

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
September 20, 2018

CALL TO ORDER: Mayor Pro-Tem Mark Richard called the regular Council meeting to order at 7:01 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 Pro-Tem Mark Richard, Christy Sanborn, Tom Bigelow, Ryan Heslop, and Robert Arnold. Also present were City Clerk Christina Rush, City Attorney Otis Stout, and 3 citizens. Members Debbie Gross and Mayor Colleen Brown were absent. Member Tom Bigelow left the meeting at 8:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG: Mayor Pro Tem Richard led the Pledge of Allegiance.

CITIZEN OF THE MONTH:

1. *THE MONTH OF SEPTEMBER 2018, FAMILY OF NORVILLE (SMOKEY) LANDES:* Mayor Pro Tem Richard presented the plaque to Vivian Landes and her son Rob honoring Smokey for all his years of service to the community and his involvement with the restoration of the Depot.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF OCTOBER:* Arnold nominated Doug Allyn who is a local author and co-authored a book with James Patterson and is #14 on the New York Times Best Seller List.

- **MOTION** by Arnold **SECOND** by Bigelow to nominate Doug Allyn. All Ayes. Motion Carried.

PUBLIC HEARINGS: NONE

PRESENTATIONS: *MDEQ NEW LEAD AND COPPER RULE:* DPW Supervisor Sam Spence spoke on letter received from the Michigan Department of Environmental Quality, (MDEQ). The Lead and Copper Rule, (LCR) revisions focus on identifying distribution system materials and eliminating lead service lines and other lead components from public water supply distribution systems to lower the risk of lead exposure. Under one of the provisions, municipalities would be responsible for water samples at sites with the highest risk. Spence explained that homes with the highest risk of having lead are those built between 1982 and 1987. Only 2 houses in the City of Montrose were built during that time and both have already been tested; neither of them had lead in the water. Spence said, "We've always been responsible for pipes from the watermain to the curb stop but MDEQ is now requiring inspections of every water line leading up to the house. Spence explained that without plumbing records this could be a financial burden for the city. MDEQ wants the inspections completed by 2020 and to subcontract this out would be \$2,000 per household just to investigate and replace if necessary. We have 667 household water lines, at \$2,000 each it would equal to approximately \$1.3 million. There was discussion that municipalities should get more information together to confront state legislature about the burden they're placing on communities.

REPORTS

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

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2. SAFE BUILT INSPECTION SERVICES: NONE

PUBLIC COMMENTS: City resident Eva Gist gave her opinion on police services and spoke about how she was treated at the police station when she went to register a complaint.

MATTERS OF COUNCIL ACTION:

1. APPROVAL OF 08/09/18 REGULAR MEETING MINUTES

- **MOTION** by Sanborn **SECOND** by Heslop to approve the August 9, 2018 meeting minutes as presented. All Ayes. Motion Carried.

2. APPROVAL OF CHECK REGISTER & TREASURER REPORT:

- **MOTION** by Bigelow **SECOND** by Arnold to pay the bills including the check register hand out in the amount of \$116,199.82. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Arnold – Aye, Heslop – Aye, and Mayor Pro Tem Richard – Aye. All Ayes. Motion Carried.

3. AMENDMENT OF DRAFT MEDICAL MARIHUANA FACILITIES: Rush read aloud Rankin’s manager report stating his suggestion on amending the Marihuana Draft Ordinance Section 5 which includes the number of facilities permitted to grow, processing, testing, and the transportation of medical marihuana. Discussion ensued about the number of licenses that the City will permit. Stout confirmed that if the public adopts this ordinance “as is” at the November 6th General Election, then city council will have no legal authority to change verbiage without a vote of the people.

- **MOTION** by Bigelow **SECOND** by Heslop to allow a maximum of five transportation facilities, maximum of five testing facilities, maximum of two growing facilities and two processing facilities. Roll Call Vote: Sanborn – Recuse, Heslop – Aye, Arnold – Aye, Bigelow – No, and Mayor Pro Tem Richard – Aye. Three (3) Ayes, One (1) – Recusal. One (1) – No, and Motion Carried.

4. DISCUSSION DIRECTION RE: SALE OF BUILDING 141 PARKWAY: Stout asked council to approve the amended deed with the correct legal description which now includes the easement for the tornado siren and removes Lions Park from the description.

- **MOTION** by Arnold **SECOND** by Sanborn to approve the deed as amended by the City attorney and authorize the mayor and clerk to sign. Roll Call Vote: Heslop – Aye, Sanborn – Aye, Arnold – Aye, Bigelow – Aye, and Mayor Pro Tem Richard - Aye. All Ayes. Motion Carried.

Discussion ensued on the bid requirements for the sale of the building at 141 Parkway. It was requested to remove item 9 pertaining to a minimum bid from the Notice of Sealed Bid and also remove the words “minimum bid” from Exhibit A. There was discussion about when the bidding process should start and when to open the sealed bids.

- **MOTION** by Arnold **SECOND** by Bigelow to accept the notice of sealed bid for the sale of the retail property omitting every instance of minimum bid language in the document and bidding process starting October 1 and to end November 29th at 4:00 p.m. Roll Call Vote:

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Bigelow – Aye, Heslop – Aye, Sanborn – Aye, Arnold – Aye, and Mayor Pro Tem Richard – Aye. All Ayes. Motion Carried.

5. *PUBLIC SAFETY WORKSHOP DATE DISCUSSION*: Rush said the city manager would like a workshop to answer questions about the upcoming ballot proposals. This could be publicized on the website and in the newspaper. There was discussion about the dates for the workshops and how council has already held 3 additional special meetings regarding the medical marihuana ordinance. Council would like to keep the workshops separate for each of the proposals.

- ***MOTION*** by Arnold ***SECOND*** by Bigelow to start the workshop at 6:00 p.m. October 18th to discuss the public safety millage. All Ayes. Motion Carried.

Council member Bigelow left at 8:15 p.m.

6. *ADOPTION OF BUDGET AMENDMENTS*: There were several proposed budget amendments including raising the budget for council education and meetings.

- ***MOTION*** by Arnold ***SECOND*** by Heslop to amend the general fund expenditure of the mayor and council education/meetings to an additional \$2,000.00. Roll Call Vote: Heslop – Aye, Arnold – Aye, Sanborn – Aye, and Mayor Pro Tem Richard – Aye. All Ayes. Motion Carried.
- ***MOTION*** by Arnold ***SECOND*** by Heslop to approve this year's budget amendments with the additional amount of 2000.00 added to the mayor and council educational/meetings as presented. Roll Call Vote: Arnold – Aye, Sanborn – Aye, Heslop – Aye, and Mayor Pro Tem Richard – Aye. All Ayes. Motion Carried.

7. *DISCUSSION/DIRECTION RE: INTEREST CHARGE ON STREET ASSESSMENT*: A resident wrote council a letter regarding the interest charged to her for the Alfred Street assessment. She wishes to have the interest she paid reimbursed due to she did not receive information regarding that if the street assessment was not paid by a certain date there would be interest charged. After discussion, council decided to put this back on the agenda for next month's meeting.

- ***MOTION*** by Arnold ***SECOND*** by Sanborn to add item #11 to the agenda regarding council discussion and direction for the City to construct its own Facebook page. All Ayes. Motion Carried.

8. *APPROVAL/DISAPPROVAL MEMBER RICHARD'S ABSENCE AT THE JULY 19, 2018 REGULAR CITY COUNCIL MEETING*:

- ***MOTION*** by Arnold ***SECOND*** by Heslop to approve Richard's absence at the July 19th regular city council meeting. All Ayes. Motion Carried.

9. *APPROVAL/DISAPPROVAL MEMBER BIGELOW'S ABSENCE AT THE AUGUST 9, 2018 REGULAR CITY COUNCIL MEETING*: Prior to leaving tonight's council meeting, Bigelow explained that he

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had a prior engagement before council changed the meeting date to accommodate Blueberry, therefore, he could not make that meeting.

- **MOTION** by Sanborn **SECOND** by Arnold to approve member Bigelow's absence due to our changing our meeting date to accommodate Blueberry. All Ayes. Motion Carried.

10. APPROVAL/DISAPPROVAL MEMBER GROSS' ABSENCE AT THE AUGUST 9, 2018 REGULAR CITY COUNCIL MEETING: Tabled until the next meeting.

11. DISCUSSION DIRECTION RE: CONSTRUCTION OF ITS OWN FACEBOOK PAGE: Arnold spoke about how it would be a good idea for the City to have their own Facebook page to help keep citizens posted about any emergencies or events in the City. There was discussion about social media being a great way to get information to citizens and creating a Facebook page for the City. Arnold noted that the City's IT department, IT Right, said that education, including maintenance of a Facebook page are already included within the City's contract with IT Right.

PUBLIC COMMENTS: NONE

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: NONE

GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: NONE

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Rush referred to the handouts from Tom Bigelow, informational only.

GENESEE COUNTY METROPOLITAN ALLIANCE: NONE

PLANNING BOARD: Richard said there was a planning board met on September 13th. They are trying to get some grants for the parks and the scores were pretty low for that. They are trying to find out ways to increase the scores, so they decided to set up a subcommittee to help raise the scores for the grants. For the subcommittee, the planning board is recommending one person from council, one person from planning board, and one person from ZBA. They reviewed the capital improvement plan and reprioritized the list, Genesee Street moved to number two on the list due to the condition of the street.

911 CONSORTIUM: NONE

ZONING BOARD OF APPEALS: NONE

REPORTS FROM CITY MANAGER AND CITY ATTORNEY

CITY MANAGER: I will not be able to make the September Council meeting and will be attending the MML Convention in Grand Rapids at that time. Mayor Brown will also be

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attending and I hope we can bring back lots of great information and ideas to council and the City of Montrose.

- Would like to have assemble a committee or continue with the same committee to examine the public safety contract and prepare a plan for negotiations in either extending or reworking the current public safety contract with Montrose Township.
- The amended draft City Master Plan is available for those that wish to review it. Public hearing will on October 18th.
- Councilmember Arnold has requested if members are interested in having a committee review/ amend the City Charter. Attached is information on that process.
- Sam Spence will be presenting information on the new lead and copper rule that the state as implemented. I have included the presentation the DEQ presented to local municipal water providers.
- Sam Spence will also cover the water advisory that occurred in August and explain what happened and what action the City and County have taken to prevent this from occurring again.
- I will be putting together and sending out a fall/winter newsletter in the next two weeks and would like to have ballot workshop information as well as what the proposals will mean and other important city information. If there is something you would like to see in it please let me know.
- Planning Board is in the process of reviewing the Capital Improvement Plan for 2018-2024, I plan to have an updated CIP for the November Council Meeting.

The City has received from the DNR/Michigan Natural Resources Trust Fund it first pre-lim score for Blueberry Park. The pre-lim score was 120/520. Comments from the DNR staff will help push those scores higher with a little work. I believe we can easily get over 200 which might get the score to a level to be funded. Some criteria will be difficult to achieve as there are no natural resources attached to the park. However this is a first time application and they have received the most applications in a cycle.

CITY ATTORNEY: NONE

MAYOR, COUNCIL AND PLANNING BOARD COMMENTS: Sanborn said Blueberry Festival was a lot of fun this year. Arnold said the library has a DVD and video game trade in day scheduled for this Saturday at 12:00. Sanborn said the Masonic Lodge will be doing a trunk or treat in the parking lot. Richard said great job with the DPW during the water crisis.

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

ADJOURNMENT-PLANNING BOARD AND CITY COUNCIL:

- **MOTION** by Sanborn **SECOND** by Heslop to adjourn the meeting. All Ayes. Motion Carried.

The meeting adjourned at 8:55 p.m.

Prepared by City Treasurer, Chrystal Raible