

**CITY OF WILLIAMSTON
CITY COUNCIL
AUGUST 28, 2006
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:00 p.m. by Mayor Kenneth Zichi and the Pledge of Allegiance was recited.

3. Roll Call:

Mayor Ken Zichi, Mayor Pro-tem Robert Hanna, Council Members Penny Davis, Michelle Hyne, George Monroe, Brian O'Connell, and Scott VanAllsburg.
Absent: None.

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorney Dave Stoker, citizens John Pratt, Frank Buzzitta, Susan Graff, Robert St. John, Harold and Margaret Larson, Ed Noonan, Jeff Bartrem, Harriet Dunckel, Leo Sheets, & Jane Reagan.

4. Approval of Agenda:

Motion by **Hanna**, second by **O'Connell**, to approve the agenda as presented.
Motion passed by voice vote.

5. Audience Participation:

John Pratt read a statement asking where it is stated in the City Charter that City staff is not allowed to speak with Council members, and if there is a policy why is this the case. He gave an example of his experience working for the state where he was allowed to talk to people without being reprimanded. He asked why City staff has less rights and privileges than those elected. He believes an open and honest dialogue between City employees and the Council and general public would be the type of community the City of Williamston wants.

Mayor Zichi deferred the question to the City Attorney and stated that no, there is nothing that prevents staff talking to City Council members to exchange information. The problem comes from how staff is disciplined and how those issues come up.

Manager Hitchcock replied that there is specific language in the Charter stating that the employees report to the City Manager not the City Council.

John Pratt commented that he was told by an employee that if they talked to members of the Council or the community they can be disciplined by the City Manager.

Manager Hitchcock replied that it is not true. No employee has ever been told they cannot talk to members of the community. It is very specific in the Charter relating to the staff communicating with the Council.

Attorney Stoker stated that there is nothing in the Charter regarding talking but there is language relates to the hiring/firing and who the manager of the

employee is. Williamston has a strong manager structure with all of the information flowing through the manager and the manager is responsible for all of the employees who are at will. The hiring and firing of employees is through the City Manager. He commented that all cities are not structured this way. He commented that this is more of a policy issue, and should not be a method of denying access, it would just be so information goes through a central point and every one gets the same information.

Councilmember Hyne commented that she was told that City staff would not even speak to her unless the City Manager was involved in it.

Member Davis commented that in her experience with the School Board there is a difference between governing and managing. The reporting structure for the employees to the manager and being sure that the information is given uniformly. When the City Council asks a question, the question is asked by the group for information for the group not individual requests.

Manager Hitchcock gave the example that Councilman O'Connell asked for information. She not only provided it to him, but to the entire Council.

Member Hyne requested the information regarding the policy in the City Charter be distributed at the next meeting.

Susan Graff stated that the questions brought forward to the State regarding the library moving to the Community Center have been done by individuals and not the Library Foundation.

A citizen commented that there is now a bump on Linn Rd. from the well being dug there and wondered when this would be fixed or whether they would put the sign back up warning people of the bump.

Manager Hitchcock replied that they are waiting for the Ingham County Road Commission to see how they want to proceed with this since it is a county road.

6. Council Minutes of August 14, 2006:

On page 4, 11f. 20 lines down, change "they are not in support of" to "there has not been a resolution about".

Motion by **Hanna**, second by **O'Connell**, to approve the City Council regular meeting minutes of August 14, 2006 as amended. **Motion passed by voice vote.**

7. Accounts Payable:

The accounts payable totaled \$476,551.24 and included utilities, consultants, the E. Riverside project, and other miscellaneous supplies and services. Reference #'s 7188-7287.

Motion by **Hanna**, second by **VanAllsburg**, to approve the accounts payable as presented. Yes: O'Connell, Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne. No: None. **Motion passed.**

8. Proclamation- Mr. and Mrs. Harold Larson:

Mayor Zichi presented Mr. and Mrs. Larson with a Certificate of Appreciation from the City for their many years of service to the community by establishing and operating the Williamston Area Food Bank.

Councilman Monroe read aloud a letter from Mrs. Larson regarding the establishment of the Food Bank.

9. Action Items

9a. MC Molds Resolution:

Manager Hitchcock reported that there is a resolution in front of the Council to approve a tax abatement for an amount of years to be determined.

Mayor Zichi expressed his concern with the possibility that after the tax abatement is over, they could go out of business and the City would never recoup the money.

Bob Palazzolo commented that they are not planning on leaving Williamston once the tax abatement is over. They are asking for a 15 year abatement.

Councilman O'Connell commented that the City Council often financially supports the business community by promotion, and gave the example of the DDA giving façade improvement grants. He believes this would be comparable to other incentive programs the City offers to businesses.

Motion by **O'Connell**, second by **Hyne**, to approve the resolution supporting a tax abatement for up to 10 years for MC Molds as presented.

Discussion: Councilman Hanna commented that this may ~~bring in~~ **keep** more residents which will help the community.

Councilmember Hyne commented that she is encouraged by their work with the schools and believes this is a huge contribution and believes this is a good opportunity to increase their job opportunities.

Bob Palazzolo commented that they also work with the Career Center and their tool and die program.

Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne, O'Connell. No: None.

Motion passed.

9b. Request for Exclusive Use of a Community Center Room:

Manager Hitchcock reported that Visiting Vet, Dr. ~~Rie~~, **Rice** has asked for exclusive use of Room 33 in the Community Center for a small animal acupuncture office for \$200 a month on a trial basis. This room is not being used by anyone at this time.

Councilmember Davis asked if this would open up use of the building to other businesses.

Manager Hitchcock stated that it is already allowed at an hourly rate for non-profit or for profit organizations.

Member O'Connell commented that the intention was if the business was to have a meeting there, it would be acceptable.

Mayor Zichi pointed out that there are other vacancies available in the downtown. Member Hyne asked if Director Alfredson could help her find an available space. She would also like to see the City make some money for the building and there is no one knocking down the door to rent it.

Motion by **Davis**, second by **Monroe**, to deny the request from Dr. Rice of the Visiting Vet to use Room 33 of the Community for use as an office for a for profit business. **Motion passed by voice vote with Hyne voting no.**

9c. Release of Draft Comprehensive Plan:

The Planning Commission submitted the Draft Comprehensive Plan to the City Council to get approval for the document to be released to the public.

Hanna commented that he saw a problem the Parks and Recreation Commission would need to address regarding the removal of the ash trees from McCormick Park.

Manager Hitchcock commented that she will work with Administrator Wilson to get the Drafted Comprehensive Plan on the City website.

Motion by **Hanna**, second by **Davis**, to release the Draft Comprehensive Plan for distribution. Yes: Monroe, VanAllsburg, Hanna, Zichi, Hyne, O'Connell, Davis. **Motion passed.**

9e. Lighting Ordinance:

Planning Commission Chair Jane Reagan commented that the Planning Commission wants further clarification of the direction of the drafted Lighting Ordinance.

Mayor Zichi commented that the direction is still the same as it was in January. Councilmember Hyne commented that there was no public support for the ordinance to be rewritten but to be dropped entirely.

Motion by **Hyne**, second by **O'Connell**, to disband the lighting ordinance.

Councilman Hanna commented that the City still needs a lighting ordinance to regulate business. He suggested that the ordinance be a little easier to understand and less complicated.

Councilmember Davis commented that she believes that the ordinance does need to be rewritten, with public input considered and the motion made in January stands clear.

Councilman VanAllsburg commented that there were reasons the Lighting Ordinance was created and those reasons still stand.

Councilmember Hyne commented that there were not just residents in attendance but also the Chamber of Commerce, and business owners as well as a representative from DTE Energy that had never heard about the ordinance.

Councilman VanAllsburg commented that the DTE Energy representative knows there are lighting ordinances in other communities.

Councilman O'Connell believes that the lighting ordinance was a solution for a problem that does not exist. He added that he has looked up other municipalities lighting ordinances on the internet and there were none done to the extent that Williamston's was. He also asked if the Council could make a motion to direct the Planning Commission to not discuss or work on something.

Attorney Stoker commented that this does not stop them from doing anything, but gives them some direction.

John Pratt commented that he believes the community was very clear that the lighting ordinance should be dropped. He also stated that there were several people that requested notification if the lighting ordinance would be discussed and there has been no such notification.

Councilmember Hyne asked if there were documented lighting complaints because she recalled that none had been found.

Mayor Zichi commented that there were documented complaints.

Councilman O'Connell commented that even if the motion passes or fails it will have no effect on what the Planning Commission does.

Vote on the motion: Yes: Hyne, Monroe. No: Zichi, O'Connell, Davis, VanAllsburg, Hanna. **Motion failed.**

Mayor Zichi commented that the original motion still stands.

9f. Consider Variance from Municipal Standards for Farmers' Insurance:

Manager Hitchcock reported that the property owner is requesting a sidewalk closer to the street than allowed by Municipal Standards.

John Pratt commented that recalls extensive discussion at the Zoning Board of Appeals meeting regarding the porch issue when this was presented.

Brian O'Connell commented that he recalls there was specific discussion about the porch and the sidewalk and it was very clear at the meeting that the Zoning Board of Appeals would only grant the variance with the presented site plan.

Manager Hitchcock commented that the site plan presented to the Zoning Board of Appeals was not the same as the site plan that was presented at the Planning Commission meeting.

Motion by **O'Connell**, second by **Hyne**, to table the request from Farmers' Insurance for a municipal standards variance until the next meeting and ask that the applicant be present and the site plan approved by the Zoning Board of Appeals be included in their next packet. **Motion passed by voice vote.**

9g. Resolution of Support for Library Foundation Fund Raising Campaign:

Councilman VanAllsburg commented that his goal is to have the Council support the Library Foundation in their efforts. He is hoping the motion will pass unanimously.

Member Davis commented that she does not want to support an inefficient use of funds when the City has provided a piece of land for free.

Motion by **O'Connell**, second by **VanAllsburg**, to approve the resolution of support of the Library Foundation Fund Raising campaign for the location of 226 & 304 W. Grand River Ave. with the addition of the statement that the City Council will not be financially supporting the Foundation.

Member Hanna commented that he cannot support a library at a certain location. Member Davis commented that she cannot tie her hands to one location. Mayor Zichi commented that the City cannot use City money to endorse a private location.

~~Member Hyne asked that if the group is willing to take the time to purchase property and fund raise, why would the City deny them the opportunity to do so? Mayor Zichi commented that this has been going on since 1995.~~

~~Member Davis commented that this resolution will not make or break the library and the City has supported their efforts. She does not want to tie her hands to a specific property and has supported their efforts in the past.~~

Member Hyne commented that if there is a group of people that are willing to give up their time and talents to put in all this effort to put in the money, to fundraise, to put money into this property, to have the heart and soul to do this, why would you deny them that opportunity when we try to reflect that we are a community service.

Member Davis commented that they have not denied them anything. We've been supportive of them every step of the way Michelle. This is just a resolution. If Scott thinks it's going to make or break the library, it's sadly mistaken.

Member Hyne commented that she would like to finish. If they're willing to purchase property, to fundraise for it, that's great, more power to them.

Member Davis stated that no one is trying to stop them.

Member Hyne commented that Davis is saying that because it specifically designates a parcel that they have purchased or in the process of purchasing why isn't that acceptable if they are willing to put up the funds and fundraise for it.

Member Davis commented that she said 'it doesn't make it wrong, I said I'm not tying my hands to it, I am not going to approve another resolution that is going to tie our hands to anything', because in 6 or 12 months it will change. She said she wished them all the luck when she approved the last resolution. Now Michelle listen to me clearly "This does not stop them from moving forward or raising money. I am not going to support a resolution that ties it to one address. Clearly."

Member Hyne stated "I just want to say clearly I would appreciate you speak to me in a professional manner". I address you the same.

Mayor Zichi commented that this has been going on since 1995.

Member Hyne commented “look at the conversation here, the tone and the attitude.

Member Davis stated “Michelle you bring that tone and attitude every time you sit in that chair. Don’t get me started. Please, you are not the victim here.”

Susan Graff commented that this resolution does not commit the City to putting funds into the library.

Hanna commented that this resolution will make it so the City cannot put money into the library.

Susan Graff commented that this has been a deliberate process to select a site because there are not enough large locations available close to the downtown. The site purchased became available just recently. The site is above floodplain, has ample parking, is scenic, and has room for future growth.

When the Foundation goes into the community to raise funds they are having problems with opposition. People are aware that the City wants to put the library in its current location and they refuse to give funds because there are two conflicting projects being proposed.

Monroe commented that the City Council does not oppose a new library.

Jeff Bartrem commented that they are unable to raise funds because there is not a specific location they want the library to be.

Hanna commented that the City Council wanted a joint building authority.

A foundation member commented that the City Council is “hamstringing” the fundraising efforts if they are unwilling to endorse one location.

Mayor Zichi commented that the goals are constantly changing and that is where his frustration comes from.

Member Davis asked if the Library Foundation could make a 15 minute presentation to the City Council and public on camera to outline their plans at the next meeting.

Mayor Zichi commented that he would like to see a time frame.

Susan Graff commented that in two years they should be ready to break ground.

Ed Noonan commented that they feel that there have been a lot of years, and time invested in this project already, and the community needs to understand that they are now focusing on one location.

Mayor Zichi commented that he wants to know what will happen if their fundraising efforts fail.

Susan Graff answered that if they should fail, the Library Foundation would dissolve and another location would have to be decided upon.

Vote on the motion: Yes: Hyne, O’Connell, Davis, Monroe, VanAllsburg, Hanna, Zichi. No: None. **Motion passed.**

10. Discussion Items

10a. Midway Engraver’s Request for Industrial Facilities Tax Exemption:

Manager Hitchcock reported that she and Director Alfredson met with Ingham County EDC Representative Sue Pigg regarding Midway Engraver’s request for

an Industrial Facilities Tax Exemption to allow them to expand their business. She believes that nearly every business in the Industrial Park has received an Industrial Facilities Tax Exemption. It was reported that after talking to Midway they are doubling the size of their building and will be hiring a few higher qualified people. The information should be put together for the next meeting with the action taken at the following meeting.

10b. Tri-County Regional Planning Commission Request for Grant

Assistance:

Manager Hitchcock reported that this is in front of the Council to receive comments on the request for grant assistance. She will also be forwarding this to the Economic Development Corporation for their review as well. The EDC is unable to commit funds because they do not have funds to commit.

Member Hanna commented that he would like to see more information on this. Manager Hitchcock was interested in whether they would accept in kind services in lieu of money.

Member O'Connell felt this should be presented to the EDC first.

10c. Streetscape Maintenance:

Mayor Zichi commented that the new light poles are being used to hang garage sale and other types of signs. He recommended that a public kiosk be constructed so people can use it to hang their signs. John Pratt commented that he believes the current ordinance needs to be enforced. He added that he recently had to have the DPW remove a large wooden sign and he regularly removes signs from his property. Joe Eiffert commented that at this time there is not enough man power to enforce the other ordinances the City Council puts in place. The City Manager commented that this will not be on the next agenda due to a lack of staff.

12. Staff Reports

12a. City Manager:

Manager Hitchcock submitted a written report for Council review.

12b. City Attorney:

No report.

12c. Community Development Director:

Director Alfredson submitted a written report for Council review.

12d. Police Chief:

Chief Hetfield submitted July statistics for Council review.

12e. WWTP:

A written report was submitted for Council review.

13. Committee/Sub-Committee Reports

13a. Legislative Director:

Councilman O'Connell reported that the Stop Over Spending issue will be on the November ballot. He cautioned Council that this could cause many problems for municipalities. If costs should go up for projects each project would need to go to the people for a vote.

14. Audience Participation:

Joe Eiffert commented on the article in the Williamston Enterprise regarding parking in front of gas stations. He believes there is also a problem with people parking in their driveways over the sidewalk and cited 225 S. Putnam St. as an example. He added that the Williamston logo has fallen off on the welcome sign located on his property.

Bill St. John commented that it would have been interesting if the large group that attended earlier in the meeting had been able to stay for the garage sale sign discussion.

15. Council Member Comments:

Councilman VanAllsburg commented that he is opening an art gallery at his business on S. Putnam St. The grand opening will be September 9th from 7pm to 11pm.

Councilman O'Connell commented that he appreciates the people that stay late at the Council meeting.

Councilman Hanna commented that NIESA has presented their first balanced budget and are hoping to have an ambulance at the Leroy Fire Station to be on line all the time.

Councilmember Hyne inquired about Wells Dr.

Meeting Adjourned at 9:55 p.m.

***THE PRECEDING MINUTES ARE A SYNOPSIS OF A CITY COUNCIL MEETING AND DO NOT REPRESENT A VERBATIM RECORD.**

Respectfully Submitted by: _____
Holly M. Thompson, Deputy Clerk

Kenneth V. Zichi, Mayor

Date Approved: _____