

**CITY OF WILLIAMSTON
CITY COUNCIL
SEPTEMBER 10, 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 Kenneth Zichi, Mayor Pro-tem Robert Hanna, Council Members Penny Davis, Timothy Grossman, Michelle Hyne, George Monroe, Scott VanAllsburg.
Absent: None.

Also Present:

City Manager Lisa Hitchcock, City Attorney Timothy Perrone, JFM Productions, and citizens Mike Thomas, John Pratt, Robert St. John, Steve Dougan, and Harriet Dunckel.

4. Approval of Agenda:

Add item 9a. Dinner at the Bucket.

Motion by **Hanna**, second by **Grossman**, to approve the agenda as amended.

Motion passed by voice.

5. Audience Participation:

Steve Dougan, Farmer's Insurance Investment Specialist, invited the Council to an open house on Friday, September 14th at Farmers' Insurance.

6. Council Minutes of August 27, 2007 & Special Minutes of July 31, 2007:

Motion by **Grossman**, second by **Hanna**, to approve the special meeting minutes of July 31, 2007 as presented. **Motion passed by voice vote.**

On page 4, item 9b., 9 lines down, change "has better plans now" to "there are defined goals now". On page 5, 5 lines down add "Hyne asked if the parts are obsolete and if the current equipment is still in working order." On page 6, first line add, "VanAllsburg and Hyne stated it is important to delegate and to trust the Parks and Recreation." And 11 lines down add "due to comments from the community" after "banks". 8 lines from the bottom add "in coordination with volunteers" after "\$12,635." Item 9g. add "Copies were not available at the table." Item 9f. last line add "Davis thought it was irresponsible to approve an amount up to \$12,000 now all the bids will come in at that amount."

Motion by **Hanna**, second by **Grossman**, to approve the Council minutes of August 27, 2007 as amended. **Motion passed by voice vote.**

7. Accounts Payable:

Councilmember Davis asked for clarification on the duties of what the accounts payable review should entail.

Mayor Zichi responded that it is to give a synopsis from one Councilmember of what the payables are to speed up the process for Council to approve the payables without going over each payable at the meeting.

Councilmember Davis commented that there has been no established format, and takes offense to Councilmember Hyne's comment that the miscellaneous items have not been accounted for.

Mayor Zichi commented that the payables could be provided to anyone that wants to review them before the meeting.

Hyne: my comments are based, when something isn't contained in there, it is not an accurate accounting when it is just listed as miscellaneous, ok. Um, I had asked before, you said you come in on Sundays, you've done them on Sundays to do them prior to the Monday meeting. I work Mondays, I can't come in on a Sunday, and so if you don't want to account for the miscellaneous, ya know, and the other Council wants to approve it, that's fine, I have the right to vote no, that is my right as a Council member. So, um.

Davis: But the invitation has been extended, and they are available for you to review anytime, Michelle.

Hyne: It's not anytime, it's Sunday afternoon when you come in and do it.

Davis: No it's not.

Hyne: Well, you have told me before that you come in on Sundays....

Davis: But that doesn't mean that you cannot come in any other time to review them.

Zichi: Either before or after.

Hyne: After Sunday, before Monday?

Zichi: Or before. At anytime those records are available from the Treasurer.

Hyne: Fine. Well, then what do we have Penny then come in to do them and present them to us, if I have to take my time to go in and meet with the Treasurers individually and separately. Right?

Zichi: The whole point of that is you don't have to. If you want to you can.

Hyne: As an elected official on this board when it's presented I want to know what it is when it's being presented here.

Zichi: In essence what you're asking for is we go back to the system where every single check is listed as to what is being paid for and Council, when did we do that? Six years ago?

Hitchcock: 2000.

Zichi: Seven years ago, made the decision that no, that was not an effective use of Council time to go over every single check.

Hyne: Well when I'm voting on expenditures Ken, I, when it's being presented to me in a formal setting, at a meeting, I want to know what it is. Ok?

Zichi: We get the budgets that show the actual expenditures, the actual line items where each amount goes.....

Hyne: Correct, correct.

Zichi: We get a summary like this, that shows major expenditures, in the past, the decision the Council made was that, that is a close enough check to make sure that A. someone on Council is looking at every single one of them, and B. the whole Council gets a sense of where things are.

Hyne: The summary. I disagree, I want to see, if we're going to have a summary of what was paid the past, uh, ya know...

Davis: Two weeks since the last meeting.

Hyne: If it's being reported I want to see what I'm voting yes on.

Davis: You can do that anytime Michelle.

Hyne: Anytime? Then what's the point of you presenting it? I'm not going.... I have the right to vote no.

Argument between Davis & Hyne. Could not understand.

Hyne: You gave me the floor Ken, you gave me the floor to speak.

Zichi: Yes, I said briefly, and that's enough. We get the gist of what's going on here.

Hyne: I don't believe Councilmember Davis was recognized. So I said what I said, and I'm going to vote no, and I'm going to exercise that right.

Zichi: That's fine.

Hyne: Thank you.

Zichi: Will you go over payables at this point?

~~Councilmember Hyne responded that her comments are based on when something is not contained in the report, it is not an accurate accounting when it is listed on miscellaneous. Councilmember Davis has indicated she reviews the payables on Sundays, and Hyne works on Mondays and cannot come in on a Sunday. If Councilmember Davis does not want to account for it, and Council wants to approve it, that is their right. Hyne commented that she also has the right to vote no because she wants to know what each item is.~~

~~Mayor Zichi commented that the accounts payable can be reviewed anytime before a Council meeting.~~

~~Councilmember Hyne commented that she wants to know exactly what is being presented.~~

~~Mayor Zichi commented that budgets are given every month showing the expenditures and a summary is provided by a Councilmember at every meeting.~~

Councilmember Davis reported that the accounts payable totaled \$66,818.29 and included payments to attorneys, CarQuest, janitors, Lansing Ice & Fuel, Gutting, Municipal Code, the DPW truck, Watkins Assessing, insurance, and other miscellaneous supplies and services. Reference #'s 9341-9411.

Motion by **Davis**, second by **Hanna**, to approve the accounts payable as presented. Yes: VanAllsburg, Hanna, Zichi, Grossman, Davis, Monroe. No: Hyne. **Motion passed.**

8. Action Items

8a. 2nd Reading of Ordinance #302- Irrigation Wells:

Councilmember Hyne commented that she does not believe the City should impose regulations on a well that is pre-existing and does not believe it will compromise the water system as written in section D.

Attorney Perrone responded that the Ordinance is to regulate wells at the time they are abandoned for water supply purposes. The system owner is responsible for taking steps to abandon the well. There are already state laws requiring certain steps to be taken when abandoning wells. The ordinance is to protect the environment and the City's water supply.

Councilmember Hyne asked if an individual property owner would be able to maintain their own well.

Attorney Perrone responded that the ordinance is to regulate installation of *new* irrigation wells. The Ordinance does not regulate pre-existing wells.

Motion by **Hanna**, second by **Monroe**, to approve the second reading of Ordinance #302 for the Irrigation Wells as presented. Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne, Grossman. No: None. **Motion passed.**

8b. Sidewalk Proposal:

Manager Hitchcock reported that two bids were received for sidewalk repairs. The third bid was not received from Eastlund Concrete.

Councilmember Hyne asked why only two bids were received.

Manager Hitchcock responded that the DPW Director talked to the contractors and spent time with each contractor showing them the work to be done, but the third contractor, Eastlund Concrete, will not return phone calls.

Councilmember Hyne asked why the bid from Stevens was received so early.

Manager Hitchcock responded that she was told to get the bids at the August 13th Council meeting and did not receive the first bid until the August 27th meeting which she sealed in an envelope.

Hyne: I just want to make sure this is being done appropriately.

Davis: If this is a concern, they are worried about this being done appropriately, but at the last City Council meeting they instructed the Parks Commission to go seek more bids and then approve up to \$12,000 payment for it. I think it was compromised during our last City Council meeting.

Hyne: Not to exceed, they have that range to work with. They can also accept a lot less.

Davis: I'm just stating that I believe there is a conflict in the application there.

~~Councilmember Davis commented that if there is a concern regarding this bid, then there should have been the same concern during the last City Council meeting when discussing the Parks and Recreation Commission and the fact that they only received one bid for the island work.~~

Motion by **Davis**, second by **Grossman**, to approve the proposal from Stevens Construction for sidewalk repair for \$22,685 based on linear foot price **as well as** including replacement of the planter at the corner of Putnam Street and Grand River Avenue which will be paid for by insurance. Yes: Hanna, Zichi, Hyne, Grossman, Davis, Monroe, VanAllsburg. No: None. **Motion passed.**

8c. City Hall Historical Site Application:

Mayor Zichi distributed a draft of the application without the attachments. A map of where City Hall is as well as photographs of the building will be submitted along with the application. The application needs to be submitted by **approximately** October 5, 2007. He thanked Mr. Lutzke's high school class for all the work they have done for the application. Mayor Zichi reported that the small historical marker is \$4,000 and the larger marker is \$5,000.

Council agreed that the larger marker would be best.

Motion by **Hanna**, second by **Grossman**, to approve the application to the State Historical Preservation Office for the City Hall building and approve the payment of \$250 for the application fee. Yes: Monroe, VanAllsburg, Hanna, Zichi, Hyne, Grossman, Davis. No: None. **Motion passed.**

8d. Resolution 08-07 in Support of a Band Shell in McCormick Park:

Manager Hitchcock reported that she met with Helen Reed to discuss what is happening with the band shell. The Beautification Committee has raised over \$70,000 toward their goal to build the band shell. A large contribution was made by the American Legion. They are asking for an official resolution stating the Council's support of the band shell. The Beautification committee will be in charge of the project and will hire the contractor to build the structure.

Motion by **Hanna**, second by **Davis**, to approve resolution 08-07 in support of the band shell in McCormick Park. Yes: Zichi, Hyne, Grossman, Davis, Monroe, VanAllsburg, Hanna. No: None. **Motion passed.**

9. Discussion Items

9a. Dinner at the Bucket:

Councilman VanAllsburg reported that the Council is invited to dinner at the Bucket on September 30, 2007 at 5:00 p.m.

Council discussed Open Meetings Act requirements.

Attorney Perrone commented that there would not be a violation of the Open Meetings Act if it is a social gathering and no City business is discussed.

11. Staff Reports

11a. City Manager:

Manager Hitchcock reported on Terri Campbell's concerns with McKenna. Hitchcock believes the transition has gone smoothly and the concerns that Ms. Campbell brought up were neither performance based nor the responsibility of the Planner. The issues pertaining to posting the Planner's hours on the website is currently being worked on for all staff positions. Ms. Campbell also discussed an e-mail list for the Planning Commission agendas. Chamber Secretary, Barb Burke, forwarded an e-mail from former Planner Wilson which told people to contact the Deputy Clerk to get agendas, but the Deputy Clerk was not included in the original e-mail and therefore had no knowledge of the issue. Ms. Hitchcock recommended that all agendas be forwarded to the same list as the Council agendas.

Council agreed with the solution.

Hyne: I did have a question on the website cause I know it's been a work in progress for quite a while. Are we posting everything, the meeting notices, and the agendas on the website?

Hitchcock: All the agendas are actually posted on the website before they even get sent out to everybody. For instance I finished up the Parks & Recreation agenda today, and I was hounded for two hours....Do you have that done yet? Trudy is keeping very good track of that. I know at the last meeting we discussed the problem with it and we pulled up the website at the meeting. The next morning she pulled up the website and said "I have minutes missing, they were here yesterday". So that was strictly a fluke in the...

Zichi: Well, there was a gap, there was one after the....

Hitchcock: Yeah, it was, but it was there when she went to load it. She went to load it and it showed an error.

Hyne: So it's all up to date then, everything's accurate?

Hitchcock: Yes.

Manager Hitchcock questioned the Council's idea for the Planner's report format complaint. She feels the report gives much more information than before.

Councilmember Davis commented that the Planning Commission has not discussed it, but has also not brought up any issues against the report format. She added that she personally believes the report has more information and she appreciates the new format.

Manager Hitchcock reported that one of the street sweepers has broken down and will cost an estimated \$3000 for repairs. DPW will try to use the street sweeper regardless, until the new one has arrived.

The keys to the gates for Wells Drive have been ordered with the assistance of Paula Curtis of NIESA.

The logs will be removed during the week with the assistance of Bill's Wrecker. All Terrain will not be needed to do the work because DPW will be able to complete the work themselves.

There was a memo from the Dispatch Manager to Ingham County Dispatch not to use the Williamston tornado siren, and was never revoked, causing the siren not to go off during the tornado warnings. The problem is to be rectified by the Dispatch Office.

11b. City Attorney:

No report.

11c. Planning & Development Administrator:

A written report was submitted for Council review.

13. Audience Participation:

Robert St. John commented that the City crews were out on the North side of the City indicating which sidewalks should be replaced.

John Pratt invited Council to the next Parks & Recreation Commission meeting on Wednesday, September 12. He appreciates the input and thanked Council for their support. He reported that Patty Kuptz is getting more information regarding a Dog Park in Williamston.

14. Council Member Comments:

Councilman VanAllsburg commented that tickets are on sale for Guys on Ice at the Williamston Theatre.

Hyne: I would just again like to, um, thank Craig for putting money into our community and the Bucket and wish him the best and also, um, I would just like to request, um on our next agenda, um, I've been following and trying my best to keep up with the progress on the RiverHouse Inn at 310, um, they're dealing with the Liquor Control Commission right now, and um, there's I guess, my understanding is the most recent um, event was that

the investigator did give approval for the applicant, to the applicant, and the City did not. So it's my understanding that it is to come before the Council so if that is correct, um, then I would like to see it on as a discussion item for us, before that is presented to us.

~~Councilmember Hyne thanked Craig Banwell for putting money into the community. She would like to see RiverHouse Inn on the next Council agenda to discuss the City not approving the Liquor License.~~

Councilman Hanna commented that the burning ban has been lifted and added that the Labor Day walk was fun. The Library Foundation is hosting a luncheon after the discussion regarding the Capital Area District Library proposal. He commented that he would like Council and the City to go to the CADL board meeting.

Councilmember Davis commented that the first home football game is Friday, September 14th. She is encouraging the dog park and hopes dog owners are respectful.

Councilman Monroe commented that Meridian Township provides bags for people to pick up after their dogs.

Mayor Zichi commented that the Labor Day walk was fun and there are still pamphlets available in front of City Hall. He added that the dedication ceremony for the new stadium will be Friday, September 14.

15. Closed Session- AFSCME Union Contract:

Motion by **Hanna**, second by **Grossman**, to go into closed session to discuss the AFSCME Union Contract. Yes: Zichi, Hyne, Grossman, Davis, Monroe, VanAllsburg, Hanna. No: None. **Motion passed.**

Closed Session started at 8:23 p.m.

Motion by **Hanna**, second by **Grossman**, to return to open session. Yes: Davis, Monroe, VanAllsburg, Hanna, Zichi, Hyne, Grossman. No: None. **Motion passed.**

Closed Session ended at 8:35 p.m.

Action on Closed Session:

Motion by **Hanna**, second by **VanAllsburg**, to approve the AFSCME Union Contract as presented. Yes: Davis, Grossman, Hanna, Hyne, Monroe, VanAllsburg, Zichi. No: None. **Motion passed.**

16. Adjournment:

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

Meeting Adjourned at 8:36 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/Clerk

Kenneth V. Zichi, Mayor

Date Approved: _____