

**CITY OF WILLIAMSTON
REGULAR CITY COUNCIL MEETING
OCTOBER 10, 2005
MINUTES**

Mayor Zichi called the meeting to order at 7:00 p.m. in the Council Chambers at 161 E. Grand River Ave., Williamston, Michigan. Mayor Zichi led the Pledge of Allegiance.

3. Roll Call

Present: Mayor Zichi, Mayor Pro-Tem Hanna, Council Members DeForest, Monroe, O'Connell, VanAllsburg
Absent: Council member Davis (arrived at 7:05 p.m.)
Others: City Manager Hitchcock, Attorney Perrone, Executive Secretary Garnham
Visitors: Enterprise Reporter Will Whelton; Red Cedar Adult Community Representative Wayne Magee; Goldstein Enterprises representative Scott Goldstein; East Riverside Drive residents Greg Rice, Mike Thomas, Karl Wolter, Diane Wolter, and Todd Purkiss; residents Melanie Schall, Steve Shaw, Art Crawford, and Martie Crawford; JFM Productions

4. Approval of Agenda

Motion by **DeForest**, seconded by **Hanna**, to approve the agenda as submitted. Voice vote all Yes. **Motion carried.**

5. Audience Participation (non-agenda items)

There was no audience participation.

6. Approval of Minutes – Regular Council Meeting of September 26, 2005

City Manager Hitchcock stated that the word Foundation was misspelled in item 14, four lines down.

Motion by **DeForest**, seconded by **Hanna**, to approve the minutes as corrected. Voice vote all Yes. **Motion carried.**

7. Accounts Payable

Councilmember Davis arrived at 7:05 p.m.

Hanna reported that the accounts payable, reference numbers 5442-5518, total \$367,277.12 and include payroll, consultant and attorney fees, utilities, insurance premiums, several bond payments and other miscellaneous supplies and services. Mayor Zichi mentioned the City's quarterly contribution of \$5000.00 for the public swimming pool at Williamston High School.

Motion by **Hanna**, seconded by **DeForest**, to approve the accounts payable as presented. Yes: O'Connell, Davis, Monroe, VanAllsburg, Hanna, Zichi, DeForest. No: none. **Motion carried.**

8. **Action Items**

a. **Set Public Hearing(s) for Street Connections**

Mayor Zichi stated that two public hearings should be held to allow all affected residents to voice their opinions, and that more meetings could be scheduled if necessary. City Manager Hitchcock stated that notices would be sent to all of the residents in the Williamsburg Condominium development and the Plymouth Landing subdivision, as well as to residents on Southfield, Georgia and Wallace Streets.

City Manager Hitchcock recommended that no action be taken at the public hearings, but instead at the following regular City Council Meeting. Mayor Zichi concurred that no decision would be made at the hearings.

Motion by **Davis**, seconded by **DeForest**, to hold public hearings for the street connections at 7:00 p.m. on Wednesday, October 26, 2005 and at 7:00 p.m. on Tuesday, November 1, 2005. Voice vote all Yes. **Motion carried.**

b. **Red Cedar Adult Community Request for Irrigation Well**

City Manager Hitchcock stated that a letter from the Ingham County Health Department (ICHHD) regarding an application for an irrigation well at the Red Cedar Adult Community had been presented to the City Council in the packet for the September 26, 2005 meeting. Hitchcock stated that staff discussions with representatives of the ICHHD and the Michigan Department of Environmental Quality indicated that neither agency has the legal ability to stop installation of an irrigation well; both agencies recommended that the City put an ordinance in place to mandate connection to the municipal water supply. Hitchcock also stated that a draft ordinance had been composed by City staff and included for preliminary review. Hitchcock made reference to a map of the proposed well location that was included in the packet, and stated that the proposed well would meet all of the stipulations in the draft ordinance.

DeForest asked about the time element for installation of the irrigation well and asked if Council could have a first reading of the ordinance at this meeting. Hitchcock stated that that ordinance needs to be reviewed by the City Attorney and Engineer. She further stated that there are two separate issues: the irrigation well request, and the proposed ordinance.

Mayor Zichi stated that he would be more comfortable if the ordinance were in place before approving the well, and also questioned the stipulation for disconnection in the event of a cross connection as stated in the proposed ordinance. Hitchcock stated that the stipulation is consistent with the existing language on cross connection control in the City's Code of Ordinances.

Zichi stated that the attorney needs to review the proposed ordinance. Hitchcock stated that this language would be in addition to the existing ordinance, and would not supersede it.

O'Connell asked why Red Cedar asked for the irrigation well. Wayne Magee stated it was to save money for the residents of Red Cedar, who are on fixed incomes. O'Connell stated that many other residents have fixed incomes, and that the proposed ordinance was written specifically so very few properties would comply with the stipulations. O'Connell asked which other properties would meet the stipulations outside of the Wellhead Protection Zone. Hitchcock stated that the Wellhead Protection Zone needs to be more clearly defined, and that she has already asked the City's Engineer to refer a qualified specialist in this matter.

O'Connell asked if allowing the irrigation well would affect the City's water revenue due to reduced usage. Zichi stated that it would reduce revenue, but it would also reduce the operating costs and could reduce peak demand on the water system.

Motion by **DeForest**, seconded by **O'Connell**, to delay approval of the proposed irrigation well at the Red Cedar Adult Community indefinitely, to institute review of the proposed ordinance by the City's Engineer and Attorney, and to implement an ordinance.

Further discussion ensued. DeForest stated that indefinitely (in reference to the above motion) should be defined realistically. Hanna stated that the City cannot pass a law retroactively; there is nothing currently in place to prevent the installation of the irrigation well. VanAllsburg stated that he was in favor of approving the well. Davis asked if there was any cost to the City for the installation. Hitchcock stated there was no cost to the City.

Mayor Zichi called for a vote on the foregoing motion. Yes: DeForest, O'Connell, Davis. No: Monroe, VanAllsburg, Hanna, Zichi. **Motion failed.**

O'Connell stated that there are not two separate issues; that the City can choose to grant or deny the request for the irrigation well; that this decision could impact other residents; and that he would like more information from the City's Engineer and on the Wellhead Protection Zone. Hanna stated that the current ordinances do not address this issue. Monroe stated that he was in favor of the well.

Motion by **Hanna**, seconded by **Monroe**, to approve the application for an irrigation well for the Red Cedar Adult Community.

O'Connell stated that he would vote for it (the motion) because nothing prohibits it at this time, but all others should be allowed to have irrigation wells.

Mayor Zichi called for a vote on the foregoing motion. Yes: VanAllsburg, Hanna, Zichi, DeForest, O'Connell, Davis, Monroe. No: none. **Motion carried.**

Hitchcock stated that the ordinance would be forwarded to the City's Engineer and Attorney for review, and that she would get more information on the Wellhead Protection Zone.

c. East Riverside Drive Pavement Width

Mayor Zichi stated that because of MDOT funding for the street project, the City has to comply with MDOT standards. City Manager Hitchcock stated that the City sent out 35 mailings and received 23 replies; of the 23 replies, 22 stated the preference to reconstruct at 33 feet wide with parking on one side only.

Hanna asked which side the parking would be on. Hitchcock stated that the City's Engineer would determine which side would allow the maximum amount of parking.

Greg Rice of 133 East Riverside Drive stated that he preferred the street construction narrower with parking on one side. Mr. Rice also submitted a letter from Jack Smith of 202 East Riverside Drive, which stated that Mr. Smith preferred construction at 33 feet.

Hitchcock stated that there will be a public meeting after the design is complete and all of the East Riverside Drive residents will be invited to review the plans. Mike Thomas of 207 East Riverside Drive stated that he is a renter, and that he would prefer the street to be widened to 40 feet to allow more parking.

Diane Wolter of 302 East Riverside Drive asked if lead water service leads would be replaced during construction. Hitchcock stated that they would be replaced up to the Right-Of-Way. Mrs. Wolter asked if they should have a private contractor perform the work, and whether this would impact the sidewalk. Mayor Zichi stated that the service leads would be replaced to the curb stop, which is on the other side of the walks, nearer the house. Hitchcock stated that the construction contractor may be willing to arrange service lead replacements with homeowners under an individual contract. Hanna stated that the Lansing Board of Water and Light in cooperation with Lowe's has a low cost for water filters to homeowners in Lansing with lead service leads.

Todd Purkiss of 128 East Riverside Drive asked if stormwater culverts going to the river would be replaced, as the one adjacent to his property is

rusted out. Hitchcock stated that she would review this issue with the City's Engineer.

Motion by **DeForest**, seconded by **Hanna**, to maintain the approximate existing width of 33 feet on East Riverside Drive based on public opinion and to save mature trees, which contribute to the charm of the community. Yes: Zichi, DeForest, O'Connell, Davis, Monroe, VanAllsburg, Hanna. No: none. **Motion carried.**

d. 2005 Water System Improvements Contract A

City Manager Hitchcock stated that because Goldstein Enterprises was a relatively new company, the City's Engineer performed extensive reference checks. After performing the checks, the Engineer did recommend that the City award the contract to Goldstein.

Motion by **DeForest**, seconded by **Hanna**, to award the 2005 Water System Improvements Contract A to Goldstein Enterprises for a base price not to exceed \$384,504.50 and option B not to exceed \$91,417.00. Yes: Davis, DeForest, Hanna, Monroe, O'Connell, VanAllsburg, Zichi. No: none. **Motion carried.**

e. Thursday Open Late Advertising Campaign

City Manager Hitchcock stated that Alison Alfredson, Community Development Director, had performed research into advertising as well as preparing the mock-ups included in the packet. Mayor Zichi stated that there needs to be a commitment from the businesses to stay open consistently for a length of time, and this was a step in that direction.

O'Connell asked where the money would come from. Hitchcock stated that the money was part of the Community & Economic Development budget in the General Fund. O'Connell stated that the City should not expend taxpayer money to support the private sector, and the Chamber of Commerce should pay for it. Hanna stated that the Chamber of Commerce will only provide services for its members, and Cappuccino Espresso is not a member.

Hitchcock stated that in the 2003-2004 Visioning Session the community strongly supported businesses staying open late. O'Connell stated that the City should not spend money it doesn't have to advertise for private businesses when there are seniors on fixed incomes who can't pay their water bills or taxes; it sends a bad message. Zichi stated that the budget included the money for advertising activities.

Martie and Art Crawford stated that they agree with O'Connell. Two new residents stated that they would love to have local businesses open late, but that the businesses should pay for the advertising.

Wayne Magee stated that people who live just outside of the City do not support the businesses because it is not convenient, and that the small businesses that are desirable for the downtown may need help to get started. The City should have a partnership with these businesses.

Davis stated that she disagrees; local people do support the businesses and the businesses should stay open late in order to get business from locals. Davis also stated that it is not the City's responsibility to pay for advertisements.

A member of the audience stated that paying for the advertising would be in the philosophy of partnership, such as the City has through the TIFA and industrial tax abatements. Zichi stated that this is not an always or never issue; the City needs to decide on a case by case basis whether it is appropriate.

Davis stated the businesses should get earned media, such as press releases. O'Connell stated that tax abatements for businesses are to get new businesses to come in and create jobs, not for supporting existing businesses.

VanAllsburg stated that the City should get them (the businesses) started off. Hanna stated that the street construction (Grand River) was very detrimental to local businesses, it cost them to stay in the City, and they need a leg up.

O'Connell stated that the work Alison Alfredson had done on the advertising was impressive. Hanna stated the next Chamber of Commerce meeting will be on October 19, 2005 at 8:00 a.m. at the Depot Museum.

Motion by **Davis**, seconded by **DeForest**, to have Alison Alfredson present the advertising material to the Chamber of Commerce and request their (monetary) participation. Voice vote all Yes. **Motion carried.**

9. **Discussion Items**

10. **Correspondence Received / Information Only**

There was no discussion.

11. **Staff Reports**

a. **City Manager**

City Manager Hitchcock submitted a written report. DeForest asked if the City had received advance notice of the recent I-96 ramp closures. Hitchcock stated that the ramps are located in the township. Davis stated that there were signs on I-96.

b. City Attorney

Attorney Perrone stated that he had filed a motion for summary disposition for the Brook Development suit. The hearing is scheduled for November 30, 2005, and the plaintiff has until a week before that to respond.

c. Police Chief

Police Chief Hetfield submitted a written report.

d. Planning & Development Administrator

Planning and Development Administrator Lynn Wilson submitted a written report.

12. Committee / Sub-Committee Reports

a. Legislative Director

DeForest stated that there is a meeting of the MML Revenue and Fiscal Constraint work-group on October 21, 2005.

13. Audience Participation (non-agenda items)

Art Crawford asked about the boundaries of the DDA district. Mayor Zichi stated that it is from the railroad tracks on the south to the Red Cedar River on the north, and from Deer Creek on the west to Water Street on the east, but there are a lot of jogs and it is complicated.

Melanie Schall read the following quote: "Trying to plan for the future without an understanding of the past is like trying to plant cut flowers." She stated that she has lived in Williamston for 20 years, and that the situation that exists now is the result of 30-40 years of history. Mrs. Schall stated that mistakes could potentially be made because of lack of awareness of the past; that these are not necessarily black and white issues; and that the Zoning Ordinance was inherited. Mrs. Schall also stated that she had numerous documents related to the proposed street connection at Wells Drive.

14. Council Member Comments

Monroe – thanked Melanie Schall for her speech.

Davis – stated that she respects Melanie Schall, but that just because issues have history does not mean we can not reevaluate and go forward. Davis further stated that the Council had respected the public opinion in regard to East Riverside Drive, and that they should respect public opinion on the street connection issue. She further stated that the only reason for the connection was to provide a safe walking and biking route to downtown from Plymouth Landing.

DeForest – complimented the audience and stated that he enjoyed the interaction and deliberation. He stated that this was local democracy at its best.

Hanna – stated that the Garden Club wreath sale was going on and that anyone interested should contact Alison Alfredson. He also mentioned the article “Fine Art Front & Center” in the current issue of Downtown News & Information, and asked Scott VanAllsburg if someone could explain the special glazing process. VanAllsburg stated that Mark Chatterly might be interested in speaking about the sculpture in front of City Hall.

O’Connell – stated that some people may not like what he asked questions about; that he listens to older long-term residents and asks questions to learn about what is going on; he supports the issue of irrigation wells; he may have a different philosophy, but respects the others on Council; and that the City Council has done a good job and that is why he applied to join.

VanAllsburg – stated that musician Ed Groves who is playing Thursday nights at Cappuccino Espresso writes his own music and has a talented guitarist; he encouraged others to check it out. He also asked how does the City go about reducing taxes and what are the implications.

Zichi – commended the Williamston High School football team, stating that although they got “shellacked” they did it with class and played until the last minute. He also stated that the High School band will be performing at a competition in Grand Ledge and encouraged others to attend.

15. Adjourn

Motion by **DeForest**, seconded by **Hanna**, to adjourn. Voice vote all Yes.
Motion carried.

Meeting adjourned at 8:40 p.m.

Respectfully submitted by:

Catherine Garnham, Executive Secretary

Kenneth V. Zichi, Mayor

Date approved: _____