

## MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

August 18, 2022

**CALL TO ORDER:** Mayor Brown called the regular Council meeting to order at 6:02 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 Robert Arnold, Mayor Pro-Tem Richard, Ryan Heslop, Aaron Burch arrived at 6:27 p.m., and Mayor Colleen Brown. Also present were City Manager Neil Rankin, City Attorney Otis Stout, and 14 citizens. Members Tom Bigelow and Andrea Martin were recorded absent. There were 14 citizens in attendance.

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

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

1. *THE MONTH OF AUGUST 2022, JANET LOOMIS:* Loomis was unable to attend due to a prior commitment.

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

- **MOTION** by Richard **SECOND** by Arnold to choose Downtown Window Artists as citizens of the month for the month of September. All Ayes. Motion Carried.

**PUBLIC HEARINGS:** Mayor Brown opened the public hearing at 6:04 p.m.

1. *PROPOSED ORDINANCE NO. 450 RE: AN ORDINANCE AMENDING, MODIFYING AND CHANGING ARTICLE XV, SECTION 15.4 OF THE CITY OF MONTROSE CODE OF ORDINANCE KNOWN AS "ACCESSORY BUILDINGS AND STRUCTURES.* A gentleman in the audience just asked for a synopsis of the proposed ordinance and Mayor Brown replied There were no questions and/or comments from the public. Closed the public hearing at 6:06 p.m.

2. *PROPOSED ORDINANCE NO. 451 AN ORDINANCE TO AMEND THE CITY OF MONTROSE ZONING MAP AND TO CHANGE THE ZONING CLASSIFICATION OF A PARCEL OF PROPERTY KNOWN AS 347 E. STATE STREET. TIM HOBSON OF 338 E. STATE STREET PRESENTED A PETITION TO COUNCIL AND VOICED IS OPPOSITION TO HAVE THE PARCEL REZONED.* A citizen in the public spoke in opposition of the proposed ordinance. Tim Hobson. There were no further questions and/or comments. Mayor Brown closed the public hearing at 6:09 p.m.

**PRESENTATIONS:** NONE

### **REPORTS**

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

2. *BUILDING INSPECTION SERVICES: Report on file at city office.*

**PUBLIC COMMENTS:** Pastor Tim Hobson spoke in regards to petitions in opposition of retail marihuana.

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

1. *APPROVAL OF THE 07/21/22 SPECIAL MEETING MINUTES:*

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- **MOTION** by Richard **SECOND** by Arnold to accept the regular meeting minutes as presented. All Ayes. Motion Carried.
2. *APPROVAL OF CHECK REGISTER & TREASURER REPORT:*
- **MOTION** by Richard **SECOND** Arnold to pay our bills. Roll Call Vote: Richard– Aye, Heslop – Aye, Arnold – Aye, Bigelow – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.
3. *APPROVAL/DISAPPROVAL OF PROPOSED ORDINANCE NO. 450:*
- **MOTION** by Richard **SECOND** by Heslop to approve proposed ordinance No. 450. Roll Call Vote: Heslop – Aye, Arnold – Aye, Martin – Aye, Burch – Aye, Richard – Aye and Mayor Brown-Aye. All Ayes. Motion Carried.
4. *APPROVAL/DISAPPROVAL OF PROPOSED ORDINANCE NO. 451:*
- **MOTION** by Heslop **SECOND** by Arnold to table Ordinance 451. All Ayes. Motion Carried.
5. *APPOINTMENT TO THE PLANNING BOARD:*
- **MOTION** by Arnold **SECOND** by Richard to appoint Josh Sincissen to the Planning Board and accept his resignation from the Zoning Board of Appeals. All Ayes. Motion Carried.
6. *DISCUSSION/DIRECTION OPRA APPLICATION/PUBLIC HEARING FOR 103 W. STATE:*
- **MOTION** by Richard **SECOND** by Arnold to set a public hearing on September 15<sup>th</sup> for at the Regular Council meeting for the OPRA application. Roll Call Vote: Arnold – Aye, Richard – Aye, Heslop – Aye and Mayor Brown. All Ayes. Motion Carried.

Member Aaron Burch arrived at 6:27 p.m.

7. *DISCUSSION/DIRECTION CANDLEWALK COMMUNITY EVENT APPLICATION:* Manager Rankin spoke on the application for the December 3<sup>rd</sup> event. Council discussed and wished to provide a checklist of requirements to host of the parade/event organizer by the end of next week. Rankin said he would have it by then. No action taken.
8. *APPROVAL OF MDOT PERFORMANCE RESOLUTION:*
- **MOTION** by Richard **SECOND** by Arnold to approve the MDOT Performance Resolution. Roll Call Vote: Richard – Aye, Burch – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.
9. *DISCUSSION/DIRECTION AMENDING ORDINANCE SECTION 14-92 & 14-126:* This amendment proposes changes recommended by outside legal counsel Laura Genovich with Foster, Swift, Collins & Smith, P.C. law firm.
- **MOTION** by Arnold **SECOND** by Richard to schedule a public hearing for September 15<sup>th</sup> at the regular council meeting on amending ordinance section 14-92 & 14-12.6 Roll Call Vote: Heslop – Aye, Arnold – Aye, Richard – Aye, Burch – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

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*10. DISCUSSION/DIRECTION FOR SEWER BILLING CREDIT FOR 249 E. STATE STREET:*

- **MOTION** by Arnold **SECOND** by Burch to approve a sewer credit to 249 E. State Street (McDonald's Restaurant) that was already approved by Genesee County Drain Commissioner Water and Waste Service and will be reflected in the next billing cycle. Roll Call Vote: Richard – Aye, Burch – Aye, Arnold – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

*11. APPROVAL OF AGREEMENT WITH FOSTER, SWIFT, COLLINS & SMITH:*

- **MOTION** by Heslop **SECOND** by Burch that we approve the agreement with Foster, Swift, Collins & Smith, P.C. law firm for their continued services for Marihuana related legal matters. Roll Call Vote: Richard – No, Heslop – Aye, Burch – Aye, Arnold – Aye, and Mayor Brown – Aye. Four (4) Ayes. One (1) Nay. Motion Carried.

*12. DISCUSSION/DIRECTION COVID RETENTION PAYMENT:*

- **MOTION** by Arnold **SECOND** by Richard to approve the additional \$500.00 overpayment of healthcare payout as part of the Covid-19 Retention Payment to the former treasurer Chrystal Raible. Roll Call Vote: Burch – Aye, Richard – Aye, Heslop – Aye, Arnold – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

*13. APPROVAL/DISAPPROVAL OF MAYOR COLLEEN BROWNS ABSENCE AT THE JULY 21<sup>ST</sup> REGULAR COUNCIL MEETING:*

- **MOTION** by Arnold **SECOND** by Richard to approve the absence of Mayor Colleen Brown at the July 21<sup>st</sup> regular council meeting. All Ayes. Motion Carried.

**PUBLIC COMMENTS:** Citizens Pastor Hobson and Melissa Hoose spoke on rezoning and legal costs.

**REPORTS FROM BOARDS & COMMISSIONS:**

*DOWNTOWN DEVELOPMENT AUTHORITY BOARD:* NONE

*ELECTION COMMISSION:* NONE

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION:* NONE

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

*GENESEE COUNTY METROPOLITAN ALLIANCE:* That they met to approve TIP Amendments.

*PLANNING BOARD:* Richard reported that the Planning Board is moving forward with amendments to the zoning ordinances and the August meeting was lively.

*911 CONSORTIUM:* NONE

*ZONING BOARD OF APPEALS:* NONE

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**REPORTS FROM CITY MANAGER AND CITY ATTORNEY:** Rankin read aloud his report; August has been a fairly quiet month in the city. Our DPW has been working on getting Lion's Park ready for Blueberry as well as painting city streets. The August election went smoothly with county proposals passing. The new treasurer is getting the hang of the new position and is working on the scheduling the audit later this fall. There has been no notice on the DWRLF request or the TEDF- B grant for Hickory Street. Notices have been sent to Planners in Michigan on the RFP for the City Master Plan. Hopefully the city will get some good proposals. The DDA will showing The Lego Movie at Lion's Park on Saturday August 27<sup>th</sup>.

*CITY ATTORNEY:* Stout reported that today was prosecution day at central court.

**MAYOR AND COUNCIL COMMENTS:** NONE

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

**ADJOURNMENT:**

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

Mayor Pro-Tem Richard adjourned the meeting at 7:10 p.m.  
Prepared by City Manager, Neil Rankin