

## MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

October 21, 2021

**CALL TO ORDER:** Mayor Colleen Brown called the regular Council meeting to order at 7:02 p.m. The meeting was held at the Montrose City Offices located at 139 S. Saginaw Street, Montrose, MI.

**ROLL CALL:** Present Council Members were Mayor Colleen Brown, Robert Arnold, Mark Richard, Tom Bigelow, Ryan Heslop, Aaron Burch, (entered the meeting at 7:10 p.m.), and Andrea Martin. Also present were City Manager Neil Rankin, City Clerk Tina Rush, City Engineer Geric Rose, City Attorney Otis Stout and 13 citizens.

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

### **CITIZEN OF THE MONTH:**

1. *THE MONTH OF SEPTEMBER/OCTOBER 2021, MONTROSE PORCH PROJECT ARTISTS:* Mayor Brown presented plaques to several of the artists who were in attendance, thanking them for the beautiful work in the downtown area.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF NOVEMBER:* Mayor Brown recommended Tom Skinner who recently passed away. Mr. Skinner was one of Montrose's sports announcers and was head of the Montrose Digital Media Program.

- **MOTION** by Richard **SECOND** by Arnold that we have Tom Skinner as Citizen of the Month for November. All Ayes. Motion Carried.

**PUBLIC HEARINGS:** *SPECIAL ASSESSMENT DISTRICT WASHINGTON STREET.* Mayor Brown opened the public hearing at 7:09 p.m. There were no other questions and/or comments. Mayor Brown closed the public hearing at 7:10 p.m. and brought the regular meeting back to order.

Council member Burch entered the meeting @ 7:10 p.m.

- **MOTION** by Arnold **SECOND** by Martin that we add our audit report under Presentations. All Ayes. Motion Carried.

**PRESENTATIONS:** *2020/2021 AUDIT PRESENTATION:* Auditor Ken Berthiaume presented the audit, giving the City an un-modified opinion, which is the highest score a municipality can receive. Berthiaume noted that there was \$37,000.00 was used of fund balance but overall, all funds are healthy with a positive cash flow. Mayor Brown asked if there is anything the city should keep an eye on and Berthiaume replied to just keep maintaining what you have. Richard asked when there would be concern with an abundance in the water fund and Berthiaume replied, you always need a replacement fund and the water fund's cash flow should replenish within the year, but of course, always keep an eye on high interest rate loans and pay off as needed.

- **MOTION** by Richard **SECOND** by Heslop to add item No. 14, TIP Request. All Ayes. Motion Carried.

### **REPORTS**

1. *FIRE & POLICE DEPARTMENT REPORTS:* Officer Michael Lacey introduced himself and gave council a little bit of background information on himself. Officer Lacey has been in the field for

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over 18 years, but has been with Montrose Twp. for 1 ½ years. Lacey briefly went over various activities within Genesee County, Birch Run, and Saginaw Twp. *Report on file at city office.*

2. **BUILDING INSPECTION SERVICES:** Heslop asked if this report includes GBL and Rankin replied yes, there are currently 3 businesses who have still not complied. Mayor Brown noticed that there are \$225 charges for licenses when council voted to waive late fees due to communication. Rankin said he would speak to Leoni and have him show the credit on next month's invoice. Arnold commented that the museum informed him that they had not yet received their refund of the waived late fees. Mayor Brown said to have them get with Rankin. *Report on file at city office.*

3. **HYDRO-CORP INSPECTION SERVICES:** *On file at city office.*

4. **RENTAL PROPERTY INSPECTIONS:** Currently scheduling appointments.

**PUBLIC COMMENTS:** NONE

### **MATTERS OF COUNCIL ACTION:**

1. **APPROVAL OF THE 09/16/21 REGULAR MEETING MINUTES:**

- **MOTION** by Richard **SECOND** by Arnold to approve the minutes from September 16, 2021. All Ayes. Motion Carried.

2. **APPROVAL OF TREASURER REPORT & CHECK REGISTER:** Prior to the roll call, Richard asked if there was anything unusual and Rankin replied no.

- **MOTION** by Arnold **SECOND** by Burch to pay our bills. Roll Call Vote: Richard – Aye, Martin – Aye, Heslop – Aye, Arnold – Aye, Bigelow – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

3. **DISCUSSION/DIRECTION SALE OF CITY LOT/183 OAK STREET/QUIT CLAIM DEED:** Rankin conveyed that Genesee County Habitat for Humanity is looking to start its second build in Montrose this fall. They have completed their due diligence on the property at 183 Oak Street. This property had a house that was torn down several years ago and the city has been maintaining it since. This being a narrower lot it will have restraints in the width of the build but should make up in depth.

- **MOTION** by Richard **SECOND** by Burch that we quit claim deed to Habitat for Humanity, 183 Oak Street for one, (\$1) dollar. Also to authorize the City Manager Neil Rankin Roll Call Vote: Heslop – Aye, Burch – Aye, Martin – Aye, Arnold – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. **DISCUSSION/DIRECTION WASHINGTON STREET SPECIAL ASSESSMENT:** Rankin reported Council last month voted to establish a special assessment district and in addition approved the proposal from DCC Construction. There are only three properties located in the special assessment district. The work/improvements to be assessed is just the installation of HMA and

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curb and gutter. The city would be covering the cost of engineering, as most it has to do with storm sewer, removal of sidewalk/street and install of structures and pipe. Past assessments such as the Alfred Street project the city covered the cost of engineering, removal/milling of the street, and curb repairs. Our assessor has certified the proposed assessment roll. Additionally, I am including a resolution to utilize ARPA funds for this project. Several reasons are the fact that I believe the city will have limited opportunities to expend these funds as contractors will be limited. This will be a combination of workforce and economics as larger municipalities will undertake large projects and scarcity will continue to increase costs. Another reason is that funds not used will need to be returned and lastly \$161,123 doesn't go that far. The Metro Planning is slowly trying to formulate a county wide plan but has only met once to discuss and I don't believe anything is on the horizon.

- **MOTION** by Arnold **SECOND** by Burch that we approve the assessment as presented for the Washington Street Reconstruction. Roll Call Vote: Bigelow – Aye, Heslop – Aye, Martin – Aye, Burch – Aye, Richard – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. *DISCUSSION/DIRECTION RFP FOR SALT SHED CONSTRUCTION*: Mayor Brown said she asked her mother-in-law Martha Brown to put in a bid since how the city did not receive any last month. Mayor Brown excused herself from discussion to avoid potential conflict of interest. Rankin mentioned he received Martha Brown Custom Builders bid 2 ½ hours past the deadline and he did check his emails including his junk email. Rankin also mentioned that a representative from DCC Excavator was on-site at the city office during the bid opening and is now concerned with liability. Discussion ensued on extreme differences in costs and what action to take. Rankin also mentioned that a budget adjustment will need to be made this fiscal year no matter what company council chooses to use. Stout recommended the City rebid the project.

- **MOTION** by Arnold **SECOND** by Bigelow that we reject the bids and send it out for bids again, bids will be due Wednesday November 17<sup>th</sup> by 4:00 p.m. Roll Call Vote: Burch – Aye, Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Abstain. Six (6) Ayes. One (1) Abstain. Motion Carried.

6. *APPROVAL OF PURCHASE OF SERVER/SWITCH/ACCESS POINT*: Rankin said three weeks ago the city server crashed. IT Right recommend upgrading as the server described by the tech as being on its last legs. I authorized that purchase. Two weeks ago IT Right e to come out, replace the 7 year old server and recommend upgrading the switch, backup power which is also failing and provide a wireless access point in the council chambers and provide public access. This will be done this coming week. Our new server has massively larger storage and hopefully will be good for years to come.

- **MOTION** by Heslop **SECOND** by Richard that we approve the quote/invoice from SLC/IT Right in the amount of six thousand four hundred thirty-eight dollars and fifty cents, (\$6,438.50). Roll Call Vote: Arnold – Aye, Richard – Aye, Martin – Aye, Bigelow – Aye, Heslop – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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7. *APPROVAL OF TREE REMOVAL*: Two weeks ago the city contracted Powell and Sons to remove three trees in the ROW on Genesee and N. Saginaw Street. These trees were located by homes and power lines and needed a bucket lift to be removed. Rankin said he viewed this as an emergency that puts the welfare and safety of residents in danger especially when large branches have dropped near their home or cars. Mayor Brown asked if a budget adjustment would be necessary for this cost and Rankin replied yes.

- **MOTION** by Richard **SECOND** by Burch to approve Powell and Sons tree removal invoice in the amount of seven thousand two hundred dollars and no cents, (\$7,200.00). Roll Call Vote: Richard – Aye, Bigelow – Aye, Burch – Aye, Heslop – Aye, Martin – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

8. *DISCUSSION/DIRECTION TELEWORK POLICY*: Mayor Brown asked that council take time to review the personnel policy handbook and include this within the personnel policy handbook. Rankin added that last year the city invested in the technology to allow its employees to work remotely which included remote access to the server and all programs and a phone system that allows the employees personal phone to act as a work phone. Although employees are working back in the office which is a good thing it seems that the world of zoom meetings is far from going away. Additionally, driving in inclement weather or having a sickness where it would put other employee and/or colleagues in the office at risk is also a reason to adopt a telework policy. Mayor Brown stated that the current policy gives the city manager authority to close the office and have the employee work from home and Rankin concurred. Rankin said he wants to provide a level of work/life flexibility as important in a small office and feels that this, when properly implemented, would be beneficial to the city.

- **MOTION** by Bigelow **SECOND** by Burch table this until the sample policy is handed to us for review. All Ayes. Motion Carried.

9. *DISCUSSION/DIRECTION PITNEY BOWES CONTRACT*: Rankin said a representative from Pitney Bowes, the company that provides our postage meter machine, informed the city that our current machine will no longer be supported by the USPS. The new machine they wish us to lease will save the city about \$7 per quarter or \$28.20 a year after the initial first year.

- **MOTION** by Richard **SECOND** by Burch to approve the contract with Pitney Bowes as presented. Roll Call Vote: Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, Bigelow – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. *DISCUSSION/DIRECTION AUDITOR ENGAGEMENT LETTER*: For the last six years the city has contracted with Berthiaume & Co. to complete our audits. They have been reliable, thorough and have assisted the Treasurer whenever she had questions. I would strongly recommend to approve the engagement letter and continue working with this firm. The increase over the previous is 5.9% and 4.5% for the next two years. Considering the additional requirements imposed by the state, GAAP, etc. this is a fair price.

- **MOTION** by Arnold **SECOND** by Bigelow that we enter into another agreement with our current auditor for the fiscal year ending June 30, 2023. Roll Call Vote: Bigelow – Aye,

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Burch – Aye, Richard – Aye, Martin – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

*11. DISCUSSION/DIRECTION CANDLEWALK EVEN APPLICATION:* Rankin conveyed that The Candlewalk Committee has submitted an application to hold their event on December 4<sup>th</sup>. In past years they utilized Hickory Street and N. Genesee for a few hours. However, this year they are requesting closing M-57 between Grafton and Saginaw between the hours of 3:30pm to 8:00pm. The plan as I see it would be to have vendors, events, etc.

As the street administrator and after speaking extensively with the DPW on this event, I would highly recommend not to approve this location/closure to occur. This recommendation is for several reasons:

- Length of closure. 4 ½ hours is quite long. Blueberry Parade is usually under 2 hours.
- 2 Side street, 6 parking lots and 16 residential driveways would need to be blocked.
- As it will be dark by 5:00 p.m. the city lacks lit barricades.
- Emergency services will be tied up for the duration of the event.
- The number of necessary volunteers to reroute traffic, set up signs and take signs down.

In 2015 the city approved to close M-57 for the same event. Hindsight is 20/20 and I clearly remember vehicles, including a semi-truck moving barricades and driving around pedestrians. The traffic count on M-57 is at a number that only when it is absolutely necessary (fire, roadwork) should it be closed. Rankin suggested an alternate location on Hickory Street along with the Depot Parking lot. In addition, the city will require the event organizers obtain event insurance with the city listed as a certificate holder. Discussion ensued on liability to the citizens.

- **MOTION** by Richard **SECOND** by Bigelow to table this until so that they can have time to discuss and resolve the concerns council has and so that they can present more information on a better route. All Ayes. Motion Carried.

*12. DISCUSSION/DIRECTION ADHOC PERSONNEL COMMITTEE:* Rankin asked for volunteer councilmembers that would be willing to meet to go over the Union contract that expires in June 2022 and revisit the personnel handbook since it's been about 7 years since the last update. Mayor Brown, Mayor Pro-Tem Richard and Arnold volunteered to meet and discuss.

*13. APPROVAL/DISAPPROVAL COUNCIL MEMBER TOM BIGELOW'S ABSENCE AT THE SEPTEMBER 16, 2021 CITY COUNCIL MEETING:*

- **MOTION** by Richard **SECOND** by Burch to approve Mr. Bigelow's absence at the September 16<sup>th</sup> council meeting. All Ayes. Motion Carried.

*14. TIP REQUEST:* Rankin explained that the Genesee County Planning Commission requires a resolution for funding Feher Drive Project.

- **MOTION** by Richard **SECOND** by Bigelow to approve the financial commitment for the 2023/2026 Traffic Improvement Program Federal Award Cycle. Roll Call Vote: Arnold –

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Aye, Martin – Aye, Heslop – Aye, Richard – Aye, Burch – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

Rankin mentioned that there was a resolution missed under agenda item No. 4 regarding the ARPA funds. Mayor Brown conveyed that the MML advised to hold off on spending the funding until

- **MOTION** by Arnold **SECOND** by Bigelow that we adopt the resolution allocating American Rescue Plan Act Funds for the water portion of the Washington Street Reconstruction. Roll call vote: Richard – Aye, Heslop – Aye, Bigelow – Aye, Martin – Aye, Burch – Aye, Arnold – Aye, and Mayor Brown – Aye. Motion Carried.

**PUBLIC COMMENTS:** NONE

**REPORTS FROM BOARDS & COMMISSIONS:**

*DOWNTOWN DEVELOPMENT AUTHORITY BOARD:* NONE

*ELECTION COMMISSION:* NONE

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION:* Mayor Brown said that the meeting was held virtually and the municipalities discussed what is currently going on within their communities.

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

*GENESEE COUNTY METROPOLITAN ALLIANCE:* Richard reported that they spoke on round-abouts and making changes to the TIP funding which will affect the roads.

*PLANNING BOARD:* Richard reported that the Board approved a site plan for RetroFoam and slightly modified the CIP Plan.

*911 CONSORTIUM:* NONE

*ZONING BOARD OF APPEALS:* NONE

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

*CITY MANAGER:* Rankin read aloud his report, lots of projects starting including Washington Street. Hoping to install the new playground equipment this month and complete some roadwork which would add gravel to the shoulder of S. Saginaw. I will be applying for TIP funding with Genesee Metro Planning this next week, looking to secure funds for Feher Drive. Planning approved a new site plan for Retrofoam for a new 20,000 square foot storage on the west side of Grover Street and the tree planting went well even with a little rain.

*CITY ATTORNEY:* NONE

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**MAYOR AND COUNCIL COMMENTS:** Bigelow likes the speeding signs and wishes they were located along M-57; Heslop noted the status on the decrepit consumer's energy pole located on Feher Drive and Rankin replied they will be replacing it soon; Arnold is holding a board game day at senior center on the first Thursday of each month at 1:00 p.m.; Martin commented that she was happy to hear the Consumer's pole is being fixed; Mayor Brown asked that the City Council, Planning Board, DDA, and the Chamber of Commerce host a meeting to discuss Community Ready options.

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

**ADJOURNMENT:**

- **MOTION** by Richard **SECOND** by Burch to adjourn the meeting. All Ayes. Motion Carried.

Mayor Brown adjourned the meeting at 8:46 p.m.  
Prepared by City Clerk, Tina Rush