

**CITY OF WILLIAMSTON
CITY COUNCIL
MARCH 10, 2008
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:00 p.m. in the City Hall Council Chambers by Mayor Michelle Hyne and the Pledge of Allegiance was recited.

3. Roll Call:

Mayor Michelle Hyne, Mayor Pro-tem John Pratt, Council Members Richard Couturier, Carmen Siciliano, Scott VanAllsburg, Traci Smith, and Kenneth Zichi.
Absent: None.

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorney Timothy Perrone, City Attorney John Gormley, Police Chief Mark Hetfield, DPW Director Gary Haney, Community Development Director Michelle Aniol, Planning & Development Administrator Zeb Acuff, JFM Productions, MSHDA Representative Tom Durkee, citizens John Donahoe, Marlene Epley, Leo Sheets, Michelle Diamond, Debbie Simmons, Jane Hanna, Penny Davis, Teresa Wood, Karla Kemp, Leslie Kemp, Mary Smith, Benjamin Eichler, Lloyd Kendall, Curtis, Mary, and Leslie Smith, Kevin Smith, Rob Couturier, Lea Estes, and other members of the public.

4. Approval of Agenda:

Move item 9e. to 10b. and add "Attorney Client Privilege Letter" to item 15.

Motion by **Siciliano**, second by **Pratt**, to move item 9e. to item 10b. **Motion passed by voice vote.**

Motion by **Siciliano**, second by **Pratt**, to approve the agenda as amended. **Motion passed by voice vote.**

5. Audience Participation:

Jane Hanna, 792 Winding River Drive, addressed the remarks from Brian O'Connell at the previous meeting regarding Bob Hanna. She stated that Mr. Hanna voted on issues that would benefit all of the City business, not just the Chamber. She pointed out that the Chamber advertises on a broad base and not just a single business. Conflict of interest is a broad scope, but should be considered carefully.

Penny Davis asked the cost of the inspection on the Community Center.

Manager Hitchcock answered that it will be done by the state at no cost to the City.

Ms. Davis asked about the status of the attorney and City Manager's review of her letter from the previous meeting regarding conflict of interest by the Mayor.

Manager Hitchcock responded that an attorney opinion was given to the Council but was not released to the public.

Ben Stiffler commented that his children were taken from his yard by a woman that is supposed to be released from jail soon. He added that he believes people should stop being critical of the new elected officials, and try to work together to improve Williamston. He suggested that the Police walk the streets along with patrolling.

Karla Kemp, Leslie Kemp, and Mary Smith presented \$330 for tree replacement in McCormick park by doing a dog wash.

6. Council Minutes of February 25, 2008:

Motion by **Zichi**, second by **Siciliano**, to approve the Council minutes of February 25, 2008 as presented. **Motion passed by voice vote.**

7. Accounts Payable:

Councilman Couturier provided a list of the payables and reported that they totaled \$316,310.34. Reference #'s 54705-54790.

Motion by **Pratt**, second by **Smith**, to approve the accounts payable as presented. Yes: Couturier, Smith, Siciliano, VanAllsburg, Pratt, Zichi, Hyne. No: None. **Motion passed.**

8. Presentation from Michigan State Housing Development Authority (MSHDA) Representative Tom Durkee on Signature Building Program:

Tom Durkee stated that the Michigan State Housing Development Authority has a program for signature buildings to bring about downtown revitalization. The program is a grant program to save signature buildings that may be at risk. The grant program is from the Community Development Block Grant (CDBG). The City would need to match 25% of the grant. The City could rehabilitate the building and lease or sell it to a developer. A lease agreement cannot exceed \$24,999 a year. The building would also be eligible for a façade improvement grant.

Councilman Siciliano commented that this would allow the City to take a proactive stance to get the building renovated and developed.

9. Action Items

9a. MSHDA Signature Building Program:

Motion by **Pratt**, second by **Couturier**, to continue with the pro-active stance and get more information regarding the MSHDA Signature Building Program. Yes: Smith, Siciliano, VanAllsburg, Pratt, Zichi, Hyne, Couturier. No: None. **Motion passed.**

9b. Mill Street Sewer Lining:

Motion by **Pratt**, second by **VanAllsburg**, to approve the bid from Liquiforce for the Mill Street sewer lining in the amount of \$26,500 as presented. Yes: Pratt, Zichi, Couturier, Siciliano, Smith, Hyne, VanAllsburg. No: None. **Motion passed.**

9c. Charitable Gaming License Resolution for Williamston Tennis Boosters:

Motion by **Smith**, second by **Pratt**, to approve the resolution for charitable gaming license for the Williamston Tennis Boosters as presented. **Motion passed by voice vote.**

9d. Police Department Membership in the Law Enforcement Officers Regional Training Commission (LEORTC):

Motion by **VanAllsburg**, second by **Couturier**, to approve the Police Department membership in the Law Enforcement Officers Regional Training Commission (LEORTC). Yes: Zichi, Hyne, Couturier, Smith, Siciliano, VanAllsburg, Pratt. No: None. **Motion passed.**

9e. Ordinance #306 Changing Council Meeting Dates- 1st Reading:

Motion by **Zichi**, second by **Pratt**, to not enact Ordinance #306 and have the City Council Rules of Procedure amended to change the packet deadline from Friday to Thursday. Yes: Hyne, Siciliano, Smith, VanAllsburg, Pratt, Zichi. No: Couturier. **Motion passed.**

9f. Traffic & Vehicles Ordinance- 1st Reading #307:

In the heading of the ordinance delete "S UNATTENDED OR LEAVING THE" and add "S" to "ENGINE". In section 66-10 delete "unattended or leaving" and delete "(a)".

Motion by **VanAllsburg**, second by **Smith**, to adopt the first reading of the Traffic and Vehicles Ordinance as amended. Yes: Smith, Zichi, Hyne, Pratt, Couturier, Siciliano, VanAllsburg. No: None. **Motion passed.**

A drafted nuisance ordinance will be on the next agenda.

9g. Zoning Ordinance Amendment- 1st Reading #308:

Motion by **Siciliano**, second by **Zichi**, to approve the first reading of the Zoning Ordinance amendments as presented. Yes: Siciliano, Couturier, Pratt, VanAllsburg, Smith, Zichi, Hyne. No: None. **Motion passed.**

Motion by **Couturier**, second by **Smith**, to direct the City Attorney to prepare an ordinance to allow a three foot sign setback for the next meeting with safety factors considered. Yes: Hyne, Smith, Couturier, Couturier, Pratt. No: Zichi, Siciliano. **Motion passed.**

10. Discussion Items

10a. Website:

A presentation was given on website ideas available for the City.

A committee consisting of Smith, Siciliano, and VanAllsburg, will work on the website with the Chamber of Commerce.

10b. MDOT Access Management Plan:

Motion by **Pratt**, second by **Couturier**, to table the MDOT Access Management Plan until the next meeting. Yes: VanAllsburg, Pratt, Zichi, Hyne, Siciliano, Smith, Couturier. No: None. **Motion passed.**

12. Staff Reports

12a. City Manager:

Manager Hitchcock submitted a written report for Council review and added that the state has been contacted regarding the inspection of the Community Center.

12b. City Attorney:

Attorney Perrone addressed the comments from audience member Penny Davis regarding conflict of interest and the special meeting requirements.

12c. Planning & Development Administrator:

A written report was submitted for Council review.

12d. Treasurer:

A financial printout for February was submitted for Council review.

13. Audience Participation:

Marlene Epply stated that the Williamston Library Foundation is holding a murder mystery fundraiser at the Brookshire Inn. The cost is \$30 per person. She added that the Foundation's board meetings are held on the second Wednesday of the month at 7:00 p.m. in the Wheatfield Township hall. Randy Schafer will be attending the next meeting to address the CADL plan. They have had a concept design of the proposed library that would be a 'green building'. Ms. Epply commented that she understands there is a lot of controversy in the community regarding the Community Center, but stated that she has spent a lot of time their lately, and sees that there is a great need for it.

Penny Davis commented that although there may not have been a campaign violation of the campaign finance act, there has been a violation of the City Charter. She added that the previous Council worked hard to fix issues that were made by previous Councils and the current Mayor is affecting the integrity of the City.

Leo Sheets commented that he does not agree with Penny Davis and applauds what is happening on the current Council. He added that it is much easier to deal with the City. There is no feeling of fear of talking to the City Manager. He feels that the environment is much nicer without all the animosity that was on the previous Council.

Councilman Pratt commented that he takes offense to Penny Davis' comments that the previous Council was just as fair in the 80's as they are today, and does not like her statements.

Councilman Couturier commented that he has received e-mails from some community members that he is unethical. He commented that he has read the ordinance book twice and commented that his son has a business in the City. He

quoted section 3.4.6 chapter 17 & 18 regarding conflict of interest being a financial interest in something a Councilmember votes on. He commented that he has no financial gain from his son. He added that the Charter also states that Council shall vote on every question put before it. Couturier stated that he will not be voting on the issue involving his son, but an attorney opinion has been received stating that he can vote on the issue.

14. Council Member Comments:

Councilman Zichi commented that he had an opportunity to go to Charlotte for the Michigan State Band and Orchestra Association Festival. The Williamston Wind Ensemble received all ones and the Symphony received two's and did well too. He was pleased to see so many parents attend the festival.

Councilman Pratt commented that he spoke with Jim Jabaar regarding the recording of the meetings and he should be contacting Manager Hitchcock with more information. He added that the lights on the front of City Hall are still not fixed.

Councilman VanAllsburg commented that the green building concept for the library could define the City. The quality is amazing.

Mayor Hyne thanked everyone for attending the meeting and added that the campaign finance contribution reports are available on-line and are required to be disclosed. She added that the City Council will be holding a budget work session on Thursday, March 13, at 7:00 p.m. in the City Hall Council Chambers.

15. Closed Session- Pending Litigation- R&R Fence & Attorney Client Privilege Letter:

Motion by **Pratt**, second by **Smith**, to go into closed session to discuss the pending litigation with R&R Fence and the Attorney Client Privilege letter. Yes: Couturier, Smith, Siciliano, VanAllsburg, Pratt, Zichi, Hyne. No: None. **Motion passed.**

*Closed Session started at 10:11 p.m.

Motion by **Pratt**, second by **Zichi**, to return to open session. Yes: Smith, Siciliano, VanAllsburg, Pratt, Zichi, Hyne, Couturier. No: None. **Motion passed.**

*Closed Session ended at 11:02 p.m.

Action on Closed Session:

Motion by Pratt, second by VanAllsburg, to have the letter from attorney's Cohl, Stoker, Toskey, and McGlinchey, dated 5-10-08 be forwarded to Mr. Couturier's attorney as soon as possible and have them get back with our attorney as soon as possible. Yes: Pratt, Zichi, Couturier, Siciliano, Smith, Hyne, VanAllsburg. No: None. Motion passed.

Attorney Perrone commented that there is nothing in the law that states you cannot deliberate even if you are not voting.

16. Adjournment:

Motion by **Zichi**, second by **Pratt**, to adjourn. **Motion passed by voice vote.**

***Meeting Adjourned at 11:08 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

Michelle A. Hyne, Mayor

Date Approved: _____