

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
October 18, 2018

CALL TO ORDER: Mayor Colleen Brown 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 Colleen Brown, Debbie Gross, Christy Sanborn, Robert Arnold, Mark Richard, Tom Bigelow, and Ryan Heslop. Also present were City Manager Neil Rankin, City Clerk Christina Rush, City Attorney Otis Stout and twelve (12) citizens.

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

CITIZEN OF THE MONTH:

1. *THE MONTH OF OCTOBER 2018, CITIZEN OF THE MONTH:* Mayor Brown presented the plaque to Doug Allyn. Mr. Allyn is a local author with 11 published novels and over 100 children's stories.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF NOVEMBER:*

- **MOTION** by Arnold **SECOND** by Richard to nominate Montrose Blueberry Festival Committee. All Ayes. Motion Carried.

PUBLIC HEARINGS: NONE.

PRESENTATIONS: NONE.

REPORTS

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

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

PUBLIC COMMENTS: Jim Milanowski from the Genesee Health Plan spoke about how they help people with health care coverage. They are located on Linden Rd, south of Corunna. There is a health care services millage on the November ballot that will renew this service. Anthony Brown commented about medical marihuana being on the ballot.

- **MOTION** by Arnold **SECOND** by Richard to add 2B to the agenda Discussion of the Medical Marihuana Ordinance. One (1) No and Six (6) Ayes. Motion carried.

MATTERS OF COUNCIL ACTION:

1. *APPROVAL OF 09/20/18 REGULAR MEETING MINUTES:* There is an amendment Mr. Bigelow led the Pledge of Allegiance.

- **MOTION** by Richard **SECOND** by Arnold to approve the September 20, 2018 meeting minutes as presented with the one amendment. All Ayes. Motion Carried.

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2. *APPROVAL OF CHECK REGISTER & TREASURER REPORT:* Prior to roll call vote, Gross questioned the bill from Mid Michigan Contracting for work done on M57. She questioned if we would be reimbursed for this from MDOT. She was told yes.

- ***MOTION*** by Richard ***SECOND*** by Arnold to approve the check register and treasurer report. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Arnold – Aye, Gross – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

2B. *DISCUSSION OF THE MEDICAL MARIHUANNA ORDINANCE:* Mayor Brown has a concern because as a council, they passed putting on the ballot a specific language for a proposal and she has found out the draft ordinance has been changed. She is questioning the legality of that and questioning putting a cap on the numbers of facilities, transporting, growing, testing and processing the city will allow that was approved at the last council meeting. There was discussion about the cap numbers on the facilities, transporting, growing, testing, and processing and how the zoning board should determine the numbers. There was also discussion about the draft ordinance.

3. *DISCUSSION DIRECTION RE: REFUSE SERVICES:* Rankin said the city received one returned proposal from Republic Services. The pricing they propose would increase \$3.17 per month per household. This is a 26% increase. Last year revenue from the special assessment was \$78,650.00 and expenditures were \$78,647.00 or \$149.00 per household. The first year increase would have an assessment of \$181.03 to generate \$99,594.00. Increases would be 3% each year for 5 years or \$203.76 at the end of the contract. The pricing in the last contract was 3% annual increases which fall close to the CPI. The contract and our fiscal year do not run concurrently; therefore, the fund will run a deficit until July 1st where the amount can be adjusted to cover the difference between the fiscal year and contract. There was discussion about negotiating a different price or extending the current agreement and having council members help with the negotiations. Ryan Heslop and Deb Gross volunteered to help negotiate a contract with Republic rep and bring something back to the next meeting.

4. *DISCUSSION DIRECTION RE: INTEREST CHARGE ON STREET ASSESSMENT:* Rankin spoke about the interest assessed on the Alfred Street project and a letter that came in from a resident addressing the interest on the assessment and not being informed in enough time to pay the assessment before the interest was applied. Rankin said the city sent a notice in May 2018 and did provide more than thirty days to make payment. The special assessment ordinance was followed step by step. The reason for the interest is the city has already paid for the project and therefore, is losing interest had this money been sitting in a bank account. Arnold said the notice that was sent to the residents did not have a specific date when interest would be charged or any mention of interest. Mayor Brown said that every public hearing regarding the street assessment interest was discussed. Arnold argued that most people do not come to those meetings and the notices that were sent never mentioned interest. There was discussion about having the Planning Board review the special assessment ordinance and make changes to address the interest.

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- **MOTION** by Richard **SECOND** by Bigelow to send the assessment ordinance to the Planning Board to address the issues at hand on assessment notices that notification interest will be in that as well. All Ayes. Motion Carried.

Prior to roll call vote Gross commented that you can't go back and change a written ordinance and mix and match what we want to. If we fix the ordinance now, we're going against the adopted ordinance. Sanborn asked if there is language on the ordinance that stipulates proper notification. Rankin said no. Sanborn said that is what needs to be added.

- **MOTION** by Arnold **SECOND** by Richard that we waive the interest on this specific special assessment for the last billing period that was assessed to them in the July tax rate. Roll Call Vote: Heslop – No, Gross – No, Sanborn – No, Arnold – Aye, Richard – Aye, Bigelow – No, and Mayor Brown – No. Five (5) No's and Two (2) Ayes. Motion Denied.

5. *OPEB/GASB 78 ACTUARIAL VALUATION REPORT*: Rankin said in 2016 the city had an OPEB valuation. The GASB has changed and a new evaluation has to be done before the audit. The auditors will be here in two weeks. Due to the limited number of people who do this, the auditors recommended Watkins Ross. The proposal from Watkins Ross is in the amount of \$4,000.00 for the initial valuation with the option to complete future valuations for \$1,300.00. There was discussion about the cost and the periods the valuations cover.

- **MOTION** by Bigelow **SECOND** by Arnold to accept the proposal from Watkins Ross in the amount of \$4,000.00 with the option to complete future valuations for \$1,300.00. Roll Call Vote: Bigelow – Aye, Heslop – Aye, Sanborn – Aye, Gross – Aye, Richard - Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

6. *APPROVAL OF MASTER PLAN UPDATE*: Rankin said the updates were made.

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

7. *GENESEE COUNTY HAZARD MITIGATION PLAN*: Rankin said the regional planning committee would like the city to make a statement to FEMA that says we are still intending on being part of this plan.

- **MOTION** by Bigelow **SECOND** by Richard that our mayor, date and fill this out and sign her name and title to this letter to FEMA. All Ayes. Motion Carried.

8. *2018-2024 CAPITAL IMPROVEMENT PLAN*: Rankin said the Capital Improvement Plan was updated and approved by the Planning Board. Prior to roll call vote Bigelow questioned the water well restoration back up water source plan for roughly 1.3 million. His question was "why are we looking to refurbishing our wells versus trying to bring in a second water source through the county line?" Gross said this was supposed to be a backup plan. Mayor Brown said this is really the backup water supply and project details to be determined. There was discussion about the water source and items on the improvement plan.

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- **MOTION** by Gross **SECOND** by Richard to approve the 2018 to 2024 Capital Improvement Plan 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.

9. *RESOLUTION RE: UPDATE CDBG SIGNATURE CARD:* Rush said this is a biannual renewal of the CDBG signature card.

- **MOTION** by Gross **SECOND** by Richard to approve the resolution updating the CDBG signature card to current dates as presented. Roll Call Vote: Richard – Aye, Bigelow – Aye, Sanborn – Aye, Gross – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. *SET HALLOWEEN TRICK-OR-TREAT HOURS:* Rankin said last year the hours were 6-8 pm. This should be the same hours for this year.

- **MOTION** by Gross **SECOND** by Richard to set the Halloween trick-or-treat hours from 6 pm to 8 pm for October 31st. All Ayes. Motion Carried.

11. *APPROVAL/DISAPPROVAL MEMBER GROSS' ABSENCE AT THE AUGUST 9, 2018 REGULAR CITY COUNCIL MEETING:*

- **MOTION** by Richard **SECOND** by Sanborn to approve it. All Ayes. Motion Carried.

12. *APPROVAL/DISAPPROVAL MEMBER GROSS' ABSENCE AT THE SEPTEMBER 20, 2018 REGULAR CITY COUNCIL MEETING:*

- **MOTION** by Richard **SECOND** by Sanborn to approve her absence. All Ayes. Motion Carried.

13. *APPROVAL/DISAPPROVAL MAYOR BROWN'S ABSENCE AT THE SEPTEMBER 20, 2018 REGULAR CITY COUNCIL MEETING:*

- **MOTION** by Richard **SECOND** by Gross to approve the absence. All Ayes. Motion Carried

PUBLIC COMMENTS: Anthony Brown spoke about limiting the numbers on licenses for medical marijuana. Julia Foust spoke about when the Mayor went to every house and asked if this ordinance should pass the biggest majority of people said yes, but council turned it down. She questioned when is council going to do what the people want and not special interest. She said they all want this and council is putting it down. She also said there needs to be a limit on people who don't pay property taxes. A lady wanted longer Halloween hours.

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: Looking at reevaluating DDA boundaries and purchasing flags or banners or flowers.

GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: NONE.

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

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GENESEE COUNTY METROPOLITAN ALLIANCE: Richard said he spoke with Neil about the call for projects. The MTA is doing a bus to bus program in which they are getting rid of their diesel powered buses and going with CNG's.

PLANNING BOARD: Mayor Brown said they completed the Master Plan and the Capital Improvement Plan.

911 CONSORTIUM: NONE

ZONING BOARD OF APPEALS: NONE

REPORTS FROM CITY MANAGER AND CITY ATTORNEY

CITY MANAGER: The MML Convention was a really great event this year. Lots of great sessions and well worth it.

Newsletters have been mailed out and residents who are interested in the proposal may be at the meeting to ask questions. The Township officials plan to be in attendance.

The listing on our building is on our website and will run in the paper next week and the last week of October.

DPW has been working on a number of projects and will have gotten more updates as to the direction of the new lead and copper rule.

Our Clerk is getting everything ready for the November election as it is the first time the equipment will be put through its paces.

I have resubmitted the grant information to the DNR Trust and I hope the city can get a score to help secure funding for the park.

If you have any questions please feel free to call or stop by.

Make sure to enjoy the fall weather.

CITY ATTORNEY: NONE.

MAYOR, COUNCIL AND PLANNING BOARD COMMENTS: Gross spoke about the upcoming election and what an outstanding job Mayor Brown is doing. Arnold wanted to point out there are only two people running for three city council positions that are on the ballot. Ryan will be a write in candidate and is doing a great job filling in and Arnold would like to encourage people to consider voting for him. Richard said he talked to Neil about the political signs on the public right of way. That is not in our sign ordinance at this time but might be in a state ordinance. Rankin said they can be three feet from the curb. MDOT will come through and pull signs that are too close to the road. Rankin suggested to call MDOT. Richard also said for everyone to get out and vote. He also said he had a family member use the Genesee Medical Plan while she finished up college and it was very helpful. Richard talked to the DPW Supervisor on the lead copper issue. Richard thinks after this election, municipalities will have to get this law changed to make it more feasible and workable. Heslop said everyone get out and vote. Mayor Brown

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said to please vote. She also spoke about how she was not at the last meeting because she was at the MML Conference. She said it was amazing and spoke about the classes she sat in on.

COMMUNICATIONS TO THE COUNCIL: NONE.

ADJOURNMENT-PLANNING BOARD AND CITY COUNCIL:

- **MOTION** by Arnold **SECOND** by Richard to adjourn the regular council meeting.

The meeting adjourned at 8:41 p.m.

Prepared by City Treasurer, Chrystal Raible