

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

February 16, 2023

CALL TO ORDER: Mayor Brown called the regular Council meeting to order at 7:01 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, Mayor Pro-Tem Mark Richard, Ryan Heslop, Andrea Martin, and Todd Pangle. Also present were City Manager Neil Rankin and City Clerk Tina Rush. There were 12 citizens in attendance. Member Aaron Burch was recorded absent.

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

CITIZEN OF THE MONTH:

1. *THE MONTH OF FEBURARY 2023 RETROFOAM:* Owner Mrs. Massey and her daughter accepted the plaque. Council thanked RetroFoam for their continuous donations to the city.

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

- **MOTION** by Arnold **SECOND** by Richard to nominate Duane Tripp as citizen of the month for the month of April. All Ayes. Motion Carried.

PUBLIC HEARINGS: NONE

PRESENTATIONS: City Assessor Robert Naumann gave an oral presentation on the overall status of the city's taxable and SEV, (State Equalized Values) and values, entertaining questions from council and the public.

REPORTS

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

2. *BUILDING INSPECTION SERVICES:* NONE

PUBLIC COMMENTS: Representative of the Montrose Candlewalk Committee Dawn Shelton, asked council to consider approving an annual event that they would like to start implementing March 19th at the Montrose Depot called "Montrose Hoppenings". Shelton also asked council to consider allowing the Candlewalk Committee to rent the Depot free of charge for this event. Citizen Deb Gross gave a brief history of the inception of the Depot and asked when updating the Master Plan to include sidewalks on Park Street. Frances Keyes, Roger Gillespie and Jerry Mears referenced some events and visitors that come the Depot and mentioned that when the Depot was moved to the city, there were keys for the Depot Committee members only. They also asked council if they could still hold a daily "coffee hour" at the Depot.

MATTERS OF COUNCIL ACTION:

- **MOTION** by Richard **SECOND** by Heslop to add onto the agenda no. 10, resignation of City Attorney Otis Stout. All Ayes. Motion Carried.
- **MOTION** by Richard **SECOND** by Heslop to add onto the agenda no. 11, new attorney contract. All Ayes. Motion Carried.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

February 16, 2023

- **MOTION** by Arnold **SECOND** by Richard that we add the resolution of support for the GCWWA, (Genesee County Waste Water Association) as item No. 12. All Ayes. Motion Carried.
- **MOTION** by Arnold **SECOND** by Martin that we add onto the agenda no. 13, Montrose Candlewalk. All Ayes. Motion Carried.

1. APPROVAL OF THE 01/19/23 MEETING MINUTES:

- **MOTION** by Richard **SECOND** by Arnold to approve the meeting minutes of January 19th meeting. All Ayes. Motion Carried.

2. APPROVAL OF CHECK REGISTER & TREASURER REPORT: Prior to the roll call vote Richard asked if there was anything out of the ordinary and Rankin replied no.

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

3. DISCUSSION/DIRECTION RFP FOR DEMOLITION OF STRUCTURE AT 261 OAK STREET: Rankin handed out a contract and a report showing 3 bids the city received; Harry Powell Builders \$6,500.00; Rock Hard Concrete and Excavating \$12,500.00; Unique Concrete \$14,800.00. Mayor Brown asked if the companies supplied the proper certificate of liability and workman's comp and Rankin replied yes. Prior to the roll call vote, Arnold asked if this is going to be another Habitat Home and Rankin replied hopefully yes, he is still acquiring information.

- **MOTION** by Arnold **SECOND** by Richard that we accept the bid from Harry Powell Builders First Class Tire Shredders Inc. for the demolition of the structure at 261 Oak Street and approve the RFP contract. Roll Call Vote: Arnold – Aye, Martin – Aye, Heslop – Aye, Richard – Aye, Pangle – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

4. DISCUSSION/DIRECTION VACANT BUILDING ORDINANCE: Richard conveyed that the Planning Board approved it unanimously. Rankin added that the inspections would take place April through October, this component would be considered the same as the General Business License process. Heslop questioned the description of a vacant building and Mayor Brown replied this only applies to commercial property. Discussion ensued on the verbiage "may" versus "shall". Rankin also mentioned that if the city's building inspector cannot complete the inspection, the city can utilize the township's building inspector.

- **MOTION** by Richard **SECOND** by Pangle that we set a public hearing for the vacant building/structure ordinance for March 16th. Roll Call Vote: Arnold – Aye, Richard – Aye, Martin – Aye, Pangle – Aye, Heslop – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

5. DISCUSSION/DIRECTION BUILDING ACCESS POLICY/KEY POLICY: Rankin explained that after last month's report by Mr. Demars with the MML Liability Pool, council addressed some of the items as re-keying the Depot and creating a key check out policy. These keys would be stamped "Do

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
February 16, 2023

Not Duplicate” and whether it be long or short term, the person would be required to sign a rental agreement form as any other person and/or organization does prior to renting the Depot. The DDA looked over the draft policy and passed along their recommendations as well asking that the Depot Committee members are allowed 3 keys as well. Arnold recommended updating the replacement fee cost from \$50 to a current price to coincide with rising costs and Rankin replied that he believes the \$50 is efficient. Heslop about the installation of a digital security keypad and Mayor Brown responded that the Depot Committee expressed concerns with aesthetics of the building itself. Council also recommended including verbiage regarding allowing keys to the Depot Officers under “Key Distribution”.

- **MOTION** by Arnold **SECOND** by Richard that we adopt the key policy and to include under Key Distribution “allow the Depot Committee three (3) keys. All Ayes. Motion Carried.

- **MOTION** by Arnold **SECOND** by Richard that we add onto the agenda No. 14 council permission for game night . All Ayes. Motion Carried.

6. APPROVAL/DISAPPROVAL COUNCIL MEMBER ANDREA MARTIN’S ABSENCE AT THE AUGUST 18, 2022 CITY COUNCIL MEETING:

- **MOTION** by Richard **SECOND** by Heslop to approve council person Andrea Martin’s absence on August 18th. All Ayes. Motion Carried.

7. APPROVAL/DISAPPROVAL COUNCIL MEMBER MAYOR COLLEEN BROWN’S ABSENCE AT THE DECEMBER 15, 2022 CITY COUNCIL MEETING:

- **MOTION** by Richard **SECOND** by Heslop to approve Mayor Colleen Brown’s absence at the December 15th 2022 council meeting. All Ayes. Motion Carried.

8. APPROVAL/DISAPPROVAL COUNCIL MEMBER TODD PANGLE’S ABSENCE AT THE DECEMBER 15, 2022 CITY COUNCIL MEETING:

- **MOTION** by Richard **SECOND** by Heslop to accept Todd Pangle’s absence at the December 15th meeting. All Ayes. Motion Carried.

9. APPROVAL/DISAPPROVAL COUNCIL MEMBER ROBERT ARNOLD’S ABSENCE AT THE JANUARY 19, 2023 CITY COUNCIL MEETING:

- **MOTION** by Richard **SECOND** by Heslop to approve Bob Arnold’s absence January 19, 2023 meeting. All Ayes. Motion Carried.

10. RESIGNATION OF CITY ATTORNEY OTIS STOUT: Stout provided a letter of resignation after serving the City for over 25 years.

- **MOTION** by Richard **SECOND** by Heslop to accept the letter of resignation from Otis Stout. All Ayes. Motion Carried.

11. NEW ATTORNEY CONTRACT: Rankin conveyed that Montrose Township Supervisor Mark Emmendorfer recommended Amanda Doyle who also serves Montrose Township. Arnold asked

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

February 16, 2023

if the charter requires an RFP and Rankin replied no. Mr. Stoltman introduced himself explaining that he would be present in Amanda's absence. Rankin commented that Otis recommended Amanda Doyle as well.

- **MOTION** by Arnold **SECOND** by Pangle that we enter into an agreement, approve the proposing engagement letter with Amanda Doyle attorney at law. Roll Call Vote: Martin – Aye, Richard – Aye, Arnold – Aye, Heslop – Aye, Pangle – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

12. **RESOLUTION OF SUPPORT FOR THE GCWWA: (GENESEE COUNTY WASTE WATER ASSOCIATION)**: Rankin explained that Heslop attended yesterday's Genesee County Water and Waste Service's Advisory Committee meeting and this is a resolution of support for the GCDC to pursue funding from the State for a digester plant.

- **MOTION** by Richard **SECOND** by Heslop that we accept resolution the Genesee County's Water and Waste Service's Advisory Committee meeting and this is a resolution of local support for the Genesee County Drain Commissioner to secure funding from the Michigan Public Service Commission for a digester. Roll Call Vote: Arnold – Aye, Martin – Aye, Heslop – Aye, Richard – Aye, Pangle – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

13. **MONTROSE CANDLEWALK:**

- **MOTION** by Arnold **SECOND** by Richard that we allow the Montrose Candlewalk Hopping's at no cost to use the Depot. All Ayes. Motion Carried.

14. **GAME NIGHT:**

- **MOTION** by Richard **SECOND** by Martin for game night the third Friday of each month 6:00 p.m. at the Depot for the next 6 months. All Ayes. Motion Carried.

PUBLIC COMMENTS: Citizen Deb Gross asked council to consider the possible conflict of interest with sharing an attorney with the township and asked to hold a memorial service for Richard & Cathy Aldrich at the Depot sometime in May, free of charge. Lori Machuk thanked council for moving forward with an ordinance to address vacant buildings and asked council if broken and boarded windows and odors would be enforced as well. Dan Machuk asked who would be responsible for the inspection fees of the vacant buildings. Mayor Brown replied that the broken/boarded windows can be addressed with the current property maintenance code ordinance and Rankin added that the property owner would be responsible for all fees but first they have to register the building and it would be up to council to set those fees.

- **MOTION** by Pangle **SECOND** by Richard to pre-approve the memorial at no fee for Richard and Catherine Aldrich. All Ayes. Motion Carried.

REPORTS FROM BOARDS & COMMISSIONS:

DOWNTOWN DEVELOPMENT AUTHORITY BOARD: Mayor Brown said they met and discussed the key policy, the Depot ramp, movie night and hanging of flower pots along the DDA district.

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES
February 16, 2023

ELECTION COMMISSION: NONE

GENESEE COUNTY COMMUNITY DEVELOPMENT ALLOCATION COMMITTEE: Mayor Brown said they are still in the stages of public input and announced that there are still federal funds available for rental and utility assistance for those who were affected by Covid.

GENESEE COUNTY METROPOLITAN ALLIANCE: Richard said they discussed making the I-475 footprint of the project smaller or possibly into a boulevard so the cost may be larger but some citizens were not happy about it. They also discussed the I-69 & I-75 exchange.

GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION: NONE

GENESEE COUNTY WATER AND WASTE SERVICE'S ADVISORY COMMITTEE: Heslop reported that the County is looking for funding for a digester plant to reduce bio-fields. They also have a plan approved if the need to build another landfill is necessary.

- **MOTION** by Arnold **SECOND** by Heslop to add onto the agenda No. 15 proposed ordinance to repeal and replace Section 30-136 making certain marijuana offenses punishable as civil infractions and removing certain definitions. Five (5) Ayes. One (1) No – Richard. Motion Carried.

15. PROPOSED ORDINANCE TO REPEAL AND REPLACE SECTION 30-136 MAKING CERTAIN MARIJUANA OFFENSES PUNISHABLE AS CIVIL INFRACTIONS AND REMOVING CERTAIN DEFINITIONS. Rankin apologized for the late notice but he just received the proposed ordinance from Otis yesterday. Rankin conveyed that the Montrose Township Police Department is recommending the city adopt this ordinance to coincide with Montrose Township.

- **MOTION** by Heslop **SECOND** by Richard that we table discussion until the next city council meeting. All Ayes. Motion Carried.

PLANNING BOARD: Richard said action was taken tonight under agenda item. No. 4 and the Planning Board selected their officers. Ray Foust is Chairperson, Anthony Brown is the Vice-Chair and Connor Pangle is the Secretary.

911 CONSORTIUM: Member Pangle volunteered to serve as the representative.

- **MOTION** by Richard **SECOND** by Arnold that we appoint Todd Pangle to the 911 Consortium based on Mayor Brown's recommendation. All Ayes. Motion Carried.

ZONING BOARD OF APPEALS: Arnold reported they held their annual organizational meeting and appointed Nathan Richard as Chairperson and Christy Sanborn as Vice-Chair.

REPORTS FROM CITY MANAGER AND CITY ATTORNEY:

CITY MANAGER: Rankin reported Wade Trim is requesting a few members from council and various other boards if they are interested in being part of the Master Plan Steering Committee. At this point Colleen Brown is the chair, Ray Foust and Connor Pangle from Planning have stepped up to be on the committee. I know they will want to get the process

MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

February 16, 2023

rolling shortly. Mayor Brown said Lewis Harris and Bob Urmetz would like to participate. DDA Board member Deb Gross volunteered as well. Rankin continued saying that we are in the budget season and will be putting together requests/projects for this next fiscal year and beyond. If there is anything you are interested in seeing addressed please let me know. Rankin also spoke to Dan Mahill from MDOT and Feher Drive construction is expected to start this fall.

CITY ATTORNEY: NONE

MAYOR AND COUNCIL COMMENTS: Arnold referenced that game night tomorrow. Richard suggested everyone read the MML magazine for municipal information and asked the DPW continue with the crack and seal program. Mayor Brown mentioned the city tried putting in sidewalks on Park Street several years ago and the residents showed up at the meeting asked council not to move forward with it due to costs, however, Safe Routes to School funding could be available in the future.

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

ADJOURNMENT:

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

Mayor Brown adjourned the meeting at 8:37 p.m.

Prepared by City Clerk, Tina Rush