

**CITY OF WILLIAMSTON
CITY COUNCIL
SEPTEMBER 8, 2008
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:01 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 Michael Moody, Carmen Siciliano, Traci Smith, Scott VanAllsburg, and Ken Zichi. Absent: None.

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorney Bonnie Toskey, City Attorney John Gormley, Police Chief Mark Hetfield, Deputy Treasurer Geral Jeffrey, Enterprise Reporter Brad Ritter, JFM Productions, Ingham County EDC Representative Sue Pigg, citizens Leo Sheets, Marlene Epply, Dave Okowit, Harrison Smith, Jim and Lynne Lounsbury, Rosemary Phillip, Lea Estes, John Bauer, Kelly Kuehne, Tim Grossman, Brooke Locke, William and Melanie Schall, and other members of the public.

4. Approval of Agenda:

Motion by **Siciliano**, second by **Moody**, to approve the agenda as presented. **Motion passed by voice vote.**

5. Audience Participation:

Brooke Locke, 519 E. Riverside St., commented that he wants everyone to realize there are seven different people on this board for a reason and there are seven different opinions to help the City move forward. Council is not always going to agree but they need to compromise to do what is in the best interests of the City. He believes this Council has been forthright and available when needed. He has looked at both sides of the Planning Commission Ordinance and has read their e-mail. He agrees with part of it, but believes the other part was 'out there' and inappropriate. He commented that he took the time to make some phone calls and he was told that the intent of the bill is to add some voices with other perspectives. It is to bring other opinions to allow growth for the City. Surrounding Townships support the City and should be able to have some input. He believes we should be open and educate ourselves. There are still things he has yet to uncover but regardless there is a war that is continuing on every issue. He stepped outside the box and said let me find out, let me go to them. He encouraged everyone else to do the same thing. He stated that the \$750 that was paid to mow lawn, everyone voted for except for one and he is disgusted because the employee should not still be working for the City. He understands that the City had to pay it to maintain their reputation, but believes it was irresponsible to pay it without any further questions. The budget was approved for other things, not to mow the lawn because there are already people getting paid to do so. He also commented that the outcome of the old fire station points to a problem in the system because of the amount of time it took.

Sue Pigg, Ingham County Development Coordinator, thanked the Council in advance for considering an Industrial Development District and tax abatement for Tri-State Hospital Supply. She is present on behalf of the City as well as the residents of the County that need jobs and that look for economic development from quality firms. She congratulated the City for maintaining, despite the dismal economic times, good locations for businesses to locate and expand. She encouraged them to ask her any questions or express concerns because she would like to help the City make a good decision to create additional jobs.

Leo Sheets, 4295 Moyer Rd., commented that he supports the Planning Commission Ordinance because there are many taxpayers in Williamston that do not live in Williamston. There are people that own businesses, and spend money in Williamston. There is no opportunity for non-residents to be heard in the City. He stated that during the public hearing for sandwich board signs, he spoke during the public hearing and after it was closed one member of the Planning Commission slept through the half of the hearing and additional comments were made by one of the Commissioners that was not addressed during the hearing so the public could talk about it. There was additional comment requested from Council as well. He believes all of the comments should be made during the public hearing. The permit process will require an inspection and will require the City to make sure they are doing what they said they would do. He does not believe there should be a permit required for sidewalk signs and believes that the City needs less government not more. This legislation will only benefit McKenna Associates. He believes people on the Planning Commission are not incompetent, but have their own agenda and the incompetence comes from not having a business plan.

Rosemary Phillip commented that she is present to represent the Chamber of Commerce.

6. 7:05 pm Public Hearing – Creation of Industrial Development District for Tri-State Hospital

Supply:

Public Hearing started at 7:15 p.m.

Motion by **Pratt**, second by **VanAllsburg**, to go into the public hearing to discuss the creation of an Industrial Development District for Tri-State Hospital Supply. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

Roll Call: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt.

Manager Hitchcock explained that the public hearing is being held to establish an Industrial Development District for Tri-State Hospital Supply. Council will also be considering approval of their application for an Industrial Facilities Exemption Certificate which will go on to the State of Michigan if approved. This is part of the agreement the City has with Granger Company for the City to establish industrial development and allow IFT's in that area. The law requires the City to look at each individual instance instead of an entire area.

Sue Pigg commented that an Industrial Facilities Tax Abatement is first determined by a district at the request of a company. The Industrial Facilities Exemption Certificate definition has been expanded to include companies like Tri-State Hospital Supply.

Attorney Toskey emphasized that it is a two step process and the Council needs to recognize any questions, comments, challenges or inquiries from the public during the course of the public hearing followed by Council discussion regarding the benefit to the community and all issues relevant to that decision.

Mayor Hyne called for public comments.

Leo Sheets questioned if the tax abatement affects taxes that go to the schools.

Manager Hitchcock replied that the school is reimbursed by the state.

Leo Sheets asked if this is a total tax abatement.

Manager Hitchcock responded that it is a 50% abatement for twelve years.

John Bauer of Tri-State Hospital Supply and resident of Williamston asked that the Council approve their requests and applications.

Manager Hitchcock commented that Tri-State Hospital Supply is willing to invest over 12 million dollars into the community, and by abating the taxes they would still be paying taxes on at least 6 million dollars, so there will still be an increase in the taxes received and the project will create jobs.

Kelly Kuehne of Tri-State Hospital Supply and also a resident of Williamston commented that in addition to the \$12 million invested there is also the personal and real property that would be taxed.

A citizen asked how many would be employed at Tri-State.

Kelly Kuehne answered that there will be 120 employees transferring from Howell, and the facility will be capable of housing upwards of 200.

Dave Okowit, 125 E. Grand River, asked where the proposed location is.

John Bauer answered that it will be in the Industrial Park towards the south of Industrial Park Drive.

Councilman Moody asked what the 5% means in the resolution in 9d. page 1.

Councilman Zichi explained that it means that the Council has not granted abatements more than the total SEV of the community.

Councilman VanAllsburg asked why the resolution does not state that it is a 50% abatement.

Manager Hitchcock clarified that this abatement does put the City over 5% and that was one of the changes in the updated resolution received by e-mail. It will exceed 5%. The City has to acknowledge this and fill out another form and send that to the state as part of their application to the state. They have to show that there are no public improvements that are required that the City could not pay for because of the abatement. That will not be the case with Tri-State.

Councilman Siciliano commented that in the section in the resolution that states the creation of jobs within the appropriate time the City can shorten the length of the abatement. He asked what an appropriate amount of time would be.

Sue Pigg commented that it would be up to the twelve years of the abatement. This would protect the community.

Councilman Moody commented that this will also benefit the community by the employees frequenting the businesses.

Mayor Hyne commented that she discussed this with the City Manager and Mr. Bauer and found there to be a lot of integrity with the company. The City is very fortunate to have them located here to help the economy and will bring business and employment to the community.

Councilmember Smith asked what the City will do since they did not get the grant to build a road there.

Manager Hitchcock answered that the City has not been turned down for the grant.

Sue Pigg commented that the state has not said no, and the City has successfully completed the pre-applications. They have asked for considerable funds to complete the road to improve the area. The project is not directly tied to the Tri-State development, although it would be a benefit to them.

Manager Hitchcock commented that the road has been planned for fifteen years and regardless of whether they receive the grant or not, the road will go in.

Attorney Toskey commented that this is an agreement/incentive to bring development to the community. The decision needs to be taken deliberately and carefully. It is primarily a budget decision.

Sue Pigg commented that it is a wonderful opportunity for the community.

Councilman Pratt thanked Tri-State for considering Williamston.

Councilman VanAllsburg asked how someone could not benefit from a tax abatement since they are still receiving 50%.

Attorney Toskey answered that there have been some communities that have had trouble with allowing tax abatements and have lost money because of improvements that have had to be made by the City.

Motion by **Moody**, second by **Pratt**, to close the public hearing. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

Public Hearing closed at 7:44 p.m.

7. Council Minutes of August 25, 2008:

Mayor Hyne commented that she wants to see reflected on page 6, second paragraph from the bottom, the conversation and research she had regarding the Planning Commission Ordinance as well as the three meeting dates noted. On page 7, 3rd paragraph from the bottom add the letter/e-mail as part of the record from the Planning Commission.

Motion by **Moody**, second by **Pratt**, to table the Council minutes of August 25, 2008 until the next meeting. **Motion passed by voice vote.**

8. Accounts Payable:

Councilman Siciliano reported that the accounts payable totaled \$42,182.72. Reference #'s 55491-55519.

Councilman Pratt questioned several checks in the payables. He added that he believes the City cell phone numbers should be available to all Council members. He requested that the Council be given the City Manager's cell phone number and home address.

The City cell phone numbers will be on the next agenda as an action item.

Councilman Siciliano commented that he will attempt to review the payables Thursday mornings so they are included in the Council packets and added that Treasurer Dolley stated that Council can call him regarding questions on the accounts payable any time.

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

9. Action Items

9a. Addendum #6 to Buy & Sell Contract for Sale of 627 & 633 E. Grand River Ave.:

Councilman Pratt commented that he believes Mr. Lounsbury was not treated properly because he came to the June or July Council meeting and asked for help but did not receive the help he requested. He reported that NIESA is going to ask the realtor if there is a clause in the agreement to state that if you withdraw the offer, if the money could be returned. The building would need to be heated in the winter. He recommended that a 'for sale' sign remain on a building the City is selling until it is closed.

Councilman Zichi commented that he agrees the issue should be tabled until the attorney can review it, and provide options for what the Council can do with the agreement.

Councilman Pratt commented that he believes the City should not have to pay the attorney to review the contract.

Councilman VanAllsburg, Mayor Hyne, and Councilman Siciliano agreed that it should go to the attorney for review.

Motion by **Pratt**, second by **Moody**, to table item 9a. Addendum #6 to buy and sell contract for sale of 627 & 633 E. Grand River Ave until the next meeting. Yes: Zichi, Moody, Pratt, VanAllsburg. No: Hyne, Siciliano, Smith. **Motion passed.**

Motion by **Zichi**, second by **VanAllsburg**, to have the City Attorney review the contract before the next meeting to allow the Council to make a decision. Yes: Zichi, Hyne, Moody, Siciliano, Smith, VanAllsburg. No: Pratt. **Motion passed.**

9b. 1st Reading of Planning Commission Ordinance #309:

Councilman VanAllsburg asked where the Commissioners applications are that reapplied for another term.

Mayor Hyne stated that their applications go to the Mayor.

Councilman VanAllsburg stated that he does not agree with that policy.

Councilman Moody asked if the Ordinance could state that only one non-electors be appointed.

Councilman VanAllsburg commented that the Mayor can choose to hold up applications without showing them to the Council.

Mayor Hyne commented that the Mayor brings the appointments to the Council with Council confirmation.

Attorney Toskey reviewed the Council's policy.

Councilman Pratt commented that the applications are all part of the public record; anyone can go to City Hall and request a copy of those applications.

Mayor Hyne commented that she supports a transparent government. Nothing is withheld, and has been open. She invites comment and conversation and makes every attempt to invite comments.

Councilman Moody commented that there is no chance two non-electors are going to control the board.

Mayor Hyne commented that there is a conflict of interest policy. The Department of Environmental Quality, Michigan Association of Counties, Michigan Realtors, Home Builders, Michigan Environmental Council, Michigan Association of Planners, Michigan Township Association, and Michigan Municipal League support this Ordinance and are an advocate for communities. This gives the opportunity for the Council to review and allow people that have an interest in the community to serve. She reiterated that the committees supported this legislation.

Councilman Moody commented that he appreciates the job the Planning Commission does and realizes it is a difficult job. He added that the Council does not have to approve the Mayor's appointment.

Councilman Siciliano commented that the Planning Commission stands by their letter. The Planning Commission expressed concerns that if two qualified non-electors and two qualified electors apply, how would a decision be made. The Planning Commission was also concerned that two non-electors had also applied before the ordinance was proposed and wondered why they knew to apply before.

Mayor Hyne answered that the Enabling Act was discussed at the joint meeting and there were individuals that approached her regarding it and she was unaware that an ordinance needed to be adopted before it could take affect. She does not consider having more people interested in being a board member a problem.

Councilman Zichi commented that he would like to limit this to stakeholders. Unfortunately the legislation does not allow for it. He was given the names of two individuals, one of whom is not a stakeholder and the other has family that is already represented on boards and commissions. He does not know if that will be fair to the taxpayers. He added that the Planning Commission has given a lot of good advice and does not think they are broken.

Motion by **Pratt**, second by **Moody**, to approve the first reading of Planning Commission Ordinance #309 as presented.

Discussion: Member Siciliano commented that for the record there is a qualified elector that applied as well.

Councilman Moody commented that he agrees that it should be limited to stakeholders and the Council can make that decision.

Councilman VanAllsburg commented that the Mayor can stop anyone she wants. He wanted it part of the record that he did not appreciate the Mayor using the gavel on him.

Councilman Moody commented that the Council can always turn down someone the Mayor brings forward.

Councilman Zichi commented that it puts Council in a negative light.

Clarification: Hyne: Can I make a comment? You did that for the three years I was on the Council. You were in the Mayor position also and I did not hear you say you had an issue with that. Mayor Hyne commented that Councilman Zichi did the same thing when he was Mayor.

Councilmember Smith commented that the question is whether or not the Council wants to expand the amount of people in which to choose from to serve on a board.

Mayor Hyne commented that the information for applicants has always been made available under her term as Mayor.

Councilman Zichi commented that she does not disclose the applicants because there was not a DDA application brought forward and the Council only found out because he asked about it. He would like the Council to discuss the points made by the Planning Commission.

Mayor Hyne commented that she enumerated the reasons at the last meeting regarding the benefits of the Ordinance. She commented that the Council needs to look at the Ordinance itself. She clarified that there was a DDA member that indicated her wish not to be reappointed and there were other people that applied for the position. She made a decision to appoint the other people and then the member changed her mind and wanted to be reappointed.

Verbatim: Moody: Yeah I was going to say if you want I'll go through some of the e-mail and respond to it because you know I've read it over and I think it had some good points but you know I think that the ordinance is still a good ordinance and the first point is that significant decision to Williamston and I think that's true and I think said you know have others solutions they consider, what the problem solves. I think the problem, I don't really think it's really that we're focused on it's just that it gives us a discretion to bring in some other ideas into the Planning Commission so I don't think we're trying to eliminate a problem, just give ourselves the discretion to do more. So I don't think you know, I don't think we're saying they're doing a bad job. I think that's kind of the tone of that, I'm not sure. And the other solutions considered well the solution would be that the Mayor brings one up and one of us thinks it should only be one or two or zero you know and we voice that and you know that's or a different ordinance could be passed not if you vote for this but I mean that's the other, I don't what other solution could be considered. We're talking about an ordinance that you know we could zero and that's what counts, so fine. Just because a law is passed stating we can do something does that mean we do it? That's perfectly fine, I'm in agreement with that I mean I don't think we have to do this because the statute was passed but I think it's a good idea. Non-residents are certainly impacted by the City's Zoning Ordinance if they have chosen to have businesses here developed oh, and they're saying that they're invited to participate so the Planning Commission is already saying that these people have benefits to bring and so I don't see why having them at the meetings is any different than having them as a voting member. I mean we're not going to give them veto right to the whole Planning Commission, we're only allowing them to have a maximum of two which at no time will give them a voting block over the majority because even at a quorum level which is only five to nine, that is only two members and the other three would usually be able to overcome... If it was some kind of, we need to overcome a non-resident but you know I'm just saying if that was the concern. Why give non-residents a vote where development should go in the City? I mean I think non-residents are in a lot of other you know boards and I understand the not stakeholder thing and I know it's not the statute but I think the City Council can force that issue. I know again and the Mayor can bring the person but you know I think that's resolved in wash I mean if we have our stalemate, I think eventually

someone else, if the Planning Commission can't function because we're under stalemate eventually something's going to have to break. We all know how governments work and are intended to work any good citizens should have no fear or hesitation to try to persuade his or her elected officials. I don't think that's really, that's just trying to give us some information I think. Then next one is Planning Commissioners are public servants who are accountable to our neighbors and fellow taxpayers. It's irresponsible to appoint individuals who have their own agenda or are held down... I think that's just a comment. I don't think that's what we're going to do I don't think we're, I have no agenda. If this ordinance goes in affect we do nothing to stop the developers from nearby Okemos and other area in the state from submitting. Highly motivated people can serve on the Planning Commission. You know again that's up to the City Council to say no, I mean I think that we say look you know obviously there's an opening for non-electors and at least from my personal opinion I only want to do that if it's someone I think has a stake in the City I mean I don't want just anybody, some guy that doesn't live nearby and just owns a, I don't want to say it necessarily has to be a stakeholder but you know I have some personally some things that I think the person should you know at least be in the state, you know it can't be some out of state person, you know that just owns a piece of property here sometimes though I mean there's still a stakeholder so I can understand there again but I have my own interests that I don't want and I think the City Council can address that. And again I mean the electors have their final word on it if we're not doing our job. We've heard there's an interest to have... Okay that's just aside right about some people, so that's not really a thing to answer. There are over a thousand jurisdictions in Michigan with Planning Commissions if non-residents business owners and others supporting this change really want to be a Planning Commissioner your own community has a Planning Commission. So they're just saying if you're a non-resident then why don't you just go to your own community, and you know that's valid but again the non-residents that I'm thinking about are people who are stakeholders in the City and so I think they really are participating members of the City I mean they're paying taxes and so I don't see why giving them a voice in the Planning Commission is a bad thing and again they don't control the Planning Commission and we still have residents controlling it. There are very few issues solely with scope and authority of the PC alone, Planning Commission, we have learned that in spite of open meetings and may hours we spend on an issue we're doing I think that's just a Council Planning Commission problem. I don't think that's something that we need to answer. I guess there's some Planning Commission and Council not having good repertoire between them on issues but that's not really an issue for or against this ordinance just maybe we need to have more conversations. We are not persuaded that bringing in non-residents to serve on the Planning Commission will resolve problems people may have with regulations that apply to everyone. I mean that's okay, I mean I know there's more to it but it's essentially that first sentence I think right and that's fine everyone has their own opinion I mean earlier they said that it was okay to have people come and they invite that they're different backgrounds and information so I don't see why that's not applicable now, why these people shouldn't have a voice at all I mean I know they can come to a meeting but why not give them a vote I mean and again they are not controlling the meeting. The concept of this is to challenge business owners in our community where non-residents so they may bring any perspectives to the Planning Commission is a great idea. We meet every month on the first Thursday any business owner may attend that meeting and show their talents but to give nonresidents who have no accountability and a potential for conflict of interest to sit and vote on the Planning Commission is a bad idea. And I think that the conflict of interest issue is taken care of and I think they can't vote if there's a conflict is my understanding and I think they have again I don't know about that no accountability, no one on the Planning Commission is accountable I guess other than to the City Council, I mean if you don't like something the City Planning Commission is doing you can't vote them off. I mean no one can...I was on the ZBA for years and so I'm sure people wanted me off of

there, no. But eventually the City Council has the veto power up against the Mayor's appointment and I guess when the person's term comes up the Mayor doesn't have to reappoint and ultimately the electors, are the ones that will tell us if we're doing wrong. So that's some of my comments.
~~Councilman Moody went through the Planning Commission's e-mail and addressed some of their issues.~~

Mayor Hyne reminded everyone that they sit there as a Council elected by the people that live in the City to act with integrity, to represent their interests, and she assured them that she believes she represents the best interests of the community at all times. She commented that Council acts with integrity and they need to have confidence in themselves that they are going to make good decisions for the community. This ordinance will give the Mayor the opportunity to bring forward applicants that come from an expanded base.

Councilman Pratt pointed out that this is a first reading.

Mayor Hyne commented that she respects the Planning Commission, they have a heavy weight on their shoulders and they did meet at a joint meeting on June 25th to discuss this issue, had staff present, and discussed it openly. It was also on the Council agendas August 11th and 25th. She commented that she discussed the idea of having the Planning Commission hold two meetings per month to give them the opportunity to meet if needed.

Councilman Siciliano commented that the Planning Commission is trying to change their bylaws to allow the Zoning Administrator to set public hearing so they are able to meet quicker on an issue.

Councilman VanAllsburg commented that he believes it would be great to allow people to participate in the meeting electronically.

Attorney Toskey commented that it is not uncommon for boards to meet electronically.

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

9c. Resolution Approving the Creation of an Industrial Development District for Tri-State Hospital Supply:

Motion by **Pratt**, second by **VanAllsburg**, to approve resolution #11-08 approving the creation of an Industrial Development District for Tri-State Hospital Supply as presented. Yes: Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne. No: None. **Motion passed.**

9d. Resolution Approving the Application of Tri-State Hospital Supply Company for an Industrial Facilities Exemption Certificate:

Motion by **Zichi**, second by **Smith**, to approve resolution #12-08 for the application of Tri-State Hospital Supply Company for an Industrial Facilities Exemption Certificate as presented. Yes: Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody. No: None. **Motion passed.**

Motion by **Zichi**, second by **Pratt**, to approve the Industrial Facilities Exemption Facilities Certificate Agreement as presented and authorize the execution by the appropriate officials. Yes: Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody. No: None. **Motion passed.**

9e. Feldpausch Property Trade:

Manager Hitchcock reported that there are two small sections of land in the alley that the City and Feldpausch want to trade to take care of utility issues. This is considered a parcel of land rather than an alley. The alley is used for pedestrian traffic only.

Attorney Toskey commented that the trade, although unusual, seems to be a fair trade.

Motion by **Zichi**, second by **VanAllsburg**, to approve resolution #13-08 approving the Feldpausch property trade as presented. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

9f. Requiring that the City Manager Keep a Weekly Calendar with all Meetings, Dates, Locations, Who the Meeting is with and the Outcome of the Meeting:

Councilman Pratt commented that this came up at their personnel committee. He did research on this and there are very few people in her position that do not keep a weekly calendar. He feels there should be a calendar available to the Council.

Councilman Moody commented that the State has calendars they keep and share. He has not had complaints regarding this, but does not see this as abnormal.

Councilman Siciliano commented that the Council is not present on a day to day basis and it is the City Manager's job to be here and if a resident calls a Councilmember there could be misinformation. He is not comfortable speaking on her behalf without the knowledge of what is going on everyday.

Councilman Moody agrees that it would not be for residents, but to help Council evaluate the City Manager to be sure she is doing the job properly.

Councilman VanAllsburg questioned how being able to look at her calendar would assess her performance.

Councilman Zichi agreed but believes they should evaluate the Manager on the projects she accomplishes and things she gets done.

Councilman Moody commented that there should be a way for Council to evaluate how she is using her time. He would want more details than just meetings.

Manager Hitchcock commented that some of her meetings are confidential.

Councilman VanAllsburg commented that he would rather see a list of what she did for the day.

Motion by **VanAllsburg**, second by **Smith**, to table this issue until the Council has heard from other municipalities on how their City Manager's work. **Motion passed by voice vote with Pratt voting no.**

9g. Policy for Placing Items on the Agenda:

Councilman Pratt commented that he asked for this to be on the agenda because he does not agree that it should take two Council members to place an item on the agenda.

Manager Hitchcock responded that this was discussed with Attorney Stoker and it was recommended that two Council members be required to put an agenda item on. Previously items were put on by any Councilmember and then at the meeting they could not remember what the item was for.

Mayor Hyne commented that she has never had to do that and it is important to follow policy.

Manager Hitchcock stated that the policy is the City Clerk sets the agenda and is also stated in the City Charter.

Attorney Toskey commented that in the City Council rules it states that the agendas should be prepared by the City Clerk. It is the Mayor that is responsible for enforcing rules of the City Council.

Councilman Moody commented that he believes Council should be allowed to put at least discussion items on the agenda.

Manager Hitchcock commented that she will do whatever Council wants, but pointed out an instance where Williamston Road Speed Limit was placed on the agenda without documentation given. She added that she could meet with Councilman Siciliano to revise the wording of the Council policy.

Councilman Siciliano reminded everyone that in the beginning of the year there were several items put on the agenda with no documentation and the Council would be there until after midnight discussing issues.

Manager Hitchcock commented that when this began she felt that she had been being accused of putting things on the agenda that had no direction or documentation because she was told the Clerk sets the agenda. She gave an example of an issue that was put on the agenda, Speed Limit on Williamston Road, and there was no direction, no documentation, and no explanation given which confused Council and the public.

Mayor Hyne commented that there was a speed limit study done and that could have been included in the packet. She recommended that the Council continue following Council Policy and the City Charter.

Clarify Verbatim:

Zichi: I move we recognize Mr. Grossman would like to speak.

Hyne: Okay is there.

Moody: Second.

Hyne: Okay thank you. Okay.

Motion by **Zichi**, second by **Moody**, to allow Tim Grossman to speak. **No vote was taken.**

Tim Grossman commented that if there is an action item on the agenda then there at least should be documentation to support it.

Councilman VanAllsburg commented that he agrees with the two Council members requesting an agenda item, and wants to leave it that way.

Councilman Moody commented that it is a hassle to try to find someone to support their issue at the last minutes.

Mayor Hyne commented that each member is elected individually and has an individual voice and she would support one person putting an agenda item on.

Councilman Pratt commented that he believes one Council member should be able to put an item on the agenda.

Motion by **Moody**, second by **Pratt**, to make the policy to allow one Council member to place an item on the Council agenda and change the rules of procedure with the recommendation that information for the agenda item also be provided if possible. Yes: VanAllsburg, Zichi, Hyne, Moody, Pratt, Siciliano, Smith. No: None. **Motion passed.**

10. Discussion Items

10a. Public Parking Sign for Deer Creek Park:

Councilman Pratt commented that he was contacted by residents and business owners regarding the lack of parking signs for the Deer Creek parking lot.

Mayor Hyne stated that she believes there could be a sign added to an existing sign directing people to the parking.

Motion by **Moody**, second by **Zichi**, to recognize Tim Grossman.

Tim Grossman stated that the DDA is currently addressing directional signs.

Mayor Hyne commented that she would at least like to see a temporary sign for the parking lot.

Chief Hetfield commented that most of the signs downtown are already at the minimum height for site distance requirements. The City would have to work with MDOT to get a sign approved.

Manager Hitchcock will contact MDOT regarding a directional sign for the Deer Creek parking lot and will report back at the next meeting.

10b. Correspondence from NIESA Regarding Controlled Burn on the Island and Riverbank:

Mayor Hyne reported that she arranged a meeting with Chief Siegel, Manager Hitchcock, Councilman Pratt, and Earl Wolf. Since only three people were able to meet they decided to meet another time. A letter was issued in the meantime.

Manager Hitchcock commented that she discussed the issue with Attorney Stoker and he has drafted ordinance amendments to the ordinance which will be reviewed by the Fire Chief.

Mayor Hyne commented that she'd like to be sure this does not happen again and the City is on a positive note with the Fire Department.

Councilman Pratt commented that this was discussed at a NIESA meeting and it was said that the City would just need to call and notify them of the date and time of the controlled burn.

Manager Hitchcock commented that she still believes the ordinance language should be changed to protect the City.

10c. Memo from Community Development Director Regarding Grant Programs:

Manager Hitchcock commented that the City received notification from Kathryn Czarnecki that the grant programs will remain the same as they were. They have been skeptical giving information to potential developers because they were told there could be some changes to the grant program.

Councilman Siciliano commented that they were assured the program would still exist, with perhaps different rules.

Councilmember Smith asked if potential developers had been turned away.

Manager Hitchcock responded that no one has been turned away. She has kept the names and contact information for each individual and has contacted them to update them on the status. The walk through will be Thursday, September 11 at 3:00 p.m.

12. Staff Reports

12a. City Manager:

Manager Hitchcock submitted a written report for Council review and added that she went to a program for energy conservation. She is looking into grants for energy conservation in the City for cost and energy reductions. The price for salt has increased from \$38 per ton to \$77 per ton. A meeting was held with business owners regarding the Middle Street parking lot that was well attended. The Water System Reliability Study is nearly complete.

12b. City Attorney:

No report.

13. Audience Participation:

Marlene Epply, 529 Moyer Rd., thanked the Council for holding the Labor Day Bridge Walk which allows people to participate in town and see the City. She also thanked them for ending it at the library property for lunch. She added that she is surprised the City Manager's calendar is not already public. The President and Governor have their calendars public. The calendar also protects the City Manager by showing where she is. The parking lot on the south side of the Community Center is being used by the Football Boosters to charge for parking during home football games. She asked if the parking lot is being leased by the City or is it still the school's lot.

Manager Hitchcock responded that the School still owns it, but they are supposed to be closing the sale soon.

Ms. Epply commented that this needs to be looked into because the Library is open during this time and the parking lot across the street does not allow for handicap accessibility.

Manager Hitchcock will follow up on this.

Leo Sheets, 529 Moyer Rd., thanked Councilman Moody for pointing out all the flaws in the Planning Commission e-mail. He feels that they protest too loudly. The 3rd bullet on the second page; he believes that they do not have any businessmen on the Commission that rely on walk in business. He added that Councilman Zichi stated that 'if it ain't broke, don't fix it', and he believes that it is broke because the City has no business plan. He stated that there was an MSU presentation that was not used after it was received. He believes that the sign board issue now requires permits and if you change your sign a permit

is needed. It makes it so someone has to police the signs that are being put out. He asked how this will promote how this City wants to be. He commented that the Planning Commission and Council have personal agendas. The Ordinance is only for two non-residents and will not give them the majority but will allow them to get another point of view. He believes the Council needs to work on a business plan.

John Bauer thanked the Council for being receptive to his business and for their time and cooperation.

13. Council Member Comments:

Councilman VanAllsburg, commented that Leaving Iowa is the first play at the Williamston Theatre in October.

Councilmember Smith, asked about the e-mail she received about the Entrepreneur communities. She believes this will help the community. She added that she has not received the WWTP report in some time and there was supposed to be a follow up on the last report.

Councilman Pratt, reminded everyone of the 'Raise the Roof' program at the bandshell on September 11, and asked if the City could have some picnic tables moved closer to the bandshell for the program. He reminded everyone to bring chairs & blankets. He reported that there will be a pancake breakfast on October 11 at the Fire Station. Pratt also requested that there be a large calendar placed in the Council chambers. He added that the front screens on City Hall are torn.

Councilman Zichi, commented that there was a Master Plan that was approved last year and this Council has dropped the ball on following up on it. The High School band has been invited to the Chelsea Invitational Band Fest on September 24 which requires a request to attend. He observed that someone stopped and asked for directions to the High School, but actually wanted to go to the football game.

Councilman Siciliano commented that he changed his vote on the Planning Commission Ordinance because he had not listened to what the Planning Commission had to say and after listening to them did not feel comfortable with it. He added that he had the privilege of attending the Eagle Scout ceremony for Steven Michael King.

Councilman Moody, commented that the low income energy and efficiency grant will allow money for low income and senior citizens and believes the deadline for applying for that grant is at the end of the month. He commented that the energy costs will likely be high, and he offered to talk to people regarding questions. He added that he still has not received his MML password and asked if the City Manager could follow up on it. He suggested that the City Council have their own e-mail addresses to keep City information from going to personal e-mails. He wants to review a personnel file regarding the lawn mowing issue after the meeting. He asked if the City Manager could contact East Lansing to see if they can attend the next Council meeting.

Mayor Hyne, thanked Police Department, Teresa Wood with the Chamber of Commerce, and the Williamston Community Library Foundation for their help with the Labor Day walk. The walk was very nice. She thanked Tri-State for locating here. She reiterated the bandshell event on September 11. She thanked Councilman Siciliano for attending the Eagle Scout ceremony. She commented that she has been asked by citizens about the City Council having individual e-mails. She stated that she had not heard back about who prepared the RFP/RFQ language regarding the businesses. She thanked everyone for the lively discussion and the audience for attending the meeting.

15. Closed Session- R&R Fence Litigation:

Motion by **Zichi**, second by **VanAllsburg**, to go into closed session to discuss the R&R Fence litigation.
Yes: Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt, Siciliano. No: None. **Motion passed.**

Closed Session started at 10:35 p.m.

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

Closed Session ended at 11:19 p.m.

No action was taken on Closed Session.

15. Adjournment:

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

***Meeting Adjourned at 11:20 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: _____