

**CITY OF WILLIAMSTON
CITY COUNCIL
OCTOBER 13, 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 Michael Moody, Traci Smith, Scott VanAllsburg, and Ken Zichi. Absent: Carmen Siciliano (arrived at 7:02 p.m.)

Also Present:

City Manager Lisa Hitchcock, Deputy Clerk Holly Thompson, City Attorney Dave Stoker, Police Chief Mark Hetfield, Community Development Director Michelle Aniol, Deputy Treasurer Geral Jeffrey, Enterprise Reporter Brad Ritter, JFM Productions, citizens George & Sandra Burkitt, Bonnie Brooks, Terri Campbell, Paul & Dawn Marie Joseph, Marlene Epply, Leo Sheets, Barb Burke, Brooke Locke, Jackie Wheeler, Herm & Nancy Rollin, Terry Burke, Dave Coker, Joan Showalter, Ken and Sandy Whelton, Ben Stiffler, M. Story, Bob Hajdu, Monika Landolt, Penny Davis, Harry Smith, Bruce Russell, Tim Grossman, Barb Andries, Hugh Clarke, Jane Reagan, Lisa Dalton and other members of the public.

Motion by **Moody**, second by **Pratt**, to excuse Councilmember Siciliano. **Motion passed by voice vote.**

4. Approval of Agenda:

Motion by **Moody**, second by **VanAllsburg**, to remove the Attorney Client Privilege Letter under 15 and then move action item 9h. to 10b. **Motion passed by voice vote.**

5. Audience Participation:

Brooke Locke, 519 East Riverside Street thanked Barb Burke at the Chamber of Commerce for contacting CBS News and her positive spin on Williamston regarding ribbon cuttings. He also thanked the people that are opening businesses in Williamston and anyone who is a part of that.

Joan Showalter, 646 North Putnam, commented that she would like to see more police patrols on North Putnam Street. There are many small children on her street and people are driving too fast. She also suggested strictly enforced signs or the automated speed limit signs.

Manager Hitchcock will relay this to City staff.

Penny Davis, 1009 Foxborough Drive, commented that people are still going too fast on North Williamston Road and the signs are not helping. After an accident happened there, she felt that speed was an issue. She added that she has complained several times to the County Sheriff's office because they also are driving too fast on Williamston Road. She would like Council to address the speed limit again.

Dave Coker, 1230 Berkshire Drive, questioned if emergency vehicles are allowed to go over the speed limit. He also made a complaint regarding police officers sitting at the corner of the subdivision and blocking the site distance for people turning. He expressed his opposition of the drafted Planning Commission Ordinance and stated that although he submitted an application to serve on the Planning Commission he did not receive a phone call.

Terri Campbell, 308 Fulton Street, questioned how many applications were received for the Planning Commission and opposed the Planning Commission Ordinance. She expressed concern that the Mayor was not bringing all of the applications forward.

Lisa Dalton, 710 North Putnam Street, distributed a letter and documentation about her delinquent water/sewer bill. She commented that she mailed her check on September 15, but it was not received by the City until October 1. She added that although the City staff was polite they gave her the wrong Council meeting dates. She is concerned not only for herself, but others in the community.

Monica Landolt, 1254 Berkshire, commented that she is concerned about the proposed Planning Commission Ordinance and does not want to see change that would affect the City but not the people who make the rules. She submitted a list of signatures opposed to the ordinance.

Leo Sheets, 4295 Moyer Road, thanked Mayor Hyne for not bringing names forward that are of people who have been on Council that she does not feel are qualified. He believes the Mayor is very transparent. He believes it is unconscionable that Council would consider not putting business owners on the Planning Commission because they pay taxes too and need to be heard.

Hugh Clark commented that he is one of the candidates running for one of three positions on the Ingham County Circuit Court bench and will be canvassing the neighborhoods in the coming week. He would like to hear what people want out of their courts and judges.

Paul Joseph, 2823 Linn Road, commented that he and his wife own a couple businesses in the City but do not live in the City. He suggested that Council not let fear control their vote on whether or not to allow people who do not live inside the City sit on the Planning Commission. He added that because of fear the City is not getting \$800,000 in taxes from Aldi. He is in support of the proposed Planning Commission Ordinance.

Bruce Russell, 1242 Berkshire Drive, commented that he is opposed to having Planning Commission members that live outside the City. He believes there are City residents that are good candidates and is concerned with hand picking of people to change some of the City Zoning Ordinance. He is also concerned about the Zoning Ordinance and it's affect on the property that surrounds his backyard.

Barb Andries, 1252 Berkshire, agreed with Bruce Russell.

Dawn Marie Joseph, advised Council of the new activity in the newspaper and things that are going on in the City. She thanked Mayor Hyne and the Council for the good things that are going on in downtown Williamston and reported that there were several ribbon cuttings. The national CBS station has expressed that they would like to do a story on Williamston to show that the economy is growing.

Mike Story, 1274 Cambridge Circle, commented that the proposed ordinance states that the nine members if approved shall represent in so far as possible different professions or occupations seems somewhat incongruent with section 125.38153, as well as section 4 that states that the membership of a Planning Commission shall be representative of a core segment, and does not say in so far as much. He also questioned the rules regarding the membership representation. He believes it might behoove the City Council to figure out what areas each Commissioner is representing.

Jane Reagan, 646 McCauley Street, and Chairperson of the City Planning Commission reiterated the letter the Planning Commission sent dated August 17th opposing the proposed ordinance. She also commented that allowing the Planning Commission to meet twice a month is already in their by-laws and the Planning Commission already has two business owners as members. She added that she has been frustrated that members whose terms expired in June have not been addressed.

Marlene Epley, 4295 Moyer Road, commented that she does not have strong feelings about the Planning Commission Ordinance. She added that there are people in the community who give to the City who do not live in the City and the City would not exist without them. She believes the Planning Commission needs some representation from the business community that is dependent upon people who shop here. She also stated that she noticed at a Planning Commission meeting that there is one individual who sleeps during meetings and hopes the individual would not be reappointed. She thanked the Council for all of the effort it's put forward in the last year in becoming more open to the public.

Melanie Schall, 3150 Williamston Road, commented that she watched her husband at the Planning Commission meeting and he closes his eyes and concentrates when people speak and has done so for twenty-three years. She commented that she also stated at the Planning Commission meeting 'I predict that Ms. Hyne will appoint, and all due respect, Mr. Jones as the token Planning Commission member' She stated that there were only two non-residents that applied for the Planning Commission and she does not believe it was coincidental. She stated that she believes the Mayor should have made more of an effort to contact her husband regarding him not being reappointed. She asked what the letter is that is going to be brought up in executive session?

George Burkitt, 529 West Grand River, asked if he was being discussed.

Ben Stiffler, 134 East Middle Street, stated that he applied for the Planning Commission and gave the Council some information about himself and commented that he wants to support new business.

Bonnie Brooks commented that she applied for the Planning Commission and gave the Council her background. She added that she would love to try and do her very best and will be very involved.

Jackie Wheeler, 3030 East Grand River commented that she believes the Council has come a long way in the last year and a half and the harassment and bullying have stopped. She also stated that it seemed that the community was going downhill and that they have done an excellent job. She commented that she pays as much in taxes as anybody else here does.

Barb Burke, 600 North Williamston Road, commented that she lives in Wheatfield Township but works, shops, has kids in the school, and attend many events in Williamston. She added that she was the first that got the call from CBS National News and answered the question as to why businesses are growing in Williamston. She added that there have been twenty-two ribbon cuttings and ground breakings and they are all still in business. She also stated that many residents from the south side of Williamston opposed Tractor Supply Company.

Marnie Mauk, 1267 Berkshire Drive, commented that many people in Plymouth Landing do not want to see the surrounding area rezoned commercial as opposed to residential and they are happy that TSC is there because they have good business hours.

6. Council Minutes of August 25, 2008, September 8, 2008, and September 22, 2008:

Motion by **Siciliano**, second by **VanAllsburg**, to approve the August 25, 2008 minutes as submitted.
Motion passed by voice vote.

Motion by **Siciliano**, second by **VanAllsburg**, to approve the September 8, 2008 minutes as submitted.
Motion passed by voice vote.

Motion by **Pratt**, second by **VanAllsburg**, to approve the minutes of September 22nd, 2008 as submitted.
Motion passed by voice vote.

7. Accounts Payable:

Motion by **Siciliano**, second by **Zichi**, to move approval of checks 55585-55672. Yes: Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

8. Presentation on Results of RFP/RFQ for 109/115 E Grand River Avenue:

Director Aniol presented **McKenna Associates evaluation** of the results of the RFP/RFQ for the buildings at 109/115 East Grand River. A summary of the proposal from LaFollette Custom Kitchens was distributed. She stated that LaFollette specializes in the restoration and reproduction of historic architectural styles. The committee found the proposal to be very strong and the vision is consistent with what was presented in the public workshop that was held at the beginning of the project. The project is going to require multiple layers of public and private financing. **McKenna Associates** recommended that the City continue to work with the MEDC and MSHDA on funding assistance programs She noted that the City is not likely to recoup the initial investment. The proposal does contain all the information that is required. The developer has an architect on staff. The developer has his own office showroom that he can provide as an example of something that's not residential, but more commercial. The proposal lacks a clear description of the general contractor. The developer is proposing a mixed use building and provided two options, the first one being; restaurants, or microbrewery on the first floor, subsidized housing on the second and third floors if it's the restaurant on the first floor. The alternative to the mixed use residential second and third floors is an arrangement with the Michigan Brewing Company as a potential tenant for the entire first floor. The project description does not indicate LEED certification or any of the other alternative energy certifications. The developer proposed to purchase the building from the City for a price of \$15,000 or less on a fee simple basis. If the City uses the MEDC funding of the building there is a five year restriction on selling the building. The second scenario would **not include** second and third story residential.

9. Action Items

9a. Letter to Residents Explaining Water & Sewer Rates:

Motion by **Pratt**, second by **VanAllsburg**, to have the City Manager work with the City Attorney to prepare a letter to be signed by the City Council explaining the water and sewer rates, why they were raised, for what reasons and why Council had to vote in favor of that and the history of the water and sewer bonding.
Motion passed by voice vote.

9b. 2nd Reading of Planning Commission Ordinance #309- Planning Commission Meeting Twice Monthly:

Motion by **Pratt**, second by **Siciliano**, to table item 9b. the second reading of the Planning Commission Ordinance #309- Planning Commission meeting twice monthly until further notice since the legislature passed new language and to review our current ordinance. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

Motion by **Siciliano**, second by **Pratt**, to allow Chair Reagan to speak. **No vote was taken.**

9c. 1st Reading of Ordinance #310 Rollins Quick Lube Rezoning:

Motion by **Pratt**, second by **Siciliano**, to approve the first reading of Ordinance for the Rollins Quick Lube rezoning for lots one and two, block two of City of Williamston. Yes: Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne. No: Moody. **Motion passed.**

9d. 1st Reading Zoning Ordinance Text Amendments #311:

Motion by **Siciliano**, second by **VanAllsburg**, to approve the first reading of ordinance #310 Zoning Ordinance Text Amendments as presented with the height issue being addressed to see whether it should state 30" or 3'. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

9e. Planning Commission Appointments- 3 Year Terms- Re-appoint David Jones. Appoint- Sandra Whelton; 2 Year Terms- Appoint Bonnie Brooks and Ben Stiffler:

Motion by **Pratt**, second by **Moody**, to reappoint David Jones, appoint Sandra Whelton to three year terms and appoint Bonnie Brooks and Ben Stiffler to the Planning Commission for two year terms. Yes: Smith, VanAllsburg, Hyne, Moody, Pratt, Siciliano. No: Zichi. **Motion passed.**

9f. Pickup Truck & Plow Bids:

Motion by **Zichi**, second by **VanAllsburg**, to accept the bid from Central Ford Truck for a DPW pickup truck in an amount not to exceed \$33,114.04 for delivery as soon as possible with the State of Michigan discount as presented. Yes: VanAllsburg, Zichi, Siciliano, Smith. No: Hyne, Moody, Pratt. **Motion passed.**

Motion by **VanAllsburg**, second by **Siciliano**, to allow Sandy Whelton to speak. **No vote was taken.**

9g. RFP/RFQ for 109/115 E. Grand River Avenue:

Motion by **Zichi**, second by **Moody**, to invite Steve Eyke and whoever he believes would be valuable for the Council to hear from to come speak to the Council at the next City Council meeting so the Council can ask whatever questions they have and determine whether or not they want to go forward with the project.

Motion passed by voice vote.

9h. City Council E-mail from the Website:

Motion by **VanAllsburg**, second by **Moody**, to have the City Council come in after the meeting to set up their e-mail passwords. **Motion passed by voice vote with Pratt voting no.**

9i. Veteran's Day Parade- Partner with Local American Legion:

Motion by **Moody**, second by **VanAllsburg**, to use a magnetic logo for the Ingham County Veteran's Day Parade and approve \$184 for a banner to be used in all parades approved by the City Council. Yes: Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne. No: None. **Motion passed.**

9j. Angel Food Ministries Proclamation:

Motion by **Moody**, second by **Pratt**, to table the Angel Food Ministries proclamation until the language can be altered. **Motion passed by voice vote.**

9k. Check List for Procedure for New Businesses and Time Frame:

Motion by **Moody**, second by **VanAllsburg**, to ask the Planner, Attorney, Building Inspector, and Manager to put together a checklist for procedures for new businesses before the end of the year and make sure there is a provision to update it. **Motion passed by voice vote.**

9l. Release of Attorney- Client Privilege Letter to Public:

Stoker: I could just discuss the procedure. The normal procedure for releasing an attorney, first thing the normal reason for an attorney client privilege letter, is because the feeling is that the communication could be used to your disadvantage. I can tell you for example we have some of our clients that to release an attorney client privilege letter requires the body to vote on that and typically requires the attorneys to say that they don't feel that it would create the anticipated potential liability for the community. We don't really have a procedure so I can tell you that's how, from your perspective that's how I would look at it. Will it potentially liability for the community and is it in the City's best interest to be releasing those communications.

Hyne: I guess my question would be the precedent. There's always legal precedent that's followed and it's followed for a reason and I know...

Stoker: Normally you do not release attorney client privilege communications. That's the reason you've got them attorney client privilege because if there was no reason to put it attorney client privilege you wouldn't get it that way. You would instead ask me at the meeting 'what do you think of' and you regularly do ask us at the meeting what do you think about this and we communicate it to you if we're going to memorialize it in a written document that could have some detrimental impact we send it attorney client privilege and I think that's true with all your attorneys likely. John who deals with the ordinance enforcement, when he sends you something that he feels needs to be kept confidential he'll send it the same way.

Hyne: Like an ordinance enforcement, is that necessarily detrimental to the community?

Stoker: Well it depends. It would depend normally it would be no but you could have a communication saying be aware that our ordinance may not be enforceable in this area, do you think I should be pursuing it anyhow and that kind of letter you have to decide are we going to give them the green light to prosecute or not. So those are the kind of things that and of course that type of letter if that decision is yes we want to enforce it because we think it's something we value in the community being able to enforce that ordinance if you've got that sort of, even just the communication from the attorney that it might be a little bit iffy could undercut the case.

Hyne: Is it proper though? I just have a question I'm sorry. That you have that relationship with your attorney, I mean I'm trying to understand all this too. Because I always understood it to be a precedent that you don't release those.

Stoker: I would think in the normal course you would not want to.

Hyne: Because the County Commissioners don't release those.

Stoker: Well they rarely release them. They have released some, but they rarely release them and they go through this same sort of process. They take the vote of the board to do that.

Hyne: Okay. Yes.

Moody: Yeah, I would just be concerned you know the precedent you know the option I've dealt with these kind of things myself and I just was worried about the impact and don't want to subject ourselves to possible you know, used against the City or body and why would we want to subject ourselves to litigation potentially and I don't know just the precedence that's all so.

Zichi: Well the reason I asked for this to be put on the agenda was because I have gotten several different comments, not hundreds but between close to a dozen different citizens have contacted me and asked what is this Council member conduct that this letter was about and my response was that was discussed in closed session I can't discuss it and they then proceeded to make guesses and my answer is 'that was discussed in closed session, I can't comment on it' and I got really frustrated not being able to say anything but obviously I couldn't and I didn't and they got very frustrated with me because they felt like I wasn't being forthcoming. I don't see anything in that letter that jeopardizes the City, it simply clarified some, and man I can't even, it doesn't jeopardize the City put it that way, I can't say much more than that in open session without going beyond it and I do think it would perhaps clarify some of the issues that have come up. But recognizing that the whole board has to agree with that, well a majority of the board has to agree.

Stoker: Let me raise one other potential issue, much like approving closed session minutes, if there's a feeling that you wish to discuss as a body the closed session/attorney client privilege communication you can go in closed session to do that and if you choose to release that you can do that in open session because it was something considered in closed session you can go back in closed session and talk about it.

VanAllsburg: Well maybe we need another closed session.

Zichi: Well does somebody want to make that motion? I'm willing to make a motion to release the letter if someone will second that if somebody wants to make a motion to go into closed session and discuss it that's okay too.

Hyne: Okay, Councilmember Pratt.

Pratt: I'm opposed to this from the standpoint of I contacted some judges today that I worked with and some other attorneys and they made it very clear to me and even Attorney Toskey told us at one of the meetings, you do not release this.

Stoker: And I'm not talking about this letter specifically...

Pratt: Because as far as Ken's stating you know he got, I get calls after every meeting, I have a very strong constituent base, I get calls all the time and I say I can't talk to you about it. I mean that's what we're here to do, that's what attorney/client privileges do but it was made very clear to me today when I did my research before that even when I got my packet that this is just unethical.

Stoker: It is a policy decision though because you are the client, you being the Council representing the City so you're the only ones that can decide to release it or not and that's why if it seems like I'm sort of throwing it back on you, even though normally you would not do that, you as a body have a right to make that decision not me as the attorney so that's if it looks like I'm throwing it, that's because I am, it's your choice.

Moody: Yeah, the privilege lies with us.

VanAllsburg: You know I think there might be some value gained in this situation to go back briefly into closed session so...

Hyne: Can we schedule that for the next meeting? Or do we need to do it, we could do it....

Zichi: I don't have a problem waiting for the next meeting. That's cool.

Moody: I don't even think it's worth it, I would make a motion to just not do it, to not release it.

Pratt: I support that, I support that.

Moody: I don't even know, I mean I understand I guess my reason for making the motion would be I just can never see a situation where we would want to make that a precedent. Unless you really...

VanAllsburg: I wasn't actually, my motivation for wanting to go into closed session had more to do with, I had no intentions of voting to release this letter, but I wanted to go back into closed session to clarify certain situations about this issue so everybody's on the same page but if nobody sees the need for that, that's okay too.

Moody: I can understand that. I don't want to cut people off I just, that was my thought was I could never see a situation I'd want to do it.

Zichi: Well there's a motion and second and I guess my comment on that is just that I've been on this Council for over eight years now and this is the first time I've ever had this many people comment and question what we've done in closed session. Usually it's oh, there's litigation going on okay fine I appreciate that needs to be private or oh I understand that needs to be private okay fine and I haven't had a dozen people come up to me after closed session and say what was that all about.

Pratt: Well you've got a new Council and the City talked and they elected a new Council, you know so.

Hyne: Was that letter titled? Was it titled what it was? I don't believe it was. Cause right now...

Zichi: Yes this was what was...

Hyne: It says attorney/client privilege letter even at the bottom. Does it say what it's about?

Zichi: When we went into closed session at our last meeting we specifically indicated what that letter was about because we had two different letters.

Hyne: Did it? I'm trying to remember because we... Okay.

Stoker: Right, I think someone put it in the motion. I wasn't....

Hyne: Is it normally put in? Or is it just?

Stoker: No, not necessarily, I was a little surprised to see that put in but it was, once it's made in the motion you could say pretend you didn't hear that everyone.

Hitchcock: That's why I was questioning, excuse me...

Hyne: Yes.

Hitchcock: I had a question and you can clarify this for me why the agenda needed to be amended when there was already an attorney client privilege letter on the agenda why you couldn't just say letters as opposed to, because I saw where you amended the agenda and you had requested it and I couldn't figure out why you requested it if it was already on there.

Stoker: Well you could but I mean it's kind of like our Zoning Ordinance someone made, you have to vote to go into closed session you have to have a reason each time and technically if you have two attorney client privilege letters you need a vote to go into closed session on each of them because some Council member may not want to go into closed session on one of them and they have the right to do that.

Hyne: So how would we? Well,

Stoker: If that explains why we...

Hitchcock: Well the question is there are a lot of times we have attorney client privilege letters and the Council doesn't know what the attorney client letter is about.

Pratt: We never do. I've never seen one that says....

Hitchcock: That's what I'm saying they don't get them beforehand, they get them at the meeting, so I just want to make sure in the future when we're putting the agenda together what needs to be on the agenda.

Hyne: I guess that's my concern. Yeah, I'd like to know the history, I'm not quite convinced because that was in the motion. I don't recall that being in a motion.

Hitchcock: On page...

Hyne: That's why I was a little baffled by the direct conversation and reference as to what that was and maybe I misunderstood but...

Hitchcock: Page eight of your minutes, says a closed session dealing with Council complaints. Page 8 of 76.

Stoker: Well that's quite a bit different then as portrayed here too...

Hyne: Well wait a minute it doesn't say anything about what it referenced whatsoever but yet it seems that there are members in the community that are very well aware of what...

Pratt: That's right this happened again before on another one. When you brought it up not too long ago regarding the closed session and everything getting out to the you know...

Hyne: We had an issue with this and this is the second time.

Pratt: With Mr. Couturier you know.

Hyne: It's the second time that information has been released to the public.

Smith: Do you have your packet from the last time?

Pratt: Nope.

Moody: I have the packet from the last time.

Smith: Do you? Specifically what the agenda said?

Moody: Yeah just closed session an attorney client privilege letter.

VanAllsburg: Michelle I don't think you should assume somebody is blabbing because somebody in the community is able to reason out why we are going to closed session about an attorney client privilege.

Pratt: Not really because we had all kinds of....

Hyne: I'd just like to comment on that.

VanAllsburg: Because people can put two and two together and then they know what's going on to a certain extent and they can figure it out.

Hyne: But you know what, I can see where you're going with that but also the fact that that that seems to be a lot of the concern here. A lot of people are assuming information putting it together and it's not accurate and it's really unfortunate that you got people who are working very hard for this community and we need to make sure that information is accurate, I mean just so even the public is aware instead of having all this conversation about things that are really not necessary because they're not even true. So anyway, I will defer to do because I have a problem with this.

Stoker: As I go back and look at the verbatim minutes which we talked about Holly spent lots of time on, they did not use that phraseology.

Pratt: That's right.

Hyne: So thank you Holly, all your time and effort.

Pratt: This is the first time I've heard it said publicly, we don't talk about anything else.

Hyne: So what are we... this is your ball.

Pratt: We've got a motion on the table.

Hyne: But I want to hear Attorney Stoker comment as to, this is an issue.

Stoker: As far as I'm concerned you do not need to have that as part of the agenda and apparently it was.

Hyne: But it was referenced.

Stoker: Things in closed session should not be referenced in open session.

Pratt: You're right, that's unethical. It borders on ethics believe me.

Stoker: It's actually against the law.

Hyne: It's against the law?

Pratt: That's what one of the judges told me today.

Hyne: Okay, can you note that please. Okay we have a motion and support.

Moody: Is it my motion? I wanted to make sure, I wasn't sure if you had the motion.

Hyne: Who supported that you?

Pratt: I did.

Hyne: Okay Holly could you please restate the motion.

Thompson: Motion by Moody, second by Pratt, to not release the letter.

Hyne: Attorney/client privilege letter right?

Pratt: Right, attorney/client privilege letter.

Hyne: Okay thank you. Any further discussion?

Moody: I understand Scott's point to discuss it I just didn't think there was anymore discussion needed on the thing, I read that thing I understand it and that's why...

Pratt: I think there's an ulterior motive myself but....

Hyne: Okay, alright let's do a roll call vote.

Motion by **Moody**, second by **Pratt**, to not release the Attorney/Client Privilege Letter to the public. Yes: Smith, VanAllsburg, Hyne, Moody, Pratt, Siciliano. No: Zichi. **Motion passed.**

10. Discussion Items

10a. 360 Employment Evaluation:

Council decided to not do the 360 employment evaluations.

10b. Amendments to Rules of Procedure- Committees:

This will be on the next agenda for discussion after some corrections are made to the rules.

Council discussed holding an Open Meetings Act class.

12. Staff Reports

12a. City Manager:

Manager Hitchcock reported that she is meeting with TIFA Attorney Gormley to talk with CSX regarding the purchase agreement. She met with Granger regarding Loop Road and the road being turned over to the City. She submitted the EDA grant application.

Chief Hetfield reported that he and MSU have been trying to get electronic submittal of accident reports and they have received a grant for 100% of the cost of the system.

12b. City Attorney:

No report.

12c. WWTP:

A written report was submitted for Council review.

13. Audience Participation:

Brooke Locke, 519 East Riverside, advised the Council to take action on the terminated Fire Station sale agreement to avoid litigation.

14. Council Member Comments:

Councilman Zichi expressed his condolences to the family of Marilyn Dunn who passed away. He also congratulated the City Manager and Community Development Director on helping to bring in Tri-State Hospital Supply.

Councilman Moody questioned when the Manager evaluations should be turned in.

Councilman Siciliano wants to consider a procedure set up for Attorney Client Privilege Letters. He also expressed his condolences to the family of Ray **Hurshman**.

Councilman VanAllsburg encouraged everyone to go to the theatre production, 'Leaving Iowa' at the Williamston Theatre.

Councilmember Smith questioned the liquor license application status for Gracie's Place.

Councilman Pratt commented that the island cleaning will be Saturday, October 18 and asked that the City purchasing the old fire station from NIESA to locate the Police Department there. He added that he has received a complaint that the WWTP lawn is not being mowed. He asked about the MDOT parking signs. He expressed his condolences to Marilyn Dunn's family.

Mayor Hyne also expressed her condolences to Marilyn Dunn's family, and congratulated Eagle Scouts Bryan Kendall and Patrick Belanger. She reported that NIESA had their pancake breakfast open house that was a huge success. She congratulated the City Manager, Community Development Director, Ingham County EDC Coordinator Sue Pigg, and Tri-State Executives for their work in getting Tri-State into Williamston. She added that she does not normally address people during audience participation, but there have been many statements made and she has difficulty listening to them. She expressed her appreciation to citizens that speak with the Council whether at a meeting or outside of a meeting.

16. Adjournment:

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

***Meeting Adjourned at 11:43 p.m.**

Respectfully Submitted by: _____
Holly M. Thompson, Deputy Clerk

Michelle A. Hyne, Mayor

Date Approved: _____