

**CITY OF WILLIAMSTON
CITY COUNCIL
APRIL 28, 2008
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:10 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, Traci Smith, Scott VanAllsburg, and Ken Zichi. Absent: None.

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorneys Dave Stoker, and John Gormley, Police Chief Mark Hetfield, Community Development Director Michelle Aniol, JFM Productions, School Superintendent Joel Raddatz, Theatre Representatives Emily Sutton-Smith and Tony Caselli, citizens Terri Campbell, Bill St. John, Rob Couturier, Penny Davis, Bruce Russell, Brian O'Connell, Leo Sheets, Donna Anton, Rick and Nancy Williams, Rob Oesterle, Irene Waligorski, Luella Ballenger, Virginia Taschner, Katheryn TwoEagles, Dave Coker, Harrison Smith, Arlene Rawley, Leonard Wiene, John Donahoe, Jane Sabin-Hanna, William and Melanie Schall, Marlene Epley, Sue Nichani, Michelle Diamond, and other members of the public.

4. Approval of Agenda:

Motion by **Couturier**, second by **Pratt**, to delete items 9k., 9m., 9n., and 9o. Yes: Hyne, Pratt, Siciliano, Smith, VanAllsburg, Couturier. No: Zichi. **Motion passed.**

Motion by **VanAllsburg**, second by **Zichi**, to move item 9g. to 9c. **Motion passed by voice vote with Pratt voting no.**

Motion by **VanAllsburg**, second by **Couturier**, to approve the agenda as amended. **Motion passed by voice vote with Zichi voting no.**

5. Audience Participation:

Donna Anton commented that people are taking time out of their busy lives to attend the Council meeting but cannot hear what is going on. She asked if the Council could get a PA system.

6. Council Minutes of April 14, 2008:

On page 5, 10c., add "\$100,000 since August 23" after "McKenna".

Motion by **VanAllsburg**, second by **Pratt**, to approve the Council minutes of April 14, 2008 as amended. **Motion passed by voice vote.**

7. Accounts Payable:

Councilman Couturier reported that the accounts payable totaled \$114,892.73 and included payments for the Assessor, McKenna, River's Edge GIS, sewer system bond,

City Manager reimbursement, and other miscellaneous supplies and services.
Reference #'s 10656-10728.

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

8. Introduction of Financial Task Force Members:

Tom Clay introduced himself to the Council and explained some of his background.

9. Action Items

9a. Appointment of Financial Task Force Member:

Motion by **Smith**, second by **Pratt**, to appoint Tom Clay to the Financial Task Force. Yes: Zichi, Couturier, Hyne, Pratt, Siciliano, Smith, VanAllsburg. No: None. **Motion passed.**

9b. MCACA Grant Application for Williamston Theatre:

Motion by **Siciliano**, second by **Pratt**, to approve resolution #03-08 supporting the Williamston Theatre grant application as presented. **Motion passed by voice vote.**

9c. N. Williamston Road Speed Limit:

Councilman Couturier commented that based on the engineer recommendation for an increased speed limit, he wants the issue revisited. He added that he has been approached by citizens regarding the speed limit being too low and speed traps in that area.

Councilman VanAllsburg commented that the Council should take into account the concern of the people and not just the engineer's study. He is also concerned that if the speed limit is raised, people will end up going faster than the new speed limit.

Councilman Couturier agreed with VanAllsburg's statements.

Mayor Hyne relayed a story from a new resident in Plymouth Landing that received a speeding ticket for going 33 mph in a 25 mph zone and were told by the officer that there is a no tolerance policy.

Councilman Couturier commented that he talked to two police officers that do not feel that it is right to issue tickets in that area.

Motion by **Pratt**, second by **Couturier**, to have the speed limit from the south city limits to Linn road remain the same, the speed limit from Linn Road to Innovation Parkway remain the same, Innovation Parkway to Industrial Park Drive increased to 35 mph, and Industrial Park Drive to South Street remain the same.

Councilman Zichi reported on the history of how the speed limit became 25 in that area. The speed limit was set at 25 for safety reasons.

Councilman Pratt commented that there is an alternate way to walk to town without having to go down Williamston Road.

Zachary Davis commented that if the speed limit is raised he will no longer be able to ride his bike with his friend to the Tractor Supply Company.

Penny Davis commented that the new study was done because Michelle Hyne reasoned that businesses and customers were complaining about the speed limit and threatened not to patronize Williamston. She commented that it is very difficult to turn out of Plymouth Landing as well as issues with buses stopping in that area. She believes the Council is being disingenuous by bringing this issue up again and again.

Mayor Hyne commented that she was contacted by a resident of Plymouth Landing that would support the speed limit increase. She also stated that she lives on S. Putnam and it is not always easy. She sees people speeding by her house and believes there is an enforcement issue. She added that the Council is discussing putting sidewalks in the next budget for areas that do not have them.

Councilman Pratt commented that he has received hundreds of phone calls from people telling him how glad they are to see the issue on the agenda because they will not travel on S. Putnam due to speed traps.

Dave Coker commented that he agrees with Ms. Davis, and Members Zichi and VanAllsburg. The population has increased significantly since the study was done the first time when the speed limit was lowered. He added that the people have a tendency to go over the speed limit that is posted. He stated that it is common sense to leave the speed limit as is and until there is another exit out of Plymouth Landing it should remain the same.

Leo Sheets commented that Councilman VanAllsburg did not talk to the people that drive down the road, he only spoke with residents in Plymouth Landing. He added that common sense is when people start traveling at a slower speed there are going to be more rear end accidents. He encouraged people to visit the speed trap website where Williamston Road is listed.

Brian O'Connell commented that if the Council took a poll, most of the people in Williamston will want the speed limit raised. When the speed limit is raised it will not fix the speed trap issue. The area is only a quarter of a mile long and would only save someone seven seconds of drive time. If someone gets hurt there, it will come back on the Council that they caused someone's injury or death.

John Donahoe commented that he appreciates the small town atmosphere and has decided to go the speed limit. He commented that he loves to drive fast, but has made a decision to follow the speed limits.

Bruce Russell commented that he has kids and they often ride their bikes into town on Williamston Road and does not believe it will be safe with faster car traffic and the large truck traffic. The higher speed will encourage more trucks to travel through there. He

added that there is difficulty seeing the oncoming traffic when pulling out of Plymouth Landing.

Motion by **Pratt**, second by **Couturier**, to end debate. **Motion passed by voice vote with Zichi and Siciliano voting no.**

Vote on the motion: Yes: Couturier, Hyne, Pratt, Smith. No: Siciliano, VanAllsburg, Zichi. **Motion passed.**

Penny Davis asked when it would be in effect.

Attorney Stoker and Chief Hetfield responded that a traffic control order would need to be approved at the next council meeting.

Dave Coker asked what the Police Department will enforce.

Chief Hetfield answered that it would be patrolled the same as it is now.

Dave Coker congratulated the Council on making the decision and added that the Police Chief has said he will enforce anything 15 miles over the speed limit.

Chief Hetfield answered that is not what he stated.

9d. Resolution Authorizing Sale of Old Fire Hall:

Motion by **Zichi**, second by **Pratt**, to approve resolution #04-08 authorizing the sale of the old fire hall at 627 E. Grand River Ave. as presented. Yes: Hyne, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Couturier. No: None. **Motion passed.**

9e. Rezoning Application Fee for 725 & 825 W. Grand River Ave.:

Manager Hitchcock reported that Ken Stockwell is asking the Council to waive the fees for rezoning of his property at 725 and 825 W. Grand River claiming it was rezoned without his knowledge. Ms. Hitchcock stated that the zoning would have been changed with the adoption of the Zoning Ordinance in 1997. The public was notified of the changes by newspaper publication. The zoning was changed from Business to Commercial.

Motion by **VanAllsburg**, second by **Zichi**, to deny the request to waive the rezoning application fee for 725 and 825 W. Grand River Ave. Yes: Pratt, Siciliano, Smith, VanAllsburg, Zichi, Couturier, Hyne. No: None. **Motion passed.**

9f. RCRA Charitable Gaming License:

Motion by **Pratt**, second by **Siciliano**, to approve resolution #05-08 for charitable gaming license for the RCRA as presented. Yes: Siciliano, Smith, VanAllsburg, Zichi, Couturier, Hyne, Pratt. No: None. **Motion passed.**

9g. Senior Center Liaison:

Mayor Hyne commented that she would like to see someone appointed from the senior center to act as a liaison between the City Council and senior center.

Motion by **Pratt**, second by **Smith**, to issue a letter to the senior center to encourage them to appoint a senior center liaison. Yes: Smith, VanAllsburg, Zichi, Couturier, Hyne, Pratt, Siciliano. No: None. **Motion passed.**

9h. City Attorney Contracts:

Manager Hitchcock commented that she and the City staff are 100% satisfied with the services provided from both firms.

Councilman Couturier commented that he wants to see a single firm handle the City's business, so there is no conflict in opinions.

Councilman VanAllsburg commented that he is satisfied with the attorney's work and is in favor of leaving the attorney's the way they are.

Councilman Couturier read aloud information regarding a court proceeding regarding R&R Fence and asked Attorney Gormley to respond.

Attorney Gormley defended his actions regarding R&R Fence and added that the judge denied R&R Fence's order.

Rob Couturier commented that he has not seen the order.

Councilman Zichi commented that he has seen the order when he was Mayor.

Motion by **VanAllsburg**, second by **Siciliano**, to continue with the current City Attorney contracts. Yes: VanAllsburg, Zichi, Hyne, Pratt, Siciliano, Smith. No: Couturier. **Motion passed.**

9i. Property Maintenance Code Complaint:

Manager Hitchcock reported that a property maintenance code complaint was received for an outbuilding at 3150 N. Williamston Rd. The building department has asked for clarification for property maintenance enforcement on the issue because it is agricultural and they normally do deal with agricultural outbuildings and there could be issues with the "Right to Farm" Act.

Attorney Stoker commented that the property maintenance code is a state required law and the Council does not have the authority to change it.

Mayor Hyne commented that she did not vote to approve the property maintenance code, ~~and believes there are other structures that are just as bad that are not being taken care of.~~

Attorney Stoker commented that whether the City wanted to adopt the property maintenance code or not, the City is required by the State to work under the code.

Councilman Pratt asked what is supposed to be voted on.

William Schall commented that he was surprised to learn that there was a complaint filed by Councilmembers Couturier and Pratt. He pointed out that they are a small

business and farm. They have buildings that are in need of repair and maintenance. He commented that his swine house will be repaired and wants to make sure that he will be allowed to recoup his costs by raising swine. He commented that they were disappointed that no one knocked on their door and said anything to them as was previously stated could be done by Councilman Pratt when discussing a lighting ordinance. He added that he and his wife have driven around the City and have made a list of several properties that also need repair and wondered why they were being singled out.

Councilman Pratt commented that the issue was related to him by other people and it was mentioned to the City Manager when driving by.

William Schall asked what people complained to him.

Councilman Pratt answered that he did not have the names at the moment.

Melanie Schall asked if other people that have problems with their outbuildings are going to be issued complaints. She wants to see equal treatment for everyone.

Councilman Couturier commented that the City is 'pick and choose', and if they have a building that needs fixing, then it should be fixed.

Mayor Hyne commented that she had a complaint filed against her regarding the clearing of her sidewalk. ~~And~~ **The Police Department stated** she was the only one that had a complaint against her.

Manager Hitchcock commented that the complaint was filed for the entire side of the street and not just Mayor Hyne's residence.

Attorney Stoker suggested that the City should follow the law, but look for viable ways to take care of these issues.

Motion by **VanAllsburg**, second by **Smith**, to instruct Building Inspector Gale to work with the property owners regarding the maintenance code violation in a reasonable time frame. Yes: Couturier, Hyne, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

9j. Deer Creek Parking Lot:

Motion by **Zichi**, second by **Siciliano**, to approve the bid C1 from American Asphalt for parking lot paving in an amount not to exceed \$18,585 as presented. Yes: Hyne, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Couturier. No: None. **Motion passed.**

9k. Sign Setbacks Draft Language:

Motion by **VanAllsburg**, second by **Zichi**, to schedule a joint meeting in June with the Planning Commission to discuss the sign setbacks language, planning act, and zoning act to be scheduled by the City Manager. **Motion passed by voice vote.**

9l. Councilmember Resignation and Process for Appointing Replacement:

Motion by **VanAllsburg**, second by **Zichi**, to regretfully accept the resignation of Richard Couturier as of May 1, 2008. **Motion passed by voice vote.**

Motion by **Pratt**, second by **VanAllsburg**, to have applications for Council appointment submitted by May 31, 2008. **Motion passed by voice vote.**

10. Discussion Items

10a. Park Property Splits:

Manager Hitchcock reported that the agreement with the school is based on the dollar value of the Community Center along with the surrounding property. The school has shown interest in some park property. She wants to know if the Council is agreeable to the property splits because there is a cost to do the splits that could be shared with the schools.

Williamston Community Schools Superintendent, Joel Raddatz, commented that the schools need more parking area for the newly constructed stadium. Williamston has the best facilities in southern Michigan at this time and could potentially have large events held there. They are interested in improving the old tennis courts to make them usable. He would like to proceed with the deal one way or the other.

Mayor Hyne commented that she wants the school to ~~make the effort to make~~ **confirm** agreements with the Jubilee committee to ensure that they can continue the festival.

Councilman Pratt asked if the derby would still be able to take place there.

Mr. Raddatz answered that it would.

Councilman Couturier asked if the sledding hill would remain.

Mr. Raddatz answered that it would remain City property.

This will be on the next agenda for action along with the park plan amendment.

10b. Joint Building Authority for Community Center and Potential Appointment of Sub-Committee:

Mayor Hyne commented that she believes the Council should explore a joint building authority with surrounding townships to keep the community center as a community center.

Councilman Zichi commented that it should be brought up with the surrounding townships.

Manager Hitchcock commented that the idea behind buying the community center was to relocate City staff and requested to keep all options open until a plan is in place for staff offices.

The Council will bring up the idea of a joint building authority for the community center at the joint meeting with Williamstown Township on May 15.

Marlene Epley commented that she has spent a lot of time at the community center and sees a lot of people using it. She believes there is a need for this type of building and an exploratory committee should be set up to discuss it.

Nancy Williams commented that they should look at using grants to update and renovate the building.

Meeting recessed at 10:30 p.m.

Meeting reconvened at 10:35 p.m.

10c. Banwell Correspondence:

Councilman VanAllsburg commented that he met with the Police Department and thought Mr. Banwell should sit down with the Police Chief and discuss it.

Chief Hetfield commented that they are doing routine walk-throughs as would usually be done.

Councilman Couturier asked Chief Hetfield if he is meeting with Mr. Banwell.

Mayor Hyne commented that she would rather see the Police Department and Mr. Banwell work together to solve the issue before it escalates.

12. Staff Reports

12a. City Manager:

Manager Hitchcock submitted a written report for Council review.

12b. City Attorney:

Attorney Stoker reported that revenue sharing was supposed to be increased. He added that there are seminars on the Planning and Zoning Act and encouraged people to attend.

12c. Community Development Director:

A written report was submitted for Council review.

12d. Police:

A written report was submitted for Council review.

12e. WWTP:

A written report was submitted for Council review.

13. Audience Participation:

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

14. Council Member Comments:

Councilman VanAllsburg commented that the concert held at the Theatre raised \$880.

Councilmember Smith commented that she will miss Councilman Couturier's participation.

Councilman Pratt thanked Councilman Couturier for his service on the City Council and added that Crazy Horse is open.

Councilman Siciliano commented that the RFP/RFQ proposal will be on the next agenda as an action item and added that there is information in their mailboxes for review. He wished Councilman Couturier and his family good health.

Councilman Zichi wished Councilman Couturier the best.

Councilman Couturier commented that he hates to leave his position on the Council and hopes the City Hall and Police Department will be in this location. He added that staff and Council have been very nice and helpful.

Mayor Hyne thanked Couturier for his participation as a Councilman and added that he will be missed.

15. Adjournment:

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

***Meeting Adjourned at 10:58 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: _____