of the cost or \$1410 plus the \$800 to Chippewa, as Chippewa Paving was left paving over a larger hole and had no option in the matter.

- **MOTION** by Bigelow **SECOND** by Sanborn to approve the change order \$2,210.00. Roll Call Vote: Gross – No, Arnold – Aye, Sanborn – Aye, Richard – No, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

6. DISCUSSION/DIRECTION OF GENERAL BUSINESS LICENSE ORDINANCE: Mayor Brown said the business license is to make sure the buildings are safe to open to the public and the way the ordinance is currently written they can be open 14 days before they even have to apply and an inspection won't be done until after that. She feels they are not adequately protecting our public in doing that. She would like to see the ordinance be tweaked. She is suggesting to have them fill out a business license application before they can have the water turned on. This would get the commercial buildings inspected on a routine basis regardless if they open the business or not.

- **MOTION** by Bigelow **SECOND** by Sanborn to send our general business license ordinance back to Planning Board to tweak it at the Mayor's recommendation. All Ayes. Motion Carried.

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7. *UPDATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SIGNATURE CARD*: Mayor Brown said CDBG is requesting the signature card to be updated for the City of Montrose. The signatures to be updated are Neil Rankin, Christina Rush, and Chrystal Raible.

- **MOTION** by Arnold **SECOND** by Richard to reaffirm those three to be on the signature to our card. Roll Call Vote: Richard – Aye, Bigelow – Aye, Sanborn – Aye, Gross – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

8. *DISCUSSION/DIRECTION POOL ORDINANCE*: Bigelow spoke about above ground pools needing a fence even if they have a fold up ladders. The 54” sidewall is considered by the State as a significant barrier and in the City of Montrose they don’t have that. Mayor Brown said they had this discussion with the building inspector. Either you have to have a fence or you have to have xyz in order to comply. Currently, the city’s ordinance only indicates you have to have a fence, it does not include the xyz. Bigelow thinks they should send it back to Planning in order to make it fair for everybody to follow State guidelines. There was discussion about getting rid of the pool ordinance. Rush said there needs to be a public hearing in order to get rid of an ordinance. This would allow it to be taken off the books. The public hearing would be removing the city’s ordinance and then adopting the State rules.

- **MOTION** by Bigelow **SECOND** by Richard to remove the pool ordinance and adopt the State’s ordinance and a public hearing next month. All Ayes. Motion Carried.

**PUBLIC COMMENTS:** NONE

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

*DOWNTOWN DEVELOPMENT AUTHORITY BOARD*: Did not meet.

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

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION*: STILL HAS NOT MET.

*GENESEE COUNTY WATER AND WASTE SERVICE’S ADVISORY COMMITTEE*: CANCELLED

*GENESEE COUNTY METROPOLITAN ALLIANCE*: CANCELLED FOR JULY AND AUGUST.

*PLANNING BOARD*: Richard said the meeting minutes are included in the council packet.

*911 CONSORTIUM*: Bigelow said the next meeting is in September.

*ZONING BOARD OF APPEALS*: None: Next meeting February 2021.

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

*CITY MANAGER*:

Blueberry Park Restrooms should be done next week. We are waiting on Consumers Energy to install the power to the building and hopefully after that have council members to take a look at

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it. Cape Seal has been completed. There have been some calls from residents to the office about why the surface is not smooth as they had anticipated. The benefit is that our DPW will not need to patch the street for the next few years saving thousands of dollars in time and material. Over time the surface will become smoother. Contractor would address any issue of separation in the next couple weeks as the surface temperature has exceeded 150 degrees.

The City office had some roof damage after a tree fell on July 10<sup>th</sup> during a storm. We are working with our insurance carrier and the neighbor's insurance carrier (where the tree was located) to remedy the minor damage. The Montrose and Hazelton Township Fire Departments conducted a joint training exercise utilizing a foreclosed city owned residential structure that will be demolished in the coming weeks. The firefighter's training included practicing skills in search and rescue, ventilation and fire extinguishment during the exercise and Chief Taylor was really happy to have the opportunity.

July 21 is the Board of Review from 4-6pm. Our assessor will also be in the field doing the 25% review. Notices were sent out last week. I will be on vacation August 10<sup>th</sup> -14<sup>th</sup> on my yearly family vacation but will still check my emails. Rental Inspection have started and I think we have a good process in place.

*CITY ATTORNEY: NONE.*

**MAYOR AND COUNCIL COMMENTS:** Arnold wanted to acknowledge and support the Blueberry Festival Committee for making the hard decision to cancel. They are looking out for the best interest of the people and liability for the festival. Bigelow said you can do a daily checkup on COVID on the Genesee County website. There are 13 cases in the city. Bigelow recommended council members keep an eye on those numbers. Richard said to wear the mask or don't touch your eyes, nose, or mouth, please be cautious and safe as possible. Sanborn wants to know what the age restrictions are to volunteer for Habitat for Humanity. Mayor Brown said she would have to ask the Genesee County Habitat for Humanity. Sanborn also said if you see someone not wearing a mask please do not start anything with them as they may have a medical condition and cannot wear one, be mindful of other people. Gross wanted to follow up with Neil about estimates for the trees on Saginaw Street and the other issues that were discussed a couple months ago. Rankin said he will get with Sam on this issue and it is on the list of things to do. Gross would like an update by next month.

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

**ADJOURNMENT**

- **MOTION** by Richard **SECOND** by Bigelow to adjourn the meeting. All Ayes. Motion Carried.

Mayor Brown adjourned the meeting at 8:35 p.m.  
Prepared by City Treasurer, Chrystal Raible