

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

September 8, 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, City Manager Neil Rankin and 27 citizens.

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

APPROVAL OF AGENDA

- **MOTION** by Dunklee **SECOND** by Bigelow to approve the agenda. All Ayes. Motion Carried.

CITIZEN OF THE MONTH

1. *THE MONTH OF SEPTEMBER 2016, MONTROSE MEDICAL GROUP*

The Montrose Medical Group was unavailable.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF OCTOBER 2016*

- **MOTION** by Richard **SECOND** by Bigelow to nominate Steve Gold as citizen of the month for the month of October. All Ayes. Motion Carried.

PUBLIC HEARINGS

1. *ALFRED STREET SPECIAL ASSESSMENT:* Mayor Brown opened the public hearing at 7:05 p.m. entertaining questions and/or comments from the public. Property owner Jerry Mears 259 Alfred St. asked why the assessment is so much. Property owner Marion Hoose from 286 Alfred St. commented her assessment is the most at \$6,932.63 and would like her assessment refigured because she does not have a double lot. Dale Keeler from 245 Alfred St. asked if this was the normal way of assessing when repaving a street. Mayor Brown responded that this is the way it has been done for quite some time. Dale Keeler also wanted to know why the late notice and why such high engineering fees for such a short strip. Rankin replied that one of the things you need to understand is that this is an MDOT project and federal funding is involved which requires specific engineering fees. If the City does not move forward with this project, it would lose \$71,000.00 in grant funding. Anthony Thornburg 260 Alfred Street commented that the City is getting \$71,000.00 but we are being charged \$94,000.00. Terri Persails 260 Alfred St. asked why the sidewalks are blocked when school is in session and wanted more explanation of the calculation with linear footage. Brown replied that if the project does not move forward, the road will continue to deteriorate and will only increase in cost to fix in the future. Debbie Gross asked how long the grant for is and could it be delayed to combine other street projects and Brown replied that the City will lose the full \$71,000.00 if the project is delayed. Deanna Campbell asked how parking will be handled and why there will be interest charged on unpaid balances. Rankin replied there will be 1 lane open at all time and the interest will be based on council's decision as to how many years the assessment will be allowed. Alyssa Killoren 282

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Alfred St. said she is in the process of selling her house and asked if she would be required to pay the assessment in full prior to the sale? Rankin replied it will stay with the property. Michael McDonagh 248 Alfred St. expressed concerns with the longevity of the work being done. Rankin welcomed every resident that has additional questions to come into the city office and he will sit down and go over each item per request. Mayor Brown closed the public hearing at 7:37 p.m. and brought the regular meeting back to order.

PRESENTATIONS

1. *MONTROSE BLUEBERRY FESTIVAL COMMITTEE, COMMUNITY GARDEN GRANT*

Montrose Blueberry Festival President Dawn Mosher and Blueberry Treasurer/City Secretary Janet Loomis presented a check in the amount of \$4,300.00 from the Greater Flint Community Foundation for the ongoing development of the community garden. City Manager Neil Rankin applied for this grant on behalf of the City of Montrose back in January. The plan is to build a garden shed.

REPORTS

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

Bigelow asked if the city is billing through the cost recovery ordinance and Rankin replied yes.

2. *GEORGE BROWN INSPECTION SERVICES: On file at the city office*

Foust asked if everyone read the letter from Steve Morse and asked if council could discuss this.

- **MOTION** by Arnold **SECOND** by Bigelow to add onto the agenda tonight No. 7, "George Brown Inspection Services. All Ayes. Motion Carried.

3. *TREASURER REPORT: On file at the city office*

PUBLIC COMMENT ON AGENDA ITEMS: NONE

MATTERS OF COUNCIL ACTION

1. *APPROVAL OF 08/11/16 CITY COUNCIL REGULAR MEETING MINUTES*

- **MOTION** by Richard **SECOND** by Bigelow to approve the August 11, 2016 City Council regular meeting minutes as presented. All Ayes. Motion Carried.

Prior to voting, Richard wanted to clarify that at the last meeting when he spoke regarding MIOSHA rules, he was just giving friendly advice saying that as long as the City is the administrator of the Depot, and if it is recommended that the Depot Committee take over the Depot, that they limit the liability by following City regulations especially in regards to chemicals because it does not cover the general public.

2. *APPROVAL OF CHECK REGISTER*

- **MOTION** by Richard **SECOND** by Arnold to approve the bills if no one has any concerns. Roll Call Vote: Dunklee – Aye, Foust – Aye, Powell – Aye, Arnold – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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3. RESOLUTION RE: APPOINTMENT OF CITY MANAGER TO STREET ADMINISTRATOR

- **MOTION** by Arnold **SECOND** by Foust to appoint the city manager Neil Rankin as Street Administrator. Roll Call Vote: Bigelow – Aye, Powell – Aye, Foust – Aye, Richard – Aye, Arnold – Aye, Dunklee – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. DIRECTION RE: ASSESSING SERVICES

Rankin reported that the city has received just one RFP for Assessing from CSZ Services LLC. Chuck and Melissa Zemla are the owners of this business and provide assessing services for a number of communities. Rankin continued saying that he would have liked to see other RFP's but it is becoming difficult to find small assessing services for smaller communities. Rankin recommended council enter into a contract with CSZ Services LLC. of St. Johns, MI to provide assessing services to the City of Montrose in the amount of \$36,800 for period of three years commenting that this cost is slightly higher than the Landmark Appraisal but he believes that a three year contract will ultimately be beneficial for the city in the long term. Richard asked if there was any potential liability due to only receiving 1 bid and Rankin replied no, it's difficult to obtain services with smaller communities. Dunklee asked if the references were checked and Rankin replied yes. Stout ended by saying that he reviewed the contract and found it satisfactory.

- **MOTION** by Arnold **SECOND** by Bigelow to accept the bid and enter into a contract with CSZ Assessing Services. Roll Call Vote: Foust – Aye, Dunklee – Aye, Arnold – Aye, Powell – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. MONTROSE DEPOT CHANGES IN RENTAL POLICY/AGREEMENT & DEPOT COMMITTEE

Citizen Debbie Gross announced that she would like to help close the communication gap between citizens and council and handed out paperwork showing that the Depot is a non-profit organization with officers, by-laws, including meeting minutes that show they follow the City Charter. Gross continued saying that they were also given the power to spend the money and control the Depot when it was first established and the City Attorney helped the Depot Committee become a non-profit organization. Gross stated that we don't want to become a 501 (c)(3) and have the City sell the Depot back to the Depot Committee, the Depot was given to the City as an asset and not a liability. Gross asked that Depot rentals be given back to the Depot Committee, that the Depot Committee be allowed to rent as they see fit, control the Depot as they see fit, let the DDA be involved because the Depot Committee is already a non-profit organization and not have them become a 501 (c)(3). Arnold asked Stout if a non-profit organization can legally run a city owned building including handling city funds. Stout went over the history of the Depot reading aloud an email from himself responding to the City Manger, Carl Johnson, when it was questioned back in 2015 why the City is maintaining the Depot Fund. Stout suggested the city enter into a lease agreement with the Depot. Rankin conveyed that the larger issue is the long term maintenance of the Depot and the current liability, what Rankin is proposing is helping the Depot Committee become a 501 (c)(3). Further discussion ensued and Brown reiterated that no one is trying to take away the Depot, we are trying to eliminate the liability and risk to the City.

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- **MOTION** by Dunklee **SECOND** by Richard to table until a lease agreement is created with the City Attorney, City Manager and discussed with the Depot committee. Dunklee – Aye, Arnold – Aye, Powell – Aye, Richard – Aye, Bigelow – Aye, Foust – Aye, and Mayor Brown – aye. All Ayes. Motion Carried.

6. DISCUSSION DIRECTION RE: ALFRED STREET SPECIAL ASSESSMENT

Brown asked if the figures in the council packet are the same that was mailed to the residents and Rankin explained that they are all within \$1,000 and we've been working with Andrew from Wade Trim on the spread sheet to come up with the difference. Members asked if the linear footage was verified by city records and Rush replied yes, Andrew went over this with the city assessor's. Members questioned when is the time to stop saying we are not going to improve our roads because costs are only going to increase with inflation. Brown asked Rankin to contact Bisaha, get total project costs, the amount the city is paying and have Bisaha available for questions at the next city council meeting. Arnold suggested for future projects, contacting residents affected prior to bidding out a project. Rankin expressed frustration with how everything was expedited by MDOT and not keeping the city informed ahead of time. Members started comparing the Alfred Street project to the N. Saginaw Street commenting that Alfred Street includes resurfacing, curb/gutter and driveway approaches as necessary. Bigelow questioned the linear footage difference between the 2013 figures and the 2016 and Brown explained because there is less footage of road being resurfaced, it was going to go all of the way to Feher Drive but it now ends just before the Community Center, Rankin reiterated that and Wade Trim recommended lessening the area of resurfacing due to the complete cost of the project. Members concurred to have Bisaha bring back total project costs, break the assessment down in more detail and have Bisaha available for questions at the next city council meeting.

7. DISCUSSION DIRECTION RE: GEORGE BROWN INSPECTION SERVICES

Foust asked if everyone had a chance to read the letter from Steven Morse, Powell commented that he did not like what he wrote about the inspector. Richard commented that he can probably relate to the inspector's because if he is going to be late, he will use professional courtesy and return phone calls. Members started going over the letter individually and agreed that it causes concern especially because it went further than 1 person just making a bad complaint. Bigelow also asked who should be signing the occupancy permit and Stout replied the building inspector. After further discussion members asked if George Brown could be available at the next city council meeting.

PUBLIC COMMENT ON NON-AGENDA ITEMS: NONE

REPORTS FROM BOARDS & COMMISSIONS

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: The next DDA meeting is set for Tuesday October 11, 2016 at 7:30 a.m.

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Bigelow reported there are several lawsuits pending against the KWA, they are being sued by 4 different families

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in Genesee County who are claiming that KWA is intentionally poisoning minorities in the City of Flint. Bigelow continued saying that they are still under budget and on track with the new pipeline and hope to have water flowing around the same time next year, if they do not have to build a larger treatment plant for Flint.

GENESEE COUNTY METROPOLITAN ALLIANCE: NONE

PLANNING BOARD: NONE

ZONING BOARD OF APPEALS: NONE

REPORTS FROM CITY MANAGER AND CITY ATTORNEY

CITY MANAGER: Rankin read aloud his report; Nick Bogart, Montrose DPW Supervisor has resigned. This became effective September 1st, 2016. He has decided to pursue an employment opportunity with Genesee County. I wish him all the best and know he will be a good contact in our interaction with Genesee County in the future.

Sam Spence has been promoted to DPW Supervisor. He has been employed with the city for just about three years. He was working with Nick for the last two weeks to go over all the current projects and paperwork. I have been putting together the next necessary steps to hire a new employee. I hope to have this done shortly this next week. With winter coming and the need to find a reliable employee and Sam and I want to ensure that the next hire will bring the energy to tackle ambitious city projects and be a good fit to the DPW and community. If you feel you know someone with these qualification please have them submit an application with the city.

Members and friends of the Depot Committee have met with me several times in the last week to discuss the Depot and changes in to the policy and rental agreement. They have expressed worry about the direction but most understand the financial and legal issues having a non-profit operating a building owned by the city. Debbie Gross wanted to be added to the agenda to speak about these changes. My last discussion with her on August 29th she inquired if the Depot Committee had some type of legal standing that they were able to operate the Depot independently from the City. The clerk and I have found no record going through the meeting minutes of this being the case. I am fairly certain that the city does not have the ability to cede city property/assets and could only agree to operations thereof if specified through some matter of legal arrangement.

I am currently contacting users of the Depot such as the Blueberry Festival Committee, Lions Club, Gleaners etc.. Those that have used the building at no cost in the past. I am asking them to submit rental dates when they would like to use the Depot. Council can then authorize if they wish to continue to provide the use of Depot at no cost and allow us to coordinate scheduling of rentals. I have explained to these groups that only council/mayor can allow fees to be waived. I will also get the rental agreement and policy on our website as a form as well as information on facility amenities.

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Progress on Alfred Street is moving forward with work starting on September 6th. Notice of Alfred Street going to one lane was sent to the Principal of Carter Elementary and distributed to parents. Completion date of the project is October 7th. We had a pre-construction conference and the contractors were optimistic about it being completed in two weeks. I know the timing is not ideal with the start of the school year but this more an MDOT project in the City of Montrose.

The Montrose Blueberry Festival will be awarding the city a Community Garden Grant they received from The Great Flint Foundation in the amount of \$4300. I will need some volunteers to help me with this project including purchasing and installation of fencing, shed in the next few weeks to prepare the garden for next year. I will also need help with reaching out to the Montrose Public Schools to get teachers interested in planting of plots as well as other activities.

One last thing, we have 2 write in candidates running for city council this November, Keith Young and Christy Sanborn.

CITY ATTORNEY: NONE

MAYOR AND COUNCIL COMMENTS: Dunklee commented that Lansing is doing what they do best, going on recess. Bigelow announced that the KC fish fry begins this Friday at the Good Shepherd Church. Foust announced that the dedication to the Memorial Bell is this Saturday at 2:00 p.m., also, this Saturday is the annual school blessing and invited everyone to attend. Arnold announced that this Thursday from 4:00 to 8:00 p.m., he is running game board day at the library. Richard thanked Brown for how she dealt with the public tonight.

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

ADJOURNMENT

Mayor Brown adjourned the meeting at 9:33 p.m.

Prepared by City Clerk, Tina Rush