

**CITY OF WILLIAMSTON
CITY COUNCIL
AUGUST 11, 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 Pro-tem John Pratt and the Pledge of Allegiance was recited.

3. Roll Call:

Mayor Pro-tem John Pratt, Council Members Michael Moody, Traci Smith, Scott VanAllsburg, and Ken Zichi. Absent: Michelle Hyne (arrived at 7:01) and Carmen Siciliano (arrived at 7:04).

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorney Bonnie Toskey, Police Chief Mark Hetfield, McKenna Representative Courtney Piatowski, JFM Productions, Ingham County Housing Commission Representatives Bruce Johnston, Shanda Wrozek, and Glen Rockey, citizens Teresa Wood, Brooke Locke, Mark Wolbert, Harrison Smith, Wendy Shaft, Paul and Dawn Marie Joseph, Sue Nichani, Jim Lounsbury, and other members of the public.

4. Approval of Agenda:

*Hyne arrived at 7:01 p.m.

Motion by **Zichi**, second by **VanAllsburg**, to approve the agenda as presented. Yes: Moody, Pratt, Smith, VanAllsburg, Zichi, Hyne. No: None. **Motion passed.**

5. Audience Participation:

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

6. Council Minutes of July 28, 2008:

Mayor Hyne asked that the comments from item 10d. be added to the July 28, 2008 minutes.

Motion by **Moody**, second by **VanAllsburg**, to table the Council minutes of July 28, 2008 so the comments may be added to item 10d. **Motion passed by voice vote.**

Councilman Pratt asked that Jim Lounsbury be allowed to address the Council at this time.

Motion by **Pratt**, second by **VanAllsburg**, to return to item 5. Audience Participation to allow Jim Lounsbury to speak. **Motion passed by voice vote.**

5. Audience Participation revisited:

Jim Lounsbury, 180 Noble Rd., commented that he is purchasing the building at 627 E. Grand River. His offer to purchase the building was made on February 25th. City Council approved his offer on May 11th. He went to the Planning Commission and was told by a source that he did not have to have to do a site plan because he was not changing the footprint or the exterior of the building. He ended up having to get a site plan that was submitted to the Planning Commission on June 5th and the Planning Commission told him the site plan was incomplete because it did not have lighting, planter boxes, sewer, water, utility structure. He indicated to them at the time that the building was not going to change, the existing lighting, planter boxes, and utilities would remain the same.

Planning Commission asked him what he was going to put in the planter boxes. He informed them he would plant whatever would grow and if nothing would grow they would put white stones in it. Planner Acuff informed him that junipers may grow with the road salt. A special meeting was held on June 19th where they granted him site plan approval. During this time Planner Acuff told him he would need to talk with Gary Haney of DPW because he needed information regarding storm water, water/sewer into the building. He did not realize that the DPW Director and Planner are in the same building and did not understand why the Planner could not ask the DPW Director for the information. He commented that he had another incident with the Planner when he attempted to meet him at his office and he was not there, and was not at City Hall, so he called the McKenna office and they left him a message on his voicemail. He was told by a City employee that the Planner was in his office. He needs to have everything approved before he closes. He was asked by his realtor for site plan approval but was unable to get the letter he needs due to the Planner and Secretary being gone. He commented that he is from Williamston and wants to stay in Williamston but the City makes it hard. He is ready to walk away because it has been so rough.

Mayor Hyne commented that she has served on the Council for three years and has tried to make the City more business friendly. To have a strong community there needs to be a strong business community. She has been working very hard to make sure that people are responded to and that the process flows easier and people get the answers they need. She asked the City Manager to follow up on it.

Manager Hitchcock stated that she would and that a letter had gone out to the realtor stating that all of the zoning has been addressed.

Councilman Moody asked why the applicant did not receive the letter.

Manager Hitchcock responded that the realtor is the one that asked for it which is unusual.

Councilman VanAllsburg commented that he would like for Mr. Lounsbury to meet with the City Manager to document exactly what has happened and research the issue and report back to the Council.

Jim Lounsbury commented that he believes there is a problem because the Planner is only in the office six hours a week. So trying to get information from that office is almost impossible. He did not understand why the approval was not sent to him rather than the realtor. He asked why the City employees do not like each other because they do not communicate.

Councilman Moody asked if there was a business ombudsman.

Councilman Pratt commented that he wants someone full time rather than someone that comes in once a week. He also stated that it was discussed at the NIESA meeting that the City was holding up the title company.

7. Accounts Payable:

Councilmember Smith reported that the accounts payable totaled \$129,703.16 and included payments for RS Technical Services, and other miscellaneous supplies and services. Reference #'s 55376-55449.

Checks 55437 and 55390 were removed from the accounts payable until Manager Hitchcock could look into the invoices from Red Rock Landscape.

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

8. Presentation by Executive Director of the Ingham County Housing Commission Bruce Johnston on MSHDA's Rental Rehabilitation Program:

Bruce Johnston introduced himself and described the MSHDA's Rental Rehabilitation Program. It provides funds for property owners up to \$35,000 per apartment with a five year deferral. After five years of completing MSHDA's rental requirements it is forgiven. There is a 25% requirement for property owners to match. There are abatements for asbestos. There have been twenty-two rehabilitations completed in downtown Mason. The Mason City Manager speaks very highly of the program and it has enabled people to live in the downtown. The program can revitalize and boost a community. In his experience he has found that if this program is in place buildings will sell because people want to be able to rehabilitate their apartments. The program is becoming popular around the state. The Housing Commission would apply for the grant through Ingham County. The City would have to give a letter of support. They would work with the City staff and building inspectors to design the program. On August 20 in Mason, MSHDA has hired him to teach this program for other communities. The seminar will include a tour of the completed projects in Mason.

Mayor Hyne asked what district this would impact.

Mr. Johnston answered that it is meant for downtown districts.

Councilman VanAllsburg asked if they work with the landowner to decide what kind of materials they want to use.

Mr. Johnston replied that they do work with the owner.

Councilman Zichi commented that it sounds like what was done with the old Andrews Hotel building. The upstairs was gutted and remodeled in the 1980's.

Councilman VanAllsburg asked if the City could direct a property owner to do this or is it voluntary.

Mr. Johnston answered that it is voluntary.

9. Action Items

9a. 109 E. Grand River Ave Development RFQ/P:

Courtney Piatowski gave an overview of the RFQ/P.

Councilman Pratt commented that he was approached by a couple of developers that stated McKenna told them they were not allowed here, were not welcome here, the building was not for sale, and the building was sold.

Councilman VanAllsburg commented that Councilman Pratt should document that more specifically.

Councilman Pratt commented that he told the people to be here, but they are not.

Councilman Moody commented that he believes there should be extra copied for the audience members to follow along.

Mayor Hyne asked if the document had been reviewed by the City Attorney to make sure everything is legally included. She asked who would review the development agreement.

Ms. Piatrowski answered that the agreement would go to Council.

Mayor Hyne asked how the point system is decided.

Ms. Piatrowski answered that it would need to be discussed with the Council.

Councilman Siciliano commented that just because the point system exists, it does not mean they have to follow it.

Councilman Zichi commented that the Council has the right to reject all proposals.

Councilman Moody pointed out some typos, on page 3, 'Williamston experienced it's', and on page 8, 'preserved'.

Councilman VanAllsburg asked if there is communication between the contractor and McKenna.

Ms. Pietrowski answered that there is a meeting that is held to let the developers ask questions. There will also be interviews of the candidates.

Councilman VanAllsburg commented that he was concerned that the proposal does not state that the Council prefers retail on the first floor rather than offices.

Councilman Zichi commented that on page 4, it is noted that Williamston is not looking for anything in particular.

Mayor Hyne asked that the reference to a 'seedy bar' on page 4, be removed because she feels it is inappropriate.

Councilmember Smith asked for the document to be identified as the 109/115 building throughout. She also asked if the MSHDA program could be used in conjunction with this.

Bruce Johnston commented that the program could be offered to a developer.

Ms. Pietrowski commented that there could be information regarding the program included in the RFQ/P.

Mayor Hyne commented that she wants 'dilapidated storefront' and the information regarding the 109/115 building work being done by incompetent contractors and inferior quality materials be stricken from the proposal. She commented that the previous owners worked very hard to open the business and had a tough time dealing with the City. She asked who developed the language on page 4.

Attorney Toskey commented that the drafted document does an excellent job of protecting the City's interest and the taxpayer's interest. She could not think of a recommendation to change or restructure or expand the draft.

Motion by **VanAllsburg**, second by **Zichi**, to proceed with the submission of the historic redevelopment RFP/Q with corrections as brought forward. Yes: Zichi, Hyne, Moody, Siciliano, Smith, VanAllsburg. No: Pratt. **Motion passed.**

9b. MSHDA Rental Rehabilitation Program:

Motion by **Pratt**, second by **Moody**, to send a letter of support for the MSHDA Rehabilitation Program. Yes: Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

9c. Second Reading and Adoption of Ordinance #308- Sidewalk Sign Amendment:

Motion by **Siciliano**, second by **Zichi**, to approve the second reading of ordinance #308 as amended. Yes: Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne. No: None. **Motion passed.**

Motion by **Moody**, second by **Siciliano**, to have the Planning Commission look into the option of having a separate sign ordinance. Yes: Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne. No: None. **Motion passed.**

9d. Planning Commission Ordinance:

The City Attorney provided options for a Planning Commission Ordinance.

Councilman VanAllsburg commented that the Planning Commissioners feel very strongly that the Planning Commission should be made up of residents in Williamston and he agrees with them. He added that there are two members that have threatened resignation if it goes through. They were offended by the idea.

Mayor Hyne commented that the Planning Enabling Act allows the option to have people serve on a City board as non-residents. There are people that own business, own property, or have an interest in the community.

Councilman Zichi asked if the ordinance could be changed to have stakeholders only.

Attorney Toskey answered that the Council does not have the authority to change the ordinance.

Motion by **Pratt**, second by **Moody**, to have the option of 9 members on the Planning Commission made up of six residents, two non-electors, and one councilmember on the next agenda for the first reading.

Discussion:

Councilman VanAllsburg commented that the relationship with the Planning Commission is already strained and he does not want to see the ordinance approved.

Councilman Pratt commented that the Council is elected officials and the Planning Commission is appointed. If they do not want to follow what the Council does, then let them resign. There are other people in the community that want to serve.

Councilman Moody commented that he believes the Planning Commission is doing a good job and he would hate to see them leave.

Councilman Pratt commented that he believes they are doing a good job too, but if something does not go their way and they threatened to quit, then fine.

Councilman Zichi commented that these people have dedicated a lot of time to the community and to not even listen to what the Planning Commission is saying is wrong. The Council does not have to adopt this ordinance. He would have been more comfortable if it stated the appointee would have to be a stakeholder.

Councilman VanAllsburg commented that the Planning Commission felt that people should serve on the Planning Commission where they live.

Mayor Hyne recommended that the Planning Commission e-mail their comments to the City Manager. She appreciates everyone that serves on City boards.

Councilman Pratt commented that the Planning Commission knew this was on their agenda for consideration and they should be here.

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

9e. Resolution Moving Polling Locations:

Motion by **Zichi**, second by **Moody**, to approve the resolution moving the polling locations to the Community Center as presented. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

9f. Appointment of Councilmember Moody to Committees (Personnel and Finance):

Motion by **Pratt**, second by **Siciliano**, to appoint Councilman Moody to the Personnel and Finance committees. Yes: Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt, Siciliano. No: None. **Motion passed.**

10. Discussion Items

10a. Signs in Right of Way:

Councilman VanAllsburg commented that the City made a mistake when it decided to enforce the sign ordinance by ripping signs down without providing any alternatives. He recommended that the City or Chamber have sandwich board signs that are available for people to advertise what they are doing with instructions on where they can put them.

Councilman Pratt commented that there should be a permit system. Someone would come in and pay a \$5 registration, and when they take their sign down, they would get their money back.

Manager Hitchcock commented that the Council needs to take the MDOT right of way into account because it is not the City's jurisdiction. She will provide an example for the next meeting.

Chief Hetfield commented that he is concerned with safety especially for the people that have to climb the power poles.

Attorney Toskey commented that she would recommend a sign ordinance separate from the Zoning Ordinance.

12. Staff Reports

12a. City Manager:

Manager Hitchcock submitted a written report for Council review.

12b. City Attorney:

Attorney Toskey reminded the Council that the Planning Commission minutes can serve as the original source of authority for approval.

13. Audience Participation:

Dawn Marie Joseph, 2833 Linn Road, questioned how the sign ordinance fee would be determined.

Manager Hitchcock responded that the Council would have to adopt a separate fee schedule.

Ms. Joseph asked if someone else has an idea other than retail for the 109/115 building, should they just not submit it.

Councilman Zichi commented that he does not believe there would be any idea that they would say no to, except for tearing the building down.

Councilman VanAllsburg responded that the people that went to the brainstorming sessions did not seem to like the idea of office space, but it does not mean they cannot consider it.

Ms. Joseph commented that she would not like to see developers go through the expense of the proposal if it would not be considered.

Councilman Siciliano commented that he does not feel that was the spirit of the discussion of the subcommittee. They took the comments from the brainstorming session and incorporated them into the document.

Council agreed that all options would be considered.

Ms. Joseph stated that a comment was made by a Councilmember that people should go to their own city or township and apply there. She asked if this should also apply to people that have a business here. Should they take that to their city or township?

Councilman VanAllsburg responded that the comment was made to him by the Planning Commission and he was reporting it.

Ms. Joseph commented that a Councilmember agreed with it.

Mayor Hyne responded that no, she does not want businesses to move to their township or city.

14. Council Member Comments:

Councilman Zichi commented that he had a good time with the Williamston High School marching band camp last week at Camp Kimball. They did a wonderful job and he was impressed by how much they had progressed.

Councilman Moody commented that it would be nice to have a couple extra packets for audience members.

Councilman Pratt agreed and added that people should be able to sign up to get a copy of a document.

Councilman Zichi commented that the packet is available ahead of time at the City Hall and Library.

Mayor Hyne asked Deputy Clerk Thompson if it could be put on the website.

Deputy Clerk Thompson replied that this would need to be discussed with the City Manager.

Councilman VanAllsburg commented that when someone comes forward with a complaint, it is important that the Council look at it as an opportunity to improve and look at it in a non-defensive way.

Councilmember Smith commented that if the sign ordinance is a temporary sign it may be a \$15 fee. She also asked about the burn on the island.

Mayor Hyne responded that it was scheduled to be done but the permits that were required to be issued are being denied by the Fire Chief.

Councilman Pratt commented that it is because the Fire Chief wants a rewrite of the ordinance.

Mayor Hyne commented that they are going to have a meeting to discuss the situation.

Councilman Pratt commented that the Fire Chief told the City Manager that he was denying it because it would be too much smoke for Council members in the neighborhood. They have to get the trees they already bought into the ground before they die.

Councilman Pratt commented that he is requesting a personnel meeting be held as soon as possible. He has an issue that he wants to bring forth that is very important. He wants to see the issue addressed immediately before it gets out of hand. He thanked everyone for the support he received when his brother passed away.

Mayor Hyne thanked the residents for communicating their concerns with her during her office hours. The Dog Days was a tremendous success and thanked Ms. Joseph for letting her borrow her dogs. She added that Police Officer Stewarts dog won the best dressed dog contest. She thanked Harrison Smith for being in attendance for the Senior Center. Mayor Hyne commented that she has received communication from people regarding the community center and wants to state publicly that there is no intent of the Council at this point, that she is aware of, having any arrangement or pursuing any arrangement or agreement with a developer for the Community Center. She wanted to make it very clear publicly. She appreciates people bringing her concerns and wants to put everyone's mind at ease, that there has been no discussion by the board as far as partnering or selling to a developer. She is only aware of the potential direction to entertain the thought for a building authority as brought

forth by Marlene Epply. She wants to make it very clear that there is nothing being pursued with any individual or developer at this time. She thanked everyone for attending the meeting and for participating in the community.

15. Adjournment:

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

***Meeting Adjourned at 9:29 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: _____