

## MONTROSE CITY COUNCIL REGULAR MEETING MINUTES

July 20, 2023

**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 Offices located at 139 S. Saginaw Street, Montrose, MI.

**ROLL CALL:** Present council members were Mayor Colleen Brown, Mayor Pro-Tem Mark Richard, Robert Arnold, Ryan Heslop, Andrea Martin and Todd Pangle. Also present were City Manager Neil Rankin and City Clerk Tina Rush. Member Aaron Burch was recorded absent. There were also 3 citizens in attendance.

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

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

1. *THE MONTH OF JULY 2023, REV. LEMING:* Mayor Brown is still obtaining the mailing info.

2. *CHOOSE A CITIZEN OF THE MONTH FOR THE MONTH OF AUGUST:* Mayor Brown noted that Bubba & Ashley Persall were nominated for citizens of the month for the month of August.

- **MOTION** by Richard **SECOND** by Pangle to nominate Officer Dean Powell as Citizen of the Month for the month of September. All Ayes. Motion Carried.

**PUBLIC HEARINGS:** NONE

**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:** NONE

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

1. *APPROVAL OF THE 06/29/23 MEETING MINUTES:*

- **MOTION** by Richard **SECOND** by Pangle to accept the meeting minutes as presented. All Ayes. Motion Carried.

2. *APPROVAL OF CHECK REGISTER & TREASURER REPORT:* Mayor Brown asked council to include approving tonight's handout in the amount of one hundred thousand, three hundred fifty-one dollars and thirty-one cents, (\$100,351.31) and asked if there was anything out of the ordinary.

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

3. *CONSIDERATION OF ORDINANCE NUMBER 456 TO PROVIDE FOR THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO THE WATER SYSTEM OF THE CITY OF MONTROSE:* On December 15, 2022 - an intent to issue bond resolution was approved by the City Council. The

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intent announced the City's objective to issue revenue bonds, in an amount not to exceed \$2,245,000 for improvements (the city intends to only bond \$565,000 as the rest of the funding is a grant) to the city water system. These improvements were deemed necessary for the public health, safety and welfare of the City. The Intent to Bond was published in The Tri-County Citizens on January 15, 2023 and notified the electorate of the proposed bond issue and establishes the 45-day right of referendum. Expiration of the referendum period was March 1, 2023. The next step in the bonding process is for City Council to approve an ordinance to provide for the issuance of revenue bonds to pay for the water system improvements identified in the project plan with the State. According to legal counsel at Miller Canfield, PLC, "Although the ordinance is called an ordinance under the Revenue Bond Act, it is not an ordinance in the usual sense. The Revenue Bond Act (Act 94) has special provisions relating to approval of ordinances authorized under Act 94. The City Council may adopt an ordinance under Act 94 at the City of Montrose meeting at which it is introduced regardless of the City's usual procedures for enacting ordinances. This ordinance must be approved by the affirmative vote of a majority of Council's elected members. The ordinance shall become effective upon its adoption." This ordinance allows the issuance of the sale and the Treasurer to execute all documents related to the issuance and will be published in its entirety by July 31<sup>st</sup>. This project will include Feher Drive, North on Latting Street, Russell and the old well house.

- **MOTION** by Richard **SECOND** by Arnold that we adopt Ordinance No. 456 for the City of Montrose. Roll Call Vote: Pangle – Aye, Martin – Aye, Arnold – Aye, Richard – Aye, Heslop – Aye, and Mayor Brown – Aye. All ayes. Motion Carried.

**4. DISCUSSION/DIRECTION DWAM GRANT:** The city received three bids for our drink water asset management (DWAM). The DWAM Grant program is a financial assistance program developed by EGLE. The program provides grant funding to assist drinking water supplies with asset management plan development and updates, and/or distribution system materials inventories as defined in Michigan's revised Lead and Copper Rule. \$36.5 million in funding was initially available under the MI Clean Water Plan umbrella, with a maximum grant award per applicant of \$1 million. The low bid was submitted by Underground Infrastructure Services out of Plymouth, Michigan and our engineer recommends award to Underground Infrastructure Services in the amount of \$73,234.00.

- **MOTION** by Arnold **SECOND** by Richard that we approve the bid award of the DWAM Grant to Underground Construction Services. Roll Call Vote: Richard – Aye, Martin – Aye, Heslop – Aye, Arnold – Aye, Pangle – Aye, and Mayor Brown – Aye. All ayes. Motion Carried.

\*Mayor Brown requested 2 items be added to the agenda.

- **MOTION** by Arnold **SECOND** by Richard that we add 2 items onto the agenda, emergency ordinance resolution and setting a public hearing. All Ayes. Motion Motion Carried.

**5. APPROVAL OF LAWN MOWER REPAIRS GROSS MOWER SALES:** Rankin handed out an invoice from Gross Mower Sales explaining this is for repairs to the Lexmark Mower that requires council approval due to the amount.

- **MOTION** by Arnold **SECOND** by Pangle that we approve the mower repairs to Gross Mower Sales in the amount of \$1,692.54, (one thousand six hundred ninety-two dollars

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and fifty-four cents). Roll Call Vote: Heslop – Aye, Martin – Aye, Arnold – Aye, Richard – Aye, Pangle – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

6. *EMERGENCY ORDINANCE RESOLUTION*: Mayor Brown indicated that someone requested the planning board consider changing the distance between marihuana sales and marihuana establishments, and in order to prevent delays due to public hearings, approving this resolution would put the ordinance at bay for sixty, (60) days and the City will not accept permits/applications during this time period.

- ***MOTION*** by Richard ***SECOND*** by Pangle to adopt the emergency ordinance resolution that will be good for sixty, (6), days. Roll Call Vote: Pangle – Aye, Heslop – Aye, Arnold – Aye, Martin – Aye, Richard – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

7. *SET PUBLIC HEARING*:

- ***MOTION*** by Richard ***SECOND*** by Arnold to set a public hearing pertaining to the distance between marihuana sales and marihuana establishments at the next regular council August 17<sup>th</sup> at 6:00 p.m. Roll Call Vote: Arnold – Aye, Martin – Aye, Heslop – Aye, Richard – Aye, Pangle – Aye, and Mayor Brown – Aye. All Ayes. Motion Carried.

**PUBLIC COMMENTS:** NONE

**REPORTS FROM BOARDS & COMMISSIONS:**

*DOWNTOWN DEVELOPMENT AUTHORITY BOARD*: Rankin reported that the application for 106 W. State Street was submitted.

*ELECTION COMMISSION*: NONE

*GENESEE COUNTY COMMUNITY DEVELOPMENT ALLOCATION COMMITTEE*: Meeting was cancelled.

*GENESEE COUNTY METROPOLITAN ALLIANCE*: NONE

*GENESEE COUNTY SMALL CITIES & VILLAGES ASSOCIATION*: NONE

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

*PLANNING BOARD*: Richard reported the Planning Board will be holding a public hearing regarding 3 ordinances on August 10<sup>th</sup>, Surface and Ground Water Disposal, Keeping of Animals and the distance for Medical marihuana and Adult-use Marihuana Establishments. Also, the Planning Board is now short 2 people.

*911 CONSORTIUM*: NONE

*ZONING BOARD OF APPEALS*: NONE

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

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*CITY MANAGER:* Rankin read aloud his report; the Treasurer will be sending out tax bill this week. City staff have been working on a variety of projects and a few have taken a vacation including the manager, clerk, secretary and dpw supervisor these last few weeks. Crack sealing was done last week before all the rain and that was a two-day project. The DPW will be performing street painting maintenance as the weather allows. The NEP grant had 9 applicants that qualified, some that didn't follow the guideline or missed the deadline. I expect to hear this week, an update on the pre-approval process so work can start. MSHDA did not award us the MOD II grant this cycle for 265 Oak Street with plans to build a modular home, however, the mayor and I (if time allows), will be presented with the check on Wednesday, July 19th for the MI HOPE Grant. Rankin and the building inspector have started compiling a list to address vacant buildings in the downtown district. Family Movie Night will be held this Friday at Barber Park at dusk.

*CITY ATTORNEY:* NONE

**MAYOR AND COUNCIL COMMENTS:** Richard expressed the need for a full board on the Planning Board. Also, the schools are interested in trees that fell at City Park.

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

**ADJOURNMENT:**

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

Mayor Brown adjourned the meeting at 7:23 p.m.  
Prepared by City Clerk, Tina Rush