

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

August 11, 2016

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 141 Parkway Drive, Montrose.

ROLL CALL

Present Council Members were Mayor Colleen Brown, Eldon Dunklee, Gene Powell, Robert Arnold, Mark Richard, Tom Bigelow and Mayor Pro-Tem Ray Foust. Also present were City Clerk Tina Rush, City Attorney Otis Stout, and 18 citizens.

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

APPROVAL OF AGENDA (Including check disbursement handout)

- **MOTION** by Richard **SECOND** by Dunklee to approve the agenda including the check disbursement handout. All Ayes. Motion Carried.

CITIZEN OF THE MONTH

1. *THE MONTH OF AUGUST 2016, THE MONTROSE GIRLS VARSITY SOCCER COACHES AND THE GIRLS VARSITY SOCCER TEAM* Mayor Brown presented the Citizen of the Month Award to the Montrose Rams Girls Soccer Team and Coaching Staff for their accolades during this year's soccer season.
2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF SEPTEMBER 2016*
 - **MOTION** by Dunklee **SECOND** by Bigelow to nominate the Montrose Medical Group as citizen of the month for the month of September. All Ayes. Motion Carried.

PUBLIC HEARINGS

1. ORDINANCE NO. 431 RE: BEECH TRAIL TAX EXEMPTION ORDINANCE

Mayor Brown opened the public hearing at 7:07 p.m. entertaining questions and/or comments from the public but there were none. Council member Powell asked if this would allow senior discounts on rent and Stout explained that this ordinance is considered fees in lieu of taxes and assists the property owner to offer low cost housing.

2. ORDINANCE NO. 432 RE: MONTROSE COUNTRY ESTATES TAX EXEMPTION ORDINANCE

Mayor Brown entertained questions and/or comments from the public but there were none. Mayor Brown closed the public hearing at 7:10 p.m. and brought the regular meeting back to order.

PRESENTATIONS: NONE

REPORTS

1. *POLICE & FIRE DEPARTMENT REPORTS:* On file at the city office
2. *GEORGE BROWN INSPECTION SERVICES:* Rush mentioned that the report came 2 days ago and will be included in next month's city council meeting packets.

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PUBLIC COMMENT ON AGENDA ITEMS DDA board member Steve Gold asked council not to adopt the Depot rental policy and rental fees that council is deciding on tonight.

MATTERS OF COUNCIL ACTION

1. APPROVAL OF 07/14/16 REGULAR CITY COUNCIL REGULAR MEETING MINUTES

- **MOTION** by Dunklee **SECOND** by Richard to approve the July 14, 2016 City Council regular meeting minutes as presented. All Ayes. Motion Carried.

2. APPROVAL OF CHECK REGISTER, CASH SUMMARY & BALANCE SHEET REPORT

- **MOTION** by Richard **SECOND** by Dunklee to approve the check register, cash summary and balance sheet report and tonight's check disbursement handout in the amount of nine thousand seven hundred seventy-three dollars and eighty-two cents, (\$9,773.82). Roll Call Vote: Richard – Aye, Dunklee – Aye, Powell – Aye, Arnold – Aye, Foust – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

3. APPROVAL/DISAPPROVAL ORDINANCE NO. 431 RE: BEECH TRAIL TAX EXEMPTION ORDINANCE

- **MOTION** by Richard **SECOND** by Dunklee to adopt Ordinance No 431. Roll Call Vote: Dunklee – Aye, Foust – Aye, Powell – Aye, Arnold – Aye, , Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. APPROVAL/DISAPPROVAL ORDINANCE NO. 432 RE: MONTROSE COUNTRY ESTATES TAX EXEMPTION ORDINANCE

- **MOTION** by Richard **SECOND** by Arnold to adopt Ordinance No 431. Roll Call Vote: Bigelow – Aye, Powell – Aye, Foust – Aye, Richard – Aye, Arnold – Aye, Dunklee – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. APPOINTMENT TO THE PLANNING BOARD

Brown recommended the appointment of Christy Sanborn to the Planning Board.

- **MOTION** by Foust **SECOND** by Bigelow to approve the appointment of Christy Sanborn to the Planning Board. All Ayes. Motion Carried.

6. APPROVAL/DISAPPROVAL UPDATING CITY GAS CARDS

Rush conveyed that recently Conlee's gas station pumps were down and because the gas card restricts the DPW to purchase gas only from Conlee's, they had to drive to Clio instead of utilizing the Sunoco Station in town. If the city were to switch the gas cards to the WEX NJPA Fuel Card Program there would be no set-up fees or the \$2 monthly service fee, the City would still be billed through Exxon and receive the government discount, but it would allow the DPW to utilize gas stations at over 97 locations, including the local Sunoco gas station.

- **MOTION** by Dunklee **SECOND** by Bigelow to approve updating the City's gas cards and participate in the WEX NJPA Fuel Card Program. All Ayes. Motion Carried.

7. DIRECTION RE: ASSESSING SERVICES

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Members asked why Landmark Appraisal resigned and Rush replied that she was unsure if the city manager was able to make contact with them, however, he is requesting permission to advertise for bids.

- **MOTION** by Richard **SECOND** by Arnold to allow the city manager to advertise for bids for assessing services. Roll Call Vote: Arnold – Aye, Richard – Aye, Powell – Aye, Foust – Aye, Bigelow – Aye, Dunklee – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

8. APPROVAL OF DEPOT RENTAL POLICY AND RENTAL FEES

- **MOTION** by Dunklee **SECOND** by Richard to table discussion. One (1) Aye – Richard, Six (6) Nays. Motion Dies.

Prior to voting, Richard expressed concerns with the average citizen not being aware of MIOSHA rules and using chemicals to clean the Depot and questioned under regular seasonal users where it says, “City reserves the right to preempt the use of the Depot with at least a ten day notice to user”. Arnold and Bigelow replied that this is standard language. Arnold said he does not think it’s necessary to charge non-residents an additional \$20 because people are just going to find a city resident to sign the paperwork to rent the Depot. Citizen John Newcomer mentioned he just rented Albee Township Hall for \$75.00 and Jerry Mears added that most of the rentals come from Township residents. Bigelow clarified that township citizens may have put their own personal money up front to restore the Depot but they are no longer contributing and this is city owned property ran by taxpayers dollars, so there should be no offense for a different fee for non-residents, just as Montrose Township charges additional for their park rentals and cemetery fees for non-residents.

- **MOTION** by Dunklee **SECOND** by Bigelow to approve the Depot rental policy and change the rental fee from \$85.00 for non-residents to a set \$65.00 for everyone. Dunklee – Aye, Arnold – Aye, Powell – Aye, Richard – Aye, Bigelow – Aye, Foust – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

Prior to the roll call vote, Brown said that the reason for the policy is to protect the city, with that being said, if the Depot group were to obtain a 501 (c) (3) then the city is not opposed to selling it to the Depot committee. Bigelow recommended adopting the policy, still work on helping them obtain a 501 (c)(3) to take ownership and if the fee needs to be changed next month then so be it. Arnold suggested designating a caretaker so that not just the average citizen would have a key and Stout said it should be the city manager. Further discussion ensued on not charging non-profit organizations for rentals and it was noted that the policy says the Mayor or his/her designee may waive the fee. Brown asked to send a note to Rankin clarifying no charge for non-profit organizations and changing the policy if needed to reflect this, also to designate the city manager for that decision. Arnold mentioned that there is a tip jar at the Depot for donations. Gold asked where the donations go and Brown replied that it is her understanding that Depot donations are considered city fund’s and Stout clarified that yes, it goes into the general fund.

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9. APPROVAL TO PROCEED WITH SMALL CLAIMS COURT FOR DELINQUENT PERSONAL PROPERTY TAXES, YEARS 2011 TO 2015

- **MOTION** by Bigelow **SECOND** by Richard to proceed through the court system for collection of the delinquent personal property taxes, years 2011 to 2015. Roll Call Vote: Bigelow – Aye, Foust – Aye, Powell – Aye, Richard – Aye, Dunklee – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. BID AWARD FOR ALFRED STREET REHABILITATION PROJECT

Wade Trim engineer Andrew Bisaha conveyed that bids were open this past Friday, the bid tabulations were included in your council meeting packet and the lowest bidder was Ace-Saginaw Paving Company in the amount of \$124,625.76. Members questioned why the bids came in so high and Bisaha explained that the bid is 15% higher than what was estimated by Wade Trim back in January of 2013; also, it is due to the size of the project. Rush read aloud an email communication from Dale Spencley, P.E. Rural Staff Engineer with MDOT, “The potential effect of holding off on the decision is that the contractor does not have to honor their bid prices if the Department does not award the contract within 49 days of receiving the bid submittal. The contractor can agree to extend the deadline for execution of the contract or withdraw their bids. If they withdraw their bids the second lowest contractor can accept the job at their bid prices which were 36% over engineers estimate. The real effect is the project schedule will change and construction would not start until the end of September or early October and seasonal limitations on work may become a factor in completing the project this construction season”.

- **MOTION** by Arnold **SECOND** by Foust to award the bid to Ace-Saginaw Paving Company in the amount of one hundred twenty-four thousand six hundred twenty-five dollars and seventy-six cents, (\$124,625.76). Roll Call Vote: Powell – Aye, Foust – Aye, Richard – Aye, Arnold – Aye, Dunklee – Aye, Bigelow – Aye, and Mayor Brown – Aye All Ayes. Motion Carried.

11. APPROVAL OF CONTRACT WITH WADE TRIM FOR ENGINEERING CONSULTANT TO PROVIDE CONSTRUCTION ADMINISTRATION FOR ALFRED STREET REHABILITATION PROJECT

Stout recommended approving the contract.

- **MOTION** by Arnold **SECOND** by Richard to approve the contact with Wade Trim for engineering consultant to provide construction administration for the Alfred street rehabilitation project in an amount not to exceed thirty thousand two hundred ninety-two dollars and ninety-seven cents, (\$30,292.97). Roll Call Vote: Dunklee – Aye, Richard – Aye, Bigelow – Aye, Foust – Aye, Powell – No, Arnold – Aye, and Mayor Brown – Aye. Six (6) Ayes. One (1) Nay – Powell. Motion Carried.

12. SET PUBLIC HEARING DATE FOR ALFRED STREET SPECIAL ASSESSMENT

Brown asked if these figures reflect the updated construction costs and Bisaha replied yes. Rush explained that the process for a special assessment district is that first, council needs to approve by resolution and declare its intention to make such public improvement designating the special assessment district and what proportion of the cost of said improvement shall be made against the lots and/or parcels and what proportion will be paid for by the City. The

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second would be to set a public hearing date. Bisaha also noted that the project will begin the first day of school September 6th. Rush asked if the assessment figures include Wade Trim's engineering consultant contract and Bisaha replied yes.

- **MOTION** by Arnold **SECOND** by Richard to set the public hearing date for September 8th and we will have updated information by then. Roll Call Vote: Richard – Aye, Powell - Aye, Foust – Aye, Dunklee – Aye, Arnold – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

PUBLIC COMMENT ON NON-AGENDA ITEMS: Foust announced that September 10th is the ribbon cutting for the dedication of Memorial Bell at 2:00 p.m.

REPORTS FROM BOARDS & COMMISSIONS

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: Rush noted that the last meeting minutes are included in council's packet tonight and Rankin asked Rush to convey that the DDA did not take action on the Depot policy or committee. Steve Gold mentioned to Rankin that the Depot committee members have yet to meet. Stout added that Steve Gold contacted . Brown mentioned that the DDA will begin meeting bi-monthly with the next meeting schedule for October.

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Bigelow reported no meetings for July and August, the next meeting is scheduled for September.

GENESEE COUNTY METROPOLITAN ALLIANCE: Richard mentioned that the METRO was discussing problems with Bristol Rd. and roundabouts.

PLANNING BOARD: NONE

ZONING BOARD OF APPEALS: NONE

REPORTS FROM CITY MANAGER AND CITY ATTORNEY

CITY MANAGER: The union approved the contract this last month and I am moving forward on implementing the agreed changes. I have contacted Marne Carlson our MERS representative to get updated actuarial, I hope to have something for September. Tree removal, stumping and restoration was completed two weeks ago. Residents were happy to see this done. Owen Tree was great to work with and provided many residents with free firewood. I will apply for this grant again at the next cycle. Progress on Alfred Street is moving forward. I hope to have more information in the next few weeks as this project will be going out to bid on August 5th and the next council meeting will be September 8th. Hopefully this will work out and not require a special meeting. DPW and I continue to address blighted and properties in violation of our ordinances. This will be an ongoing process as many of these properties have been in violation for quite some time. We have also received a \$600.00 settlement payment from Curtz Pool. The Mosquito abatement proposal passed at the August 2nd Primary and the city will continue working with Rose Pest. **I will be on vacation and will not be here for the Council Meeting on August 11th. I will be here on Tuesday 8/9 for the DDA meeting at 7:30am.**

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If you need to get a hold of me please call my cell. I will be back in the office on Tuesday 8/16.

If you have any questions, concerns or just want to chat about anything happening within the city please feel free to contact me.

CITY ATTORNEY: Stout mentioned that the personal property taxes from the years 2007, 2008, 2009 and 2010 are now stricken from the City's tax roll and are no longer considered an asset. The treasurer is now working on delinquent personal property for the years 2011 through 2015.

MAYOR AND COUNCIL COMMENTS: Bigelow asked who is responsible for the green signs that promotes their community for recognizing accomplishments, for example, "Home of the State Champs". Arnold reported that next Thursday, August 18th is the Blueberry Festival's annual wine & cheese and craft beer tasting. Powell expressed concern with manholes not being leveled along Clarke Street and wanted someone will verify this will be address during the resurfacing of Alfred Street. Brown thanked Foust for volunteering to take her place during the memorial bell dedication.

COMMUNICATIONS TO THE COUNCIL: *On file at the city office*

ADJOURNMENT

Mayor Brown adjourned the meeting at 8:15 p.m.

Prepared by City Clerk, Tina Rush