

**CITY OF WILLIAMSTON
CITY COUNCIL
MAY 14, 2007
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, City Attorney Timothy Perrone, citizens Dick Dorn, John Pratt, Marlene Epley, Art Crawford, and Leo Sheets.

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 thanked the DPW for being professional, punctual, polite, and being good people.

Art Crawford commented that the gates on Southfield Drive are not pedestrian friendly. He added that this seems opposite of the intent.

Discussion ensued as to the original intent of the gates and how they might be changed to become more pedestrian friendly.

6. Council Minutes of April 23, 2007:

On page 12a. replace "Michigan Municipal League" with "House of Representatives" and delete "revenue sharing changes" and add "cuts to revenue sharing", and last line, change "will" to "may".

Motion by **Hanna**, second by **O'Connell**, to approve the regular Council minutes of April 23, 2007 as amended. **Motion passed by voice vote.**

7. Accounts Payable:

Councilmember Davis reported that the accounts payable totaled \$210,816.44 and included the EDC loan, Tobias Drain Bonds, Community Center lease, the backhoe trade, insurance, body armor, and other miscellaneous supplies and services. Reference #'s 8612-8764.

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

8. Introduction of State Representative Barb Byrum and Discussion:

Barb Byrum Representative of the 67th District introduced herself and commented that Michigan is facing an unprecedented budget crisis. The economy is struggling; the unemployment rate is going up, while sales are going down. Money for schools, health care costs for seniors, roads, police, and fire protection is getting worse. This year Michigan faces a 1.7 billion deficit. Next year it will balloon to nearly 3 billion dollars if they do not act now. Michigan must make some tough choices now. There are no options, and it cannot be put off any longer. She believes the deficit for 2006/2007 and 2007/2008 should be addressed right now. The house has decreased 5% of their budget, increased health care co-pays for all house employees, ended lifetime health insurance for legislators, and ended all out of state travel. One of the solutions she and her colleagues have introduced is the Michigan Business Tax, which replaces the single business tax, to jump start Michigan's economy and reward companies that employ Michigan residents. The House solution to replace the single business tax rewards businesses, and protects funding for local municipalities. The plan rewards capital investment by cutting the personal property tax; however it protects those funds for local municipalities. The plan provides \$7 million in tax credit that rewards businesses for investments, compensation, and research development. About 75% of businesses will actually pay less tax. The more the company invests in Michigan the more credit they will receive under the tax, however the companies that do not invest in Michigan and do not hire Michigan residents will pay their full share. The Michigan business tax is small business friendly and helps small businesses by exempting companies with less than \$350,000 in gross receipts from taxation and businesses with up to \$700,000 in gross receipts will pay a reduced rate. Next week she will introduce bills regarding consumer protection and identity theft. She spoke against Bill 220 regarding revenue sharing cuts. She also addressed the stop light issue at the corner of Zimmer Road and Grand River Avenue. She has written a letter to MDOT regarding this issue.

9. Action Items

9a. Consider Request from Lions Club to Install Concrete Slab and Pavilion at Deer Creek Park:

Motion by **Hanna**, second by **Monroe**, to accept the recommendation from the Parks and Recreation Commission to approve the Lions Club request to install a concrete slab and pavilion at Deer Creek Park. Yes: VanAllsburg, Hanna, Zichi, Hyne, O'Connell, Davis, Monroe. No: None. **Motion passed.**

9b. Michigan Liquor Control Commission- Local Approval Notice:

Motion by **O'Connell**, second by **Hyne**, to recommend approve above all others for the transfer of the Class C liquor license to Nich as presented. Yes: Hyne, O'Connell, Davis, Monroe, VanAllsburg, Hanna, Zichi. No: None. **Motion passed.**

9c. Resolution 05-07 – Requested by Michigan Department of Natural Resources Regarding Community Center Purchase:

Motion by **Hanna**, second by **Monroe**, to approve resolution 05-07 as presented regarding the Community Center purchase. Yes: Hanna, Zichi, O'Connell, Davis, Monroe, VanAllsburg. No: Hyne. **Motion passed.**

9d. Consider Request to Planning Commission to Review Sign Setbacks in Commercial District:

Discussion took place regarding the numerous commercial properties that are having difficulty with the sign ordinance such as the Depot Museum, Twisters, Busy Bees Day Care, and the Riverhouse Inn.

Motion by **Davis**, second by **Hanna**, to request the Planning Commission to review the sign requirements when they review the rest of the Zoning Ordinance. Yes: O'Connell, Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne. No: None. **Motion passed.**

9e. Landfill Environmental Services Contract:

Motion by **O'Connell**, second by **Hanna**, to approve up to \$9400 and to leave the choice of contractors up to the City Manager to decide who has the best and most comprehensive plan for an environmental study of the landfill. Yes: Zichi, Hyne, O'Connell, Davis, Monroe, VanAllsburg, Hanna. No: None. **Motion passed.**

9f. Community Center/Parks Survey:

Manager Hitchcock: I did not have a time to read the proposal. This goes back to the budget meeting request to get the surveys on the property based on the transfer of the Community Center and getting things transferred to the Community Center. What would happen is that the schools, and I have talked to Mr. Radditz, told him what the prices were on here that I got and he told me that the school has adopted a resolution of intent that more or less the Jubilee will be able to use the derby area. I have not received that and have requested a copy of it. If you approve this the schools would reimburse us for the portion that is for the Community Center and we would pay the cost for Memorial Park and Deer Creek Park. I did ask them to put in some other information in there which were the river walk topography survey and design on the d. and the intent on that was that if you choose to put in a walking path along the river, along Memorial park, that work would already be done, you'd have the basic drawings and could have someone come and put the path in. So it would reduce those costs in the future, if that is the intent. The Mechanic Street right of way is the right of way that goes through the football field, and again these are issues that if you had a re-plat

would be taken care of with a re-plat and be all tied together but obviously that's not something that would be done City wide.

Councilman Hanna: I have two questions, going back to the right of way along the river, that's saying that we have no intent of selling that portion of the property.

Manager Hitchcock: Correct, there's would be to split the parcel so that you would be given the descriptions to split the parcels.

Councilman Hanna: and number two, and I know you don't have the document right now, but I'd be interested in knowing, did the school system authorize a specific time period for the jubilee to have the demolition derby?

Manager Hitchcock: I believe it was an eternity, is what I was told. But I requested a copy of that, so that should be in the next packet.

Councilmember Hyne: So there's like a written document then?

Manager Hitchcock: A written resolution by the School Board.

Mayor Zichi: Would the schools be paying for the Mechanic Street right of way or would that be our responsibility? They are using the property.

Manager Hitchcock: I would think that would be the schools because they are currently using the property and I did tell them that.

Mayor Zichi: That's what I thought.

John Pratt: Can't the Council table this until they get all the accurate information and then act on it.

Councilman O'Connell: Is there a reason this needs to be done, since Lisa got this at 5:00 is there a reason we need to act on this now.

Mayor Zichi: It's just going to delay the process if we wait another two weeks.

Manager Hitchcock: Exactly and the intention was to have it Friday. I believe their understanding of my scope, because I'm such a good map drawer didn't.....

Mayor Zichi: Frankly, my understanding of this is that if we authorize X and the schools don't authorize the rest of it, then we can just get moving on our part.

Manager Hitchcock: I wouldn't even recommend doing that, I would only do it based on the schools approval anyway because the majority of that is the

Community Center and the rest doesn't matter if the Community Center doesn't go through.

Mayor Zichi: Well it's \$7500 versus \$8800 leaving out the topography survey and the design drawings for the walkway, which I think I would really like the Parks and Recreation Commission to tell me what they thinking of before we start spending that kind of money on something. But the \$8800 is for our property that needs to be there and to create the legal descriptions that we need there. You're suggesting that we should condition that on the schools....

Manager Hitchcock: If you choose to do anything with it tonight, I would make it conditioned on the schools agreeing that they would pay for.....

Mayor Zichi: The \$7500.

Manager Hitchcock: Right, because that goes along with the property sale.

Councilmember Hyne: And what about the Parks and Rec. Commission reviewing?

Mayor Zichi: We don't have to act on this particular portion.

Manager Hitchcock: The only thing is, is that is combined with this. If you choose to do that, I would request that you have the Parks and Rec. request that they call a special meeting to review it. Now, they have discussed it quite a bit, but there's been no official recommendation.

Councilmember Hyne: Is there any way to split that off, to vote on that specific....

Manager Hitchcock: You can split it any way you want.

Councilmember Hyne: I mean the riverwalk. I would prefer to vote on that by itself.

Manager Hitchcock: Now keep in mind, these prices are based on them doing the whole thing, so if you're talking Memorial Park, the \$4500 for the riverwalk topography and design drawings, that will change if you choose not to do that or if you choose to do only that. That cost would go up, because a lot of the work would be done in the field while they're there.

Councilmember Hyne: I'm just saying from my own perspective, I'm going back to my discussion earlier and my discussion with you...

Manager Hitchcock: and that's what I'm trying to say is, is that if you choose to take that part out and say ok, but we want to do it next year, the cost wouldn't be \$4500, the cost would be unknown.

Councilmember Hyne: I would like to vote on that separately tonight because I would support that, but we go back to square one where I don't support spending all this money on the Community Center.

Manager Hitchcock: Now if your saying, you only want to vote on the \$4500, that \$4500 would be different if you're only doing that. I just want it clear that those prices are contingent on each step of it.

Councilmember Hyne: I guess I would just say based on previous voting on the Community Center I don't think I have to worry about being in the majority vote, but.....

Councilman O'Connell: Then make the motion to separate it.

Motion by **Hyne**, second by **O'Connell**, to separate the river walk topography survey from the rest of the proposal. **Motion passed by voice vote.**

Councilman VanAllsburg: What is the motive for doing that?

Mayor Zichi: She wants to deal with them separately.

Councilman VanAllsburg: What about the price changing?

Councilman O'Connell: We can vote on both of them right now.

Mayor Zichi: If we say yes to both of them the price is fixed, if we say no to one or the other, then the price is going to be different to the one we say no on.

Manager Hitchcock: Well the Memorial Park, c. time and materials, would not change if you vote on that and approve that. If you chose today to go forward with the d. that would not change if you do c. If you choose only to do d., that will change.

Motion by **Hanna**, second by **VanAllsburg**, to approve contingent upon the school agreeing to pick up portions A and B and approving portions A, B, C and E in an amount not to exceed \$16,300 for stake surveys of the Community Center Deer Creek Park and Memorial Park as presented. Yes: Davis, VanAllsburg, Hanna, Zichi. No: O'Connell, Monroe, Hyne. **Motion passed.**

Motion by **O'Connell**, second by **Hyne**, to send the riverwalk topography survey and design drawing to the Parks and Recreation Commission for consideration. Yes: VanAllsburg, Hanna, Zichi, Hyne, O'Connell, Davis, Monroe. No: None. **Motion passed.**

9g. Engineering Services for Storm Sewer & Water Main Improvements-Felpausch:

Motion by **Davis**, second by **Hanna**, to approve the Wilcox Engineering for storm sewer and water main improvements in an amount not to exceed \$31,200 as presented. Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne, O'Connell. No: None. **Motion passed.**

12. Staff Reports

12a. City Manager:

Manager Hitchcock reported that Community Development Director Alfredson's last day is May 15. Everyone is invited to stop in and wish her well. She thanked Habitat for Humanity for painting Lions Club picnic tables. She noted that the McCormick Park Master Plan is complete and will be on the website soon.

12b. City Attorney:

No report.

12c. Planning & Development Administrator:

Administrator Wilson submitted a written report for Council review.

12d. Treasurer:

A financial printout for April was submitted for Council review.

13. Committee/Sub-Committee Reports

13a. Legislative Director:

No report.

14. Audience Participation:

Leo Sheets commented that the sign set back on Grand River being the state trunk line may require different footages due to the right of way being off-center.

Marlene Epley thanked Councilman Hanna for attending meetings.

15. Council Member Comments:

Councilmember Davis commented on the Tot Lot.

Councilman O'Connell announced that he is resigning from the City Council effective immediately due to work constraints.

Mayor Zichi commented that the river clean up is at 9:00 a.m. on May 19, 2007.

~~John Pratt~~ **Councilman VanAllsburg** thanked Brian O'Connell for his service to the City Council and Zoning Board of Appeals.

16. Adjournment:

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

Meeting Adjourned at 9:35 p.m.

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

Respectfully Submitted by: _____
Lisa K. Hitchcock, City Manager

Kenneth V. Zichi, Mayor

Date Approved: _____