

**CITY OF WILLIAMSTON  
CITY COUNCIL  
DECEMBER 11, 2006  
REGULAR MEETING MINUTES**

**1. Call To Order:**

The meeting was called to order at 7:00 by City Manager Lisa Hitchcock and the Pledge of Allegiance was recited.

**3. Roll Call:**

Councilmembers Penny Davis, George Monroe, Scott VanAllsburg, Robert Hanna, Kenneth Zichi, and Michelle Hyne. Absent: Brian O'Connell.

Also Present:

City Manager Lisa Hitchcock, City Attorney Bonnie Toskey, Capital Consultants engineer Scott DeVries, Felpausch Representatives Mark Feldpausch & Mike Nelson, Michigan Nature Association representative Jeremy Emmi, Enterprise Reporter Will Whelton, and citizens John Pratt, Robert St. John, Joe Eiffert, and other concerned citizens.

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

**4. Approval of Agenda:**

Delete item 11g.

Motion by **VanAllsburg**, second by **Hyne**, to approve the agenda as amended. **Motion passed by voice vote.**

**5. Audience Participation:**

Joe Eiffert questioned what the sidewalk survey status is.

Manager Hitchcock reported that the information was compiled on the City GIS system.

Joe Eiffert commented that he and his wife attempted to go to the Light Parade but had difficulty with people parking across the sidewalks and problems getting his wife's wheel chair through areas with no sidewalks that are only mud.

Member Hanna commented that with budget constraints it is difficult to put in sidewalks whenever the City wants to.

Member Zichi answered that the police are busy with traffic issues and parking issues become a low priority.

Member Hyne questioned if the sidewalk can be done on Putnam St. with the current fiscal year budget.

Manager Hitchcock answered that the current budgeted money is for residents that already have sidewalks that need repaired. The homeowner is responsible for half the cost of the sidewalk. The only way to install sidewalk where none exists is through a special assessment district.

**6. Mayor & Mayor Pro-tem Appointments:**

Motion by **Hanna**, second by **Monroe**, to nominate Kenneth Zichi for Mayor.

Motion by **Monroe**, second by **Davis**, to close the nominations. **Motion passed by voice vote.**

Vote on Motion: Yes: Zichi, Davis, Monroe, VanAllsburg, Hanna. No: Hyne.  
**Motion passed.**

Motion by **Zichi**, second by **VanAllsburg**, to nominate Hanna for Mayor Pro-tem.

Motion by **Monroe**, second by **Davis**, to close nominations. **Motion passed by voice vote.**

Vote on motion: Yes: VanAllsburg, Hanna, Zichi, Davis, Monroe. No: Hyne.  
**Motion passed.**

**7. Public Hearing- Felpausch Alley Property Trade:**

Mayor Zichi opened the public hearing at 7:16 p.m.

Manager Hitchcock explained the goal is to move the alley from it's current location to the west side of LaFollette Homes.

Mark Feldpausch commented that Felpausch is prepared to proceed with their plans.

John Pratt commented that he believes it is a good idea.

Public Hearing Closed at 7:18 p.m.

**8. Public Hearing- CDBG Grant Application:**

Mayor Zichi opened the public hearing at 7:19 p.m.

Manager Hitchcock explained the error in the advertisement as to the amount of funding. The advertised amount of the federal funds was \$163,500. The correct amount is \$243,670. The advertised amount of the city/property owners matching funds is \$4,488,480, not \$4,478,905 as advertised. She added that this will be for public infrastructure, sidewalks, moving the water main, storm sewer, and curb and gutter. This does not include the engineering. The estimated cost for engineering, which is not included in the grant, is \$28,000.

No public comment.

Public Hearing Closed at 7:21 p.m.

**9. Council Minutes of November 27, 2006:**

On 8g. add that "Member Hyne asked if there is such a board in existence. On item 5. regarding the library, "Member Hyne concurred with Mr. Pratt that the property should be sold to generate tax revenue." And that she also had concerns with the 8:30 am e-mail changing the Council agenda. On page 6, school property proposal, "She had a concern that she does not want to proceed with this when there is no plan in place for the Jubilee". On page 1 item 4, "Member Hyne is concerned that the appraisal was not provided to the Council until it was on the table at the meeting." On page 7 9b., Regarding the International Property Maintenance Code, "Hyne questioned the adoption of the property maintenance code and the effect on the personal property owners rights."

Member VanAllsburg commented that the idea of his comments was that there could be two plans for the City Hall. He would like his exact comments reflected in the minutes.

Motion by **Hanna**, second by **VanAllsburg**, to table the minutes pending further review of the tape. **Motion passed by voice vote.**

**10. Accounts Payable:**

Councilman Hanna reported that the accounts payable totaled \$164,819.39 and included insurance payments, consultant fees, and other miscellaneous supplies and services. Reference #'s 7777-7870.

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

**11. Action Items**

**11a. Michigan Nature Association Resolution #19-06 for Charitable Gaming License:**

Jeremy Emmi explained the request for a charitable gaming license to the City Council.

Motion by **Monroe**, second by **Hanna**, to approve resolution #19-06 for the Michigan Nature Association charitable gaming license as presented. Yes: Hanna, Zichi, Hyne, Davis, Monroe, VanAllsburg. No: None. **Motion passed.**

**11b. Resolution #16-06 for Rehire of Retired Employees:**

Motion by **Hanna**, second by **Monroe**, to adopt resolution #16-06 for the rehiring of retired employees as presented. Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne. No: None. **Motion passed.**

**11c. Resolution #17-06 Adoption of 2007 Meeting Dates and Times:**

Motion by **Hanna**, second by **VanAllsburg**, to adopt resolution #17-06 for the 2007 meeting dates and times as presented. **Motion passed by voice vote.**

**11d. Authorization to Proceed with Quit Claim Deed on Felpausch Alley**

**Property Trade:**

Motion by **Hanna**, second by **Monroe**, to adopt resolution #21-06 proceeding with the quit claim deed on the Felpausch alley property trade and alley vacation as presented. Yes: Monroe, VanAllsburg, Hanna, Zichi, Hyne, Davis. No: None. **Motion passed.**

**11e. Resolution #18-06 CDBG Authorizing Resolution:**

Motion by **Hanna**, second by **VanAllsburg**, to approve resolution #18-06 to authorize proceeding with the CDBG grant as presented at the table. Yes: Zichi, Hyne, Davis, Monroe, VanAllsburg, Hanna. No: None. **Motion passed.**

**11f. 2<sup>nd</sup> Reading of Ordinance #300- to Create a Construction Board of**

**Appeals:**

Councilman VanAllsburg asked if misconduct and neglect of duty is defined anywhere.

Mayor Zichi answered it is discretionary.

Councilman VanAllsburg asked if an applicant can re-apply if they are denied their appeal.

Manager Hitchcock responded that they could apply to the State Construction Board.

Member Hyne questioned that if there already is a construction a board of appeals because the ordinance states that it will be created.

Manager Hitchcock stated that the Zoning Board of Appeals acts as the Construction Board of Appeals by ordinance.

Motion by **Hanna**, second by **VanAllsburg**, to approve the second reading of ordinance #300 to create a Construction Board of Appeals as presented. Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne. No: None. **Motion passed.**

**11h. 1<sup>st</sup> Reading Ordinance #301 – Adoption of International Property**

**Maintenance Code:**

Member Hyne asked how this will impact to people's property rights.

Attorney Toskey commented that this will impact people's property rights but is to be used to regulate safety issues.

Member Hyne commented that some things are out of a persons' control.

Attorney Toskey stated that with no way to regulate safety issues, someone could have an overflowing sewer line and the clean up would need to be done for safety reasons, but aesthetics issues are not addressed in this ordinance. This ordinance would be for existing properties and would address serious health and sanitation issues.

Member Hyne commented that she does not want this to infringe on people's rights.

John Pratt questioned if a person filing a complaint would be identified.

Mayor Zichi responded that it would ultimately be from the City.

Motion by **Hanna**, second by **Davis**, to approve the first reading of ordinance #301 adopting the International Property Maintenance Code as presented. Yes: VanAllsburg, Hanna, Zichi, Hyne, Davis, Monroe. No: None. **Motion passed.**

**11i. Set Budget Workshop:**

Motion by **Hanna**, second by **Monroe**, to approve setting the first budget workshop for February 7, 2007 at 7:00 p.m. **Motion passed by voice vote.**

**11j. Board Appointments:**

Board appointments were as follows:

Economic Development Corporation/TIFA 2A & TIFA 2B Board- Member Hyne with Member Davis as alternate.

Downtown Development Authority- Mayor Zichi with Member Hanna as alternate.

Planning Commission- Member Davis with Member VanAllsburg as alternate.

Cemetery Board- Member Monroe with Member Hanna as alternate.

Labor Committee- Members Monroe and VanAllsburg.

Finance Committee- Members Davis and Monroe.

NIESA- Member Hanna with Member Hyne as alternate.

Legislative Director- Member O'Connell.

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

**11k. Proposal for Engineering Services- McCormick Park Parking Lot Design:**

Manager Hitchcock reported that Capital Consultants provided a proposal for the High Street parking lot. The design will go back to the Parks and Recreation Commission.

John Pratt commented that the parking signs have been removed for parking south of the bridge.

Mayor Zichi asked if a structure for the Farmers' Market could be added to the plans.

Engineer Scott DeVries answered that it could be an option.

Motion by **Hanna**, second by **VanAllsburg**, to approve the proposal from Capital Consultants for engineering services in the McCormick Park parking lot design as presented in the amount of \$23,500 with an additional \$5000 to another company for any soil borings that may be required. Yes: Monroe, VanAllsburg, Hanna, Zichi, Hyne, Davis. No: None. **Motion passed.**

**11I. Community Center Improvements for Library Move:**

Manager Hitchcock reported that because the complaint submitted to the State stopped work on the Community Center building, the free help from the GM employees is not available. She received bids from companies for the work to be done in the Community Center. She suggested that perhaps prison crews could be used to do the construction. **Manager Hitchcock disclosed that the contractor is the ex-husband of the Executive Secretary.**

Member Hyne commented that she has concerns with a prison crew doing the work.

Members Zichi and VanAllsburg commented that they do not have a problem with prisoners doing the work.

Member Hyne commented that she does not want to allocate money for improvements to put money into a building the City does not own.

Councilman Monroe commented that there is an agreement that is binding between both parties.

Councilmember Davis commented that improvements have already been made.

Member Hyne questioned what is holding up the closing on the property.

Manager Hitchcock answered that there are land split issues that need to be resolved.

Member Hyne questioned if there are issues with asbestos.

Manager Hitchcock replied that currently there are not problems with asbestos.

Motion by **Hanna**, second by **VanAllsburg**, to approve the bid from Stevens Construction in an amount not to exceed \$21,685 for Community Center library improvements as presented. Yes: Zichi, Davis, Monroe, VanAllsburg, Hanna. No: Hyne. **Motion passed.**

**11m. Resolution #20-06 Supporting the Tri-County Regional Economic Growth Plan:**

Councilman Hanna asked how the Lansing Chamber of Commerce and RED Team relate to this.

Councilman Monroe commented that he feels he needs more information before making a decision.

Motion by **Monroe**, second by **Hanna**, to table resolution #20-06 until the next meeting. **Motion passed by voice vote.**

#### **14. Staff Reports**

##### **14a. City Manager:**

Manager Hitchcock submitted a written report for Council review and added that she is meeting with the Department of Natural Resources and the schools on December 14<sup>th</sup>.

##### **14b. City Attorney:**

Attorney Toskey referred to areas of the International Property Maintenance Code. The Code addresses sanitation issues.

##### **14c. Planning & Development Administrator:**

Administrator Wilson submitted a written report for Council review.

#### **15. Committee/Sub-Committee Reports**

##### **15a. Legislative Director:**

No report.

##### **16. Audience Participation:**

Robert St. John suggested that the Council prepare a color coded drawing showing the property swap and progression of property.

Joe Eiffert requested that one person from Council look at his sidewalk.

##### **17. Council Member Comments:**

Councilman VanAllsburg encouraged everyone to attend the New Year's Eve party at the Williamston Theatre.

Councilman Hanna wished everyone a Merry Christmas and Happy Holidays.

Councilmember Hyne commented that she respects the voters concerns with the school and football field continuing to be located there, but she also understands other citizens' concerns with other uses for the property. She added that she does not agree with general fund money being put into a Community Center building that the City does not even own when the water/sewer bond was not

able to be paid for with the General Fund to alleviate the increase in water/sewer bills for the citizens. She also wished everyone a safe and Happy Holiday.

Councilmember Davis wished everyone a Merry Christmas and Happy Holidays.

Councilman Monroe wished everyone a Merry Christmas.

Mayor Zichi wished everyone a Happy Holiday and thanked Council for supporting him as Mayor.

**18. Adjournment:**

Motion by **Hanna**, second by **Davis**, to adjourn. **Motion passed by voice vote.**

**Meeting Adjourned at 9:13 p.m.**

Respectfully Submitted by: \_\_\_\_\_  
**Lisa K. Hitchcock, City Manager/Clerk**

\_\_\_\_\_  
**Kenneth V. Zichi, Mayor**

Date Approved: \_\_\_\_\_