

## MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

September 19, 2019

**CALL TO ORDER:** Mayor Colleen Brown called the regular Council meeting to order at 7:04 p.m. The meeting was held at the Montrose City Office located at 139 S. Saginaw St., Montrose.

**ROLL CALL:** Present Council Members were Mayor Colleen Brown, Debbie Gross, Christy Sanborn, Robert Arnold, Mark Richard, Tom Bigelow, and Ryan Heslop. Also present were City Manager Neil Rankin and Attorney Otis Stout, and 12 citizens.

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

### **CITIZEN OF THE MONTH**

1. *THE MONTH OF SEPTEMBER, GARY & KATHLEEN SMITH:* Gary and Kathleen Smith donated a parcel of property to the City at Blueberry Park. This will allow the park to connect to the back street.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF NOVEMBER:* Mayor Brown recommended having Ike Fabela for November and Grover Good for December. They are World War II Veterans and also were the Grand Marshals in the Blueberry Parade.

- **MOTION** by Arnold **SECOND** by Bigelow to have Ike Fabela for November and Grover Good for December for Citizen of the Month. All Ayes. Motion Carried.

**PUBLIC HEARINGS:** NONE

**PRESENTATIONS:** NONE

### **REPORTS**

1. *FIRE & POLICE DEPARTMENT REPORTS:* On file at city office. Bigelow questioned the fire runs from last month and there were 12 runs.

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

**PUBLIC COMMENTS:** NONE

Mayor Brown said Neil Rankin would like to add item 14 to the agenda. Rankin would like a resolution to vote for the Michigan Municipal League Liability Property Pool Director.

- **MOTION** by Gross **SECOND** by Sanborn to add #14 the Resolution for the MML. All Ayes. Motion Carried.

### **MATTERS OF COUNCIL ACTION**

1. *APPROVAL OF 08/15/19 REGULAR MEETING MINUTES:*

- **MOTION** by Gross **SECOND** by Richard to approve the minutes as presented. All Ayes. Motion Carried.

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

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

3. *DISCUSSION DIRECTION RE: PUBLIC SAFETY CONTRACT:* Rankin said the Township provided the City with a proposal for a public safety contract that would cover the next four years. There will be an increase of 4.75% for the first year and 1.75% for the following three years. The public safety contract has been the same expenditure for the past eight years until the 18/19 fiscal year when the city reduced the level of services. According to past meeting minutes, in 1991 public safety expenditures exceeded over \$250,000, so each decade since then there were increases of roughly \$15,000 to \$25,000. This new increase for the new public safety contract has already been budgeted in the General Fund and is supplemented with the police millage. Prior to roll call vote, there was discussion about the contract, the cost, and re-negotiation of the contract.

- **MOTION** by Arnold **SECOND** by Bigelow to accept the contract as presented. Roll Call Vote: Bigelow – Aye, Heslop – Aye, Sanborn – No, Gross – No, Richard – Aye, Arnold – Aye, and Mayor Brown – No. Four (4) Ayes. Three (3) – No’s. Motion Carried.

4. *DISCUSSION DIRECTION RE: BLUEBERRY PARKING LOT IMPROVEMENTS:* Rankin said the city put out for bid a second time for parking lot improvements to Blueberry Park. CDBG funds have allocated just over \$12,000 for the project. There was one bid from Kennedy Excavating for \$22,000. The cost to the city would be just over \$9,000.

- **MOTION** by Arnold **SECOND** by Bigelow to accept the bid from Kennedy Excavation for the parking lot improvements in the amount of \$22,000. Roll Call Vote: Gross - Aye, Heslop – Aye, Arnold – Aye, Sanborn – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. *APPROVAL OF POWELL AND SONS TREE REMOVAL QUOTE:* Rankin said there are a couple trees in the city that need to be removed. There are two on Howard Street and two on S. Saginaw Street. The trees are in the right-of-way. Powell’s was the only company who turned in a quote. The quote is for \$5,500 which includes stump grinding removal.

- **MOTION** by Gross **SECOND** by Richard to accept the bid from Powell’s for the amount of \$5,500 for tree removal as presented. Roll Call Vote: Arnold – Aye, Richard – Aye, Sanborn – Aye, Gross – Aye, Bigelow – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

6. *DISCUSSION DIRECTION RE: CODE OF CONDUCT:* Rankin said most councils have a code of conduct. This code of conduct would govern all boards, councils and commissions and acts in the public interest, health and welfare. This would allow for civility when there is a disagreement, show how to properly conduct a meeting, address conflict of interest and independence of boards. There was discussion about what is included in the code of conduct and needing more information on code of conduct before making a vote.

- **MOTION** by Richard **SECOND** by Arnold to send this to Planning Board and let them work on this. Six (6) Ayes. One (1) No – Gross. Motion Carried.

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7. *APPROVAL OF WARREN SYSTEMS RADIANT HEATER QUOTE:* Bigelow questioned Warren's quote about not being as detailed as Dee Kramer's. Rankin was told Warren's would include the same items as Dee Kramer. Bigelow wanted to know if there were warranties with Warren's quote. Rankin said there are only two brands out there and they have the same warranties.

- **MOTION** by Arnold **SECOND** by Richard to have a conditional approval of the Warren System as presented if the warranties are comparable to Dee Kramer. Roll Call Vote: Bigelow – Aye, Gross – Aye, Sanborn – Aye, Richard – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

8. *APPROVAL OF 12 MONTH DEPOT RENTAL AGREEMENT:* Rankin said Retro Foam requested to rent the Depot twice a month for a period of a year at a discounted rate.

- **MOTION** by Gross **SECOND** by Richard to set the rental agreement for Montrose Depot for RetroFoam as presented. Roll Call Vote: Sanborn – Aye, Gross – Aye, Richard – Aye, Arnold – Aye, Heslop – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

9. *APPROVAL OF NEW LOOK INT./EXT. PAINTING OF DEPOT QUOTE:* Rankin said the Depot Committee is requesting to replace and repair the rotting trim boards on the building. The quote they have is from A New Look for \$1,500.

- **MOTION** by Gross **SECOND** by Richard to go forward with the exterior project for the Montrose Depot with the quote being \$1,500 by Scott Barnes. Roll Call Vote: Arnold – Aye, Richard – Aye, Gross - Aye, Heslop – Aye, Bigelow – Aye, Sanborn – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. *DISCUSSION DIRECTION RE: RENTAL PROPERTY INSPECTIONS:* Rankin provided a copy of the draft for rental inspections. Rental inspections would help to eliminate dangerous, hazardous substandard properties from being rented at rates that undermine those landlords that ensure their properties are maintained. There was discussion about the cost for rental property inspections, whether landlords need to have commercial contractors do renovations, and the need for rental property inspections.

- **MOTION** by Bigelow **SECOND** by Heslop to set a public hearing for next month. Six (6) Ayes. One (1) No – Gross. Motion Carried.

11. *DISCUSSION DIRECTION RE: TREASURER FULL TIME POSITION:* Rankin said Chrystal Raible has held a part time position as the city treasurer for almost four years. Her current contract will be expiring at the end of December. Rankin is requesting she be moved to a full-time position. There was discussion over the contract that was presented and the need for another full-time employee.

- **MOTION** by Bigelow **SECOND** by Richard to offer Chrystal Raible a full-time treasurer's position with the contract presented. Roll Call Vote: Richard – Aye, Heslop – Aye, Bigelow – Aye, Sanborn – Aye, Gross – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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12. *REMOVAL OF DDA BOARD MEMBER JOHN NEWCOMER*: Rankin said Mr. Newcomer can no longer attend meetings and in order to add a new member, a member needs to be removed.

- **MOTION** by Gross **SECOND** by Heslop to accept the removal of John Newcomer from the DDA Board. All Ayes. Motion Carried.
  
- **MOTION** by Bigelow **SECOND** by Richard by to make John Newcomer citizen of the month for January. All Ayes. Motion Carried.

13. *APPROVAL/DISAPPROVAL COUNCIL MEMBER CHRISTY SANBORN'S ABSENCE AT THE AUGUST 15, 2019 REGULAR COUNCIL MEETING*: Sanborn was absent due to State wide training.

- **MOTION** by Gross **SECOND** by Richard to accept her absence at the August meeting. All Ayes. Motion Carried.

14. *RESOLUTION TO VOTE FOR THE MICHIGAN MUNICIPAL LEAGUE LIABILITY PROPERTY POOL DIRECTOR*: Rankin said the Michigan Municipal League has to nominate a director for the liability property and since the city is part of the league they have to mail in a vote. The ballot only has one person on it. The voting needs to be done by a resolution.

- **MOTION** by Richard **SECOND** by Bigelow a resolution for Jean Stigman for director for MML Liability Pool. Roll Call Vote: Heslop – Aye, Richard – Aye, Arnold – Aye, Bigelow – Aye, Sanborn – Aye, Gross – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

**PUBLIC COMMENTS**: Tim Hobson spoke about the rental inspections.

- **MOTION** by Arnold **SECOND** by Bigelow to add item #15 to the agenda, setting trick-or-treat hours. All Ayes. Motion Carried.

15. *SET TRICK OR TREAT HOURS*:

- **MOTION** by Richard **SECOND** by Arnold to set the Halloween Trick-or-Treat hours from 6 pm to 8 pm on Halloween. All Ayes. Motion Carried.

**REPORTS FROM BOARDS & COMMISSIONS**:

*DOWNTOWN DEVELOPMENT AUTHORITY BOARD*: No meeting in August or September

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

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION*: The meeting was held in Linden at a Teahouse. The speaker was from FARR. This is a group in Fenton that comes together to coordinate all the various assistance that is out there from all the agencies. They help anyone who needs help to improve their life.

*GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE*: NONE

*GENESEE COUNTY METROPOLITAN ALLIANCE*: NONE

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*PLANNING BOARD:* Richard said there was discussion on water and the wells and having a backup well. There was talk about preventative maintenance on the roads, such as crack and seal and the need to eventually repair North Street due to the heavy traffic with the buses. There was discussion about those who have dirt aprons to have them all paved with concrete. The Planning Board will be bringing some recommendations to the council on the draft ordinance for off the road vehicles.

*911 CONSORTIUM:* NONE

*ZONING BOARD OF APPEALS:* NEXT MEETING IN FEBRUARY 2020. \*\*NOTE: 1 member needed.

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

*CITY MANAGER:*

October 2<sup>nd</sup> is Small Cities and Village in Montrose. The cost is \$10.00. The speaker is Paula Nas and she has confirmed she will be there. Please see the email. You can confirm your attendance with anyone in the office.

There are new election laws that will now allow the local unit conducting school elections to recover those costs. This will incentivize schools to limit single issue voting such as millages and bonds elections.

Work should be starting in the next week or so on Genesee Street. I spoke with Cindy Kennedy on Friday 9/13/19 and they plan to have a pre-construction meeting this week.

I attended a Land Bank presentation on September 10<sup>th</sup>. This was put on by the Genesee County Treasurers office. Although the city has a very few properties one of our problem properties located on Maple was in the bundled foreclosed homes that will be deeded to Land Bank. Land Bank will visit the property in the next few months to see if it can be rehabbed or demolished. If it is demolished the funding is based on geography which I was told that shouldn't be an issue as very few homes in this part of Genesee County use those funds.

Questions last month were raised about cost recovery. Council has the authority to levy single lot assessment on any property when any expense shall have been incurred by the city in respect to any single premises which expense is chargeable against the premises and the owner under the provisions of the Charter, ordinance, or law of the state and is not of that class required to be prorated among several lots and parcels of land in a special assessment district. An account of the labor, material or services for which the expense was incurred, verified by the city manager and resolution put forward by council.

Although the courts can levy fines the city can recover all costs in legal matter and in particular building related as lien on that property.

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I will be putting the fall/winter newsletter together in the next few weeks. If there are any items you wish to see please let me know.

*CITY ATTORNEY:* Stout spoke about the presence of having full time police in the city. The code enforcements are being processed.

**MAYOR AND COUNCIL COMMENTS:** Gross asked to have the sidewalks be put on the agenda for next month because she has concerns with the new house that went in on Park Street and having the sidewalks continued in that neighborhood. Currently there are not any sidewalks there. She asked if DPW can wait to sweep the streets after people have dropped kids off to school as this causes traffic to back up. Sanborn spoke about the speed signs on North and South Saginaw Street being great in helping slow people down. Richard said he will not be at the October meeting for personal reasons. He won't be at the Metro Meeting as well. Rankin said the city will work with people who are part of the GM strike. Bigelow said to watch your speeds in the morning and afternoon since school is back in. He also mentioned to put mosquito spray with deet on at dusk due to the EEE virus. Mayor Brown said next week she will be attending the MML conference in Detroit. This is being funded through the scholarship she was awarded last year. She has some road funding information for council.

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

**ADJOURNMENT**

- **MOTION** by Richard **SECOND** by Gross to adjourn. All Ayes. Motion Carried.

Mayor Brown adjourned the meeting at 9:07 p.m.

Prepared by City Treasurer, Chrystal Raible