

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
November 21, 2019

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 was City Manager Neil Rankin, City Clerk Tina Rush, Attorney Otis Stout, and 7 citizens.

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

CITIZEN OF THE MONTH

1. *THE MONTH OF NOVEMBER, IKE FABELA:* Mr. Fabela was unavailable.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF FEBRUARY:* Will discuss at the December meeting.

PUBLIC HEARINGS:

1. *PROPOSED ORDINANCE NO. 440 RE: ORV ORDINANCE*

Mayor Brown opened the public hearing at 7:03 pm. There were no questions and/or comments. Mayor Brown closed the public hearing at 7:03 pm.

2. *OBSOLETE PROPERTY REHABILITATION DISTRICT*

Mayor Brown opened the public hearing at 7:04 pm. There were no questions and/or comments. Mayor Brown closed the public hearing 7:04 pm.

PRESENTATIONS: Rose Pest Solutions Year End Report – Mark Lucerno from Rose Pest Control gave an update on mosquito control in the city.

REPORTS:

1. *FIRE & POLICE DEPARTMENT REPORTS:* On file at city office. Officer Abbey and Officer Yelling from the Montrose Township Police Department introduced themselves.

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

PUBLIC COMMENTS: NONE

- **MOTION** by Richard **SECOND** by Gross to add discussion of the police millage as item #13 to the agenda. All Ayes. Motion Carried.
- **MOTION** by Richard **SECOND** by Sanborn to add Genesee County Land Bank paperwork that Neil Rankin received today as item #14 to the agenda. All Ayes. Motion Carried.

MATTERS OF COUNCIL ACTION

1. *APPROVAL OF 10/17/19 REGULAR MEETING MINUTES*

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
November 21, 2019

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

2. APPROVAL OF CHECK REGISTER & TREASURER REPORT:

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

3. DISCUSSION DIRECTION RE: RFP FOR RENTAL INSPECTION SERVICES: Rankin said he would like to publish an RFP for rental inspections. Prior to roll call vote, Mayor Brown voiced her concern about having two separate building inspector companies, one for rental inspections and another for building inspections and who will go to court if there are any issues. Stout said Neil is the representative for the city to go to court for violations that are issued by the building department so there should not be an issue.

- **MOTION** by Arnold **SECOND** by Richard that we authorize Neil to publish the RFP for rental inspection services. Roll Call Vote: Bigelow – Aye, Sanborn – Aye, Arnold, Aye, Gross – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. DISCUSSION DIRECTION RE: NEIGHBORHOOD ENHANCEMENT PROGRAM THROUGH MSHDA: Rankin said the mayor brought it to his attention a potential grant opportunity. The grant can be pursued as an improvement for public places, such as parks, or can be used for neighborhood blight or enhancement of properties. This would be for low moderate areas in the city which would be anything south of M57. The grant would be administered by the City. The City is asking for \$30,000. Property owners could request assistance up to \$1,500.00. The benefit of this program would be addressing code enforcement issues. The closing date is December 5th and notice of grant approval would be sent by February. If awarded, this could be implemented in the spring. Prior to vote, there was discussion if council members who live in this district should vote. Stout said they can vote and are able to use the program if they need to.

- **MOTION** by Gross **SECOND** by Richard to move forward with the Neighborhood Enhancement Program Grant through MSHDA as presented. All Ayes. Motion Carried.

5. ADOPTION OF PROPOSED ORDINANCE NO. 440 RE: ORV ORDINANCE: Rankin said this is the ORV ordinance the Planning Board reviewed and the language follows the State of Michigan motor safety laws. This ordinance was requested by the Montrose Police to help resolve any issues with ORV's in the City. Prior to roll call vote, Mayor Brown wanted to make it clear that you must be at least 16 years of age or older and have a valid driver's license or a state ID to operate an ORV in the City. There was also discussion about speed limits for the ORV's.

- **MOTION** by Richard **SECOND** by Sanborn to adopt Ordinance NO. 440 ORV Ordinance. Roll Call Vote: Heslop – Aye, Gross – Aye, Sanborn – Aye, Arnold – Aye, Richard – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
November 21, 2019

6. *DISCUSSION DIRECTION RE: OBSOLETE PROPERTY REHABILITATION ACT:* Rankin has a resolution that outlines the district that would benefit from this act and would like to be able to move forward with the Obsolete Property Rehabilitation Act.

- **MOTION** by Arnold **SECOND** by Richard to adopt by Resolution on page 58 as pertains to the Obsolete Property Rehabilitation Act. Roll Call Vote: Bigelow – Aye, Heslop - Aye, Sanborn - Aye, Gross – Aye, Richard - Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

7. *DISCUSSION DIRECTION RE: FEE SCHEDULE/WATER/SEWER RATES:* Rankin conveyed that he wanted to provide council with a complete fee schedule to review and adopt. The fee schedule now includes depot rental fees, notary fees and a copy of the tax database should be \$200.00 instead of \$250.00.

- **MOTION** by Arnold **SECOND** by Richard that we adopt the fee schedule as submitted. All Ayes. Motion Carried.

8. *DISCUSSION DIRECTION RE: UPDATED FINANCIAL POLICY:* Rankin said the treasurer updated the financial policy to include being able to invest in CDARS and sweep accounts.

- **MOTION** by Gross **SECOND** by Richard to adopt the updated financial policy as presented. All Ayes. Motion Carried.

9. *DISCUSSION DIRECTION RE: EMS COUNTY RESOLUTION:* Rankin said he received a letter from Chief Flewelling of the Richfield Fire Department. Chief Flewelling is trying to take action to create how EMS is provided within the county. The goal is to limit travel time from when a 911 call is received to where the caller is located.

- **MOTION** by Bigelow **SECOND** by Richard to support this resolution by Chief Flewelling of Davison. Roll Call Vote: Arnold – Aye, Richard – Aye, Sanborn – Aye, Gross – Aye, Bigelow – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

10. *APPROVAL/DISAPPROVAL COUNCIL MEMBER CHRISTY SANBORN'S ABSENCE AT THE OCTOBER 17, 2019 REGULAR COUNCIL MEETING:*

- **MOTION** by Gross **SECOND** by Richard to approve Christy Sanborn's absence for the October meeting. All Ayes. Motion Carried.

11. *APPROVAL/DISAPPROVAL COUNCIL MEMBER MARK RICHARD'S ABSENCE AT THE OCTOBER 17, 2019 REGULAR COUNCIL MEETING:*

- **MOTION** by Gross **SECOND** by Arnold to approve Mark Richard's absence at the October 17, 2019 meeting. All Ayes. Motion Carried.

12. *APPROVAL/DISAPPROVAL COUNCIL MEMBER TOM BIGELOW'S ABSENCE AT THE OCTOBER 17, 2019 REGULAR COUNCIL MEETING:* Bigelow was absent due to working the Bingo Crew at the Church.

- **MOTION** by Richard **SECOND** by Sanborn to excuse Mr. Bigelow's absence at the October meeting.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
November 21, 2019

13. DISCUSSION DIRECTION RE: POLICE MILLAGE: Richard wanted to discuss the money that is collected from the police millage and how this is giving the general fund some relief. He would like to see some of the relief money being put toward roads for crack and seal and preventative maintenance.

14. DISCUSSION DIRECTION RE: GENESEE COUNTY LANDBANK: Rankin received a letter from the County regarding the foreclosed property at 200 E. Maple. The City has the option to obtain the property or let the property go the Genesee County Land Bank. Rankin said if the City opted to obtain the property, perhaps the house could be renovated and then sold. He said an option would be to have Jennings Foundation or Habitat help with the renovation. Mayor Brown asked if Neil spoke with Land Bank about demolishing the house. Rankin said he spoke with the county and demolition is based on location. Rankin would like to have the City Building Inspector look at the house and see if it is able to be renovated. Council would like Rankin to bring something back to them regarding options.

PUBLIC COMMENTS: Jennifer DeLong spoke about the burn ordinance and her children's health issues due to leaf burning. There was discussion about addressing the burn ordinance and discussing it at the next city council meeting.

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: No meeting until December.

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

GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: Mayor Brown said the meeting was in Mt. Morris. Each community present spoke about what was going on in their communities. City of Flushing got a new mayor and three new council members.

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Rankin said the water rates will remain the same. He spoke with the EAGLE rep regarding lead issues and the City should have something in place for 2020.

GENESEE COUNTY METROPOLITAN ALLIANCE: Richard said the concern was safety on the roads and they are predicting next year there will be less injuries as they think we may be going into a recession; thus, less miles will be driven. There was also discussion about intersections and roundabouts. He spoke with the rep from MDOT about 475 North, which will not be done until 2020. There are plans in the future to work on redoing where 75 and 69 go over.

PLANNING BOARD: Richard said Planning Board discussed driveway approaches.

911 CONSORTIUM: The next meeting is not until December.

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

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
November 21, 2019

REPORTS FROM CITY MANAGER AND CITY ATTORNEY:

CITY MANAGER:

Genesee Street is wrapping up. The last top coat of asphalt was put down. Kennedy will be moving on to the Blueberry Parking Lot. The summer and fall were hampered by a good deal of rain and bad weather this has set many contractors behind.

In your packet is copy of the street estimate and bid submitted by Kennedy Excavating. There have been questions about a street assessment. Early on the engineer and I met with the business/property owners along the Genesee Street and they provided input on the aprons/approaches. These costs are a given assessment and can be assessed on the City summer tax bill. As for storm sewers, the city has not assessed for these costs as the system does not benefit one particular property. Sidewalks were replaced as the location and condition did not fit the plans. Sidewalks were the one item removed from the grant funding the city received. However, the initial grant the city received from MDOT was \$231,890. Estimated road costs are \$235,957. The City can request additional funds (up to the \$250,000 that was awarded) once the city has final numbers. I believe the selling point for MDOT awarding the funds for the street was that the city was undertaking the necessary storm sewer improvements located adjacent of a section of Michigan highway. As the work has proceeded the new design is upgrading what our engineer and DPW already knew, that there were issues with the clay pipe both in the condition and size. Additionally, to place a special street assessment on these properties would only function as a revenue generating as the funds provided by MDOT were designated to this street. This could be challenged as it may be considered by the courts under Bolt vs. Lansing as violating the established three criteria. Essentially the city would be charging for something that they received for free or little costs.

CITY ATTORNEY: Stout spoke about the car fire on State St and the person responsible has not acknowledged the cost recovery for the fire run; therefore, a citation can be issued. Court was today, there were two cases. The first person had brought the violation up to date by the court date and therefore, was charged with a second level fine of \$100. For the second case, the person did not show up and is now considered defaulted and assessed a fine.

MAYOR AND COUNCIL COMMENTS: Arnold said there is a craft swap at the library this Saturday and later in December there will be a children's holiday party at the library. Richard spoke about the planning board decision to table the code of conduct issue and discuss it at the January meeting. Bigelow reminded the manager about sidewalk snow removal and enforcing the snow removal ordinance. Heslop is glad Rankin worked with Fleis and got the contaminated soil issue resolved and thinks council should go back and acknowledge the responsible party. Mayor Brown spoke about Brenda Moore, Mayor Pro-Tem from the City of Saginaw. Moore is the first African American woman president of the MML and is doing some great things. The MML is working on increasing the number of women in municipal government management. Only 16% of the current municipal managers are women. The MML offers training programs. The first year of the program

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
November 21, 2019

has been completed and four women from the program have already been hired as municipal managers.

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

ADJOURNMENT

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

Mayor Brown adjourned the meeting at 8:42 p.m.

Prepared by City Treasurer, Chrystal Raible