

**CITY OF WILLIAMSTON
CITY COUNCIL
NOVEMBER 27, 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 Kenneth Zichi, Mayor Pro-tem Robert Hanna, Council Members Penny Davis, Michelle Hyne, George Monroe, and Scott VanAllsburg. Absent: Brian O'Connell (arrived at 7:28).

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorney Bonnie Toskey, Police Chief Mark Hetfield, JFM Productions, Ken & Sandy Whelton, Will Whelton, Harriet Dunckel, Susan Graff, Dan Frank, Jim DeForest, Mike Thomas, Mike Nelson, Mark Feldpausch, Jeff Bartrem, John Pratt, Sue Nachani, Jane Reagan, Robert St. John, Leo Sheets, Marlene Epply, Marilyn Burns, Shirley M. Yelerington, and CADL Representative Steve Jackson.

Motion by **Hanna**, second by **Davis**, to excuse O'Connell. **Motion passed by voice vote.**

4. Approval of Agenda:

Councilmember Hyne was concerned that the Council did not have enough time to prepare for the new agenda items. She added that not even department heads had notice of the change to the agenda.

Member Hyne is concerned that the appraisal was not provided to the Council until it was on the table at the meeting.

Motion by **Hyne**, second by **Davis**, to amend the agenda to move items 8i. and 8j. to discussion. **Motion failed by voice vote.**

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

5. Audience Participation:

Sue Nachani, owner of 310 W. Grand River Ave., announced that she is looking into opening a restaurant and coffee bar at her building.

Leo Sheets read aloud the disability comment at the bottom of the Council agenda and asked how people are supposed to notify the City Clerk two days in advance if the agenda is not posted until the same day.

Mayor Zichi replied that the agenda for this meeting with the changes had been posted since the previous Wednesday.

Councilman Monroe commented that the demolition of the library building has been discussed many times.

Attorney Bonnie Toskey commented that the meeting dates and times are all that is required to be posted. An agenda is something the board imposes upon themselves.

Member Hyne concurred with Mr. Pratt that the property should be sold to generate tax revenue.

6. Council Minutes of November 13, 2006:

Motion by **Hanna**, second by **VanAllsburg**, to approve the Council Minutes of November 13, 2006 as presented at the table. **Motion passed by voice vote.**

7. Accounts Payable:

Councilman Hanna reported that the accounts payable totaled \$70,397.31 and included insurances, utilities, public services building payment, consultants, and other miscellaneous supplies and services. Reference #'s 7725-7776.

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

8. Action Items

8a. War Memorial in Front of City Hall:

Manager Hitchcock reported that the American Legion wants to put an updated memorial in front of City Hall that can be updated. The goal is to get a larger and more distinct memorial.

Motion by **Hyne**, second by **VanAllsburg**, to authorize the American Legion to proceed with their plan to place a war memorial in front of City Hall with the caution that the City cannot guarantee what the City Hall property will be in the future. Yes: VanAllsburg, Hanna, Zichi, Hyne, Davis, Monroe. No: None. **Motion passed.**

8b. Set Public Hearing to Consider Felpausch Alley Property Trade:

Motion by **Hanna**, second by **VanAllsburg**, to set a public hearing for Monday, December 11, 2006 at 7:05 p.m. in the City Hall Council Chambers. Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne. No: None. **Motion passed.**

8c. Community Development Block Grant Application for Felpausch

Project:

Motion by **Hanna**, second by **Davis**, to approve the application for the Community Development Block Grant as presented. Yes: Hanna, Zichi, Hyne, Davis, Monroe, VanAllsburg. No: None. **Motion passed.**

*O'Connell arrived at 7:28.

8d. Social Security Number Privacy Policy:

Councilmember Davis was concerned that the policy does not specifically state that a person could be prosecuted for identity theft.

Attorney Toskey stated that the policy is consistent with the state act and under section H there are provisions for discipline including criminal prosecution.

Councilman O'Connell asked who has access to social security numbers.

Manager Hitchcock stated that she and payroll have access to social security numbers and they are in a locked cabinet.

Motion by **Hanna**, second by **VanAllsburg**, to approve the Social Security Number Privacy Policy as presented. Yes: Monroe, VanAllsburg, Hanna, Zichi, Hyne, O'Connell, Davis. No: None. **Motion passed.**

8e. Vehicle Bids:

Manager Hitchcock recommended the acceptance of the bids for the 2002 & 2003 Crown Victorias and re-bidding the remaining vehicles either through the City or the state.

Councilman O'Connell commented that he would like to see the blue book values of the two Crown Victorias. He believes the cars are worth more than that and was concerned that the only publication for the bidding was in the Enterprise.

Motion by **Monroe**, second by **Davis**, to accept the bids for the 2002 and 2003 Crown Victorias as presented. Yes: Zichi, Davis, Monroe, VanAllsburg, Hanna. No: Hyne, O'Connell. **Motion passed.**

Motion by **Hanna**, second by **VanAllsburg**, to send the three remaining vehicles out for bid through the City or the State to be determined by staff.

Discussion: Councilman O'Connell commented that he would like the blue book value provided before the next bids are accepted.

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

8f. COPS Interoperable Communications Technology Grant:

Mayor Zichi commented that the grant deadlines are clearly past.

Councilmember Hyne asked the attorney to explain the letter provided by Attorney Townsend.

Attorney Toskey reported that Attorney Townsend pointed out the benefits of the grant. He also wrote that Williamston would be treated no differently than other municipalities.

Chief Hetfield commented that he supports the grant because it would pay for a certain percentage of equipment.

Motion by **Hanna**, second by **O'Connell**, to approve the COPS Interoperable Communications Technology grant as presented. Yes: VanAllsburg, Hanna, Zichi, Hyne, O'Connell, Davis, Monroe. No: None. **Motion passed.**

8g. First Reading. To Create a Construction Board of Appeals:

Manager Hitchcock reported that the City already has a Construction Board of Appeals but it is currently made up of the Zoning Board of Appeals. The Construction Board of Appeals should be made up of people that are skilled tradesman. The appointees can be from outside of Williamston and the City could even share a board with surrounding townships.

Councilman O'Connell questioned if there has been a need for one before.

Manager Hitchcock replied that there has not been a need for one while she has been in Williamston, but all municipalities are required to have one.

Member Hyne asked if there is such a board in existence.

Motion by **Davis**, second by **Hanna**, to approve the first reading of the ordinance to create a Construction Board of Appeals with amendments as recommended by Attorney Perrone. Yes: Hyne, O'Connell, Davis, Monroe, VanAllsburg, Hanna, Zichi. No: None. **Motion passed.**

8h. Consider Sergeant Hull Proposal:

Sergeant Hull submitted a proposal for re-hiring after retirement. Manager Hitchcock commented that a policy for this is not required but she would recommend one. A sample policy was provided. Manager Hitchcock recommended that hiring a retiree back should not be mandatory and should remain a Council decision.

Motion by **O'Connell**, second by **Hanna**, to table this until the next meeting when a policy is presented. **Motion passed by voice vote.**

8i. Demolition of Library Building:

Councilmember Davis commented that deciding what to do with the building is a necessity of moving forward. She requested at the last meeting that the demolition of the library building be put on the next agenda.

Councilmember Hyne questioned if CADL had been consulted about the building demolition.

Manager Hitchcock commented that Steve Jackson of CADL was in attendance. CADL Representative Steve Jackson commented that he does want to see the library moved out of the building as soon as possible due to the problems with odors, infiltration, and various other space and structural issues. He added that the City's desire to do something with the old building does not impact CADL.

Councilman O'Connell asked why a decision needs to be made right now.

Councilman Hanna answered that the utilities and maintenance costs are half of what is spent at the Community Center.

Mayor Zichi questioned how the Council wants to proceed.

Councilmember Hyne commented that she feels too uninformed to make a decision and wants more time.

Councilmember Davis commented that the City will be ready to deal with the building as soon as the library is moved to the Community Center.

Councilman O'Connell commented that he would like to see more options than just demolition. He also clarified the comment that Councilman VanAllsburg was referring to at the previous Council meeting. He stated that when Capital Consultants looked at the building years ago, there were repairs that were recommended to keep the building in shape and were not done and the current letter from Capital Consultants stated that because the repairs were not done the building is in bad condition.

Councilman VanAllsburg asked if the Library Foundation wants the library to remain where it is until the new building is built.

President of the Library Foundation Susan Graff commented that the decision to move the library to the Community Center is not their decision. She did ask that they get sufficient notice of what is going to happen because the Friends of the Library have a lot of books to sell and/or move.

John Pratt commented that he believes the property should be put up for sale to get the property back on the tax rolls. He added that he believes the City already owns too much property.

Mike Thomas recommended that the City give the library six months and shut them down if they have not moved. He added that since the agenda is so fluid that agenda items where the public wants to speak be moved up.

Councilmember Hyne commented that she shares the public's thoughts and concerns and believes that the cost of removing the building will be very costly.

Mayor Zichi commented that the building on the property will decrease the value of the property.

Motion by **Davis**, second by **Hanna**, to request that the City Manager obtain appraisals for the property with and without the building and also estimates for the cost of demolition. Yes: Hanna, Zichi, Hyne, O'Connell, Davis, Monroe, VanAllsburg. No: None. **Motion passed.**

8j. Park & School Property Proposal:

Manager Hitchcock reported that a line on the map that is attached to the minutes of the Property Committee meeting was not accurate. There are still issues with the Lion's tent and the Jubilee.

Councilman Hanna read a portion of the letter from Jubilee coordinator Sandy Whelton: The Jubilee has one event to bring in money and that is the demolition derby and truck pull. \$6000 every year is divided into two scholarships. If the derby does not occur there will not be money for the scholarships. They have put 30 years of work into the park by constructing a fence around it and the track, and improving it from the swamp land it once was. The Jubilee has purchased bleachers that the school uses with the agreement that the Jubilee can use them once a year.

A Lion's Club member commented that this issue affects the Boy Scouts, Habitat for Humanity, and the Lion's Club. The Jubilee has given back \$350,000 over the years and a parking lot is not going to give anything back to the community.

Harriet Dunckel commented that the Jubilee also generates business for the stores.

Mayor Zichi commented that his goal is to find out how to make it work for everyone.

Councilman Hanna commented that the Jubilee, Council, and Schools need to have a meeting.

Councilmember Hyne commented that the Jubilee is a tremendous contribution to the community and voting on this will ruin the Jubilee. She added that she does not like taking actions on these things when she is not well informed. She stated that she was not aware of a plan only that there would be one. **She had a concern that she does not want to proceed with this when there is no plan in place for the Jubilee.**

A citizen commented that he was told he would be informed of any meetings on this issue and has heard nothing. He added that the park belongs to the community and the School Board and Council is elected by the community.

Marilyn Burns commented that she was unaware that anything was going on until she read it in the current Enterprise.

Motion by **O'Connell**, second by **Hyne**, to direct the City Manager to set up a joint public hearing with the school in December. Yes: Zichi, Hyne, O'Connell, Davis, Monroe, VanAllsburg, Hanna. No: None. **Motion passed.**

9. Discussion Items

9a. Community Center Use Policy:

Councilmember Hyne commented that she does not agree with the yearly fee of \$30 for the Scouts.

Councilmember Davis commented that the costs for RCRA activities have increased.

Councilman O'Connell commented that the school is profiting from the fitness classes so they should have a fee and the children's activities have already been paid for.

Mayor Zichi question why the City is giving money to these entities if they are not seeing a benefit.

This will be on the next agenda.

9b. Adoption of International Property Maintenance Code:

Manager Hitchcock distributed a copy of the International Property Maintenance Code ordinance for consideration. She noted that this would help in cases of a renter moving out of a house and making a complaint about the unsafe condition of the rental. This would also ensure that their safety issues can be addressed with personal property owners.

Hyne questioned the adoption of the property maintenance code and the effect on the personal property owners' rights.

This will be on the next agenda for action.

11. Staff Reports

11a. City Manager:

Manager Hitchcock submitted a written report for Council review.

11b. City Attorney:

No report.

11c. Police Chief:

Chief Hetfield submitted a written report and added that the equipment for the laptop installation has been installed.

Mayor Zichi asked if the monthly statistics could be compared to the previous year statistics.

11d. WWTP:

A written report was submitted for Council review.

11e. Community Development Director:

Director Alfredson submitted a written report for Council review.

11f. Planning and Development Administrator:

Administrator Wilson submitted a written report for Council review.

12. Committee/Sub-Committee Reports

12a. Legislative Director:

Councilman O'Connell inquired as to whether MML has contacted the City regarding the Cable Franchise Bill.

Manager Hitchcock responded that they had not.

Councilman O'Connell reported that the bill could give communities more money. The revenue sharing could be cut depending upon where the money will come from for the school aide that is down \$130 million.

13. Audience Participation:

Mayor Zichi called for public comment at this time and there was none.

14. Council Comments:

~~Councilman VanAllsburg commented that the situation with the Community Center and tearing down the building could allow expansion of the current City Hall. He added that Administrator Wilson is not in favor of the City staff moving to the Community Center.~~

Councilman VanAllsburg: I want to make a comment about the situation with the Community Center and the situation with possibly tearing down the library and selling the land, not everyone in town, and Lynn Wilson is one, is comfortable moving into the Community Center necessarily even though we own that building and that is the intent. In the back of my mind was the idea to explore the possibility of A. moving into the Community Center and B. expanding this building and building a new building using that land and let the taxpayers decide which is better for them. If that is the case, I want to throw that idea out before something happens over there to prevent that from happening.

Councilman Monroe agreed with VanAllsburg's comments and added that there is a need for a central meeting point.

Councilman O'Connell reiterated that the comments VanAllsburg made regarding the library were not his comments.

Councilman Hanna commented that he agrees with VanAllsburg and added that Williamston's Discovery and Explorer Elementary Schools received an A rating in the paper.

Councilmember Hyne reminded everyone about the Light Parade on December 1st.

Councilmember Davis commented that a public hearing will be set for the lighting ordinance to come back to Council with a proposal with modifications.

Councilman Monroe commented that he believes the schools are trying to take too much land.

Mayor Zichi commented that there will be a lot of activities going on in Williamston December 1st and 2nd with the First Fridays and Light Parade. He also congratulated Ralph Shuck on his 80th birthday.

15. Closed Session – FOP & AFSCME Union Negotiations:

Motion by **Hanna**, second by **VanAllsburg**, to go into closed session to discuss the FOP and AFSCME negotiations. Yes: Monroe, VanAllsburg, Hanna, Zichi, Hyne, O'Connell, Davis. No: None. **Motion passed.**

Closed Session started at 10:04 p.m.

Motion by **Hanna**, second by **O'Connell**, to return to open session. **Motion passed by voice vote.**

Closed Session ended at 10:26 p.m.

Action on Closed Session: None.

16. Adjournment:

Motion by O'Connell, second by VanAllsburg, to adjourn. **Motion passed by voice vote.**

Meeting Adjourned at 10:27 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: _____