

**CITY OF WILLIAMSTON
CITY COUNCIL
APRIL 27, 2009
REGULAR MEETING MINUTES**

1. Call To Order:

Hyne: I'd like to call to order the meeting of the Williamston City Council for April 27th, 2009, please rise for the Pledge of Allegiance.

All: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under god, indivisible, with liberty and justice for all.

~~The meeting was called to order at 7:02 p.m. in the City Hall Council Chambers by Mayor Michelle Hyne and the Pledge of Allegiance was recited.~~

3. Roll Call:

Hyne: Okay, can we please have the roll call.

Thompson: Hyne?

Hyne: Here.

Thompson: Moody?

Moody: Here.

Thompson: Pratt?

Pratt: Here.

Thompson: Siciliano?

Siciliano: Here.

Thompson: Smith?

Smith: Here.

Thompson: VanAllsburg?

VanAllsburg: Here.

Thompson: Zichi?

Zichi: Here.

Hyne: Thank you. First I would like to welcome everyone. Thank you for coming and for Council members and audience members, please as a courtesy put your

phones on vibrate or turn off the sound. Would appreciate that very much. Thank you. Okay.

~~Mayor Michelle Hyne, Mayor Pro-tem Michael Moody, Council members John Pratt, Carmen Siciliano, Traci Smith, Scott VanAllsburg, and Ken Zichi. Absent: None.~~

~~Also Present:~~

~~Acting City Manager Alan Dolley, Acting Clerk Holly Thompson, City Attorney Bonnie Toskey, Police Chief Mark Hetfield, Community Development Director Michelle Aniol, C2AE Engineer Scott DeVries, JFM Productions, Enterprise Reporter Brad Ritter, citizens Terri Campbell, Brooke Locke, Wendy Shaft, GERAL Jeffrey, Larry Stafford, Jean Dolley, Jackie Wheeler, Lea Estes, Joe Eiffert, Steve Eyke, Rob Oesterle, Ben Stiffler, and other members of the public.~~

4. Approval of Agenda:

Hyne: Could we have approval of the agenda?

Moody: Move to approve the agenda as submitted.

Hyne: Okay, is there support?

Siciliano: I'll second it.

Hyne: Okay, is there any discussion?

Zichi: I do have a question, we talked about the code of conduct being on this agenda and it's not here. Is there a reason it was taken off? That was part of our approved agenda. We had tabled it until this meeting.

Hyne: That was, let's we would deal with the Clerk. Is there?

Thompson: It was on a previous agenda and Councilman VanAllsburg did call to get it taken off and he stated at the last meeting he did want it removed during the approval of agenda and everyone voted.

VanAllsburg: Okay, yeah, I think I asked for it to be put on this meeting. I probably just missed it.

Hyne: Okay.

VanAllsburg: Can you put it on the next meeting?

Zichi: That's fine.

Pratt: And that's dealing with what?

VanAllsburg: Our Code of Conduct.

Hyne: Okay.

Pratt: Okay, that's fine.

Hyne: Is there any further discussion? Okay, all in favor?

Council: Aye.

Hyne: Opposed? Motion carries.

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

~~Council asked that the "Code of Conduct" be added to the next agenda.~~

5. Audience Participation:

Hyne: Next we have audience participation, we have a maximum of five minutes on any agenda or non-agenda item. So anyone's welcome to comment to the Council at this time, so you are limited again for five minutes, the Clerk will keep time, please state your name and address for the record. Anyone wishing to address the Council at this time? Yes, Mr. Eiffert?

Joe Eiffert: Joe Eiffert, 715 North Putnam, all the road construction up there, part of it's within the City, the whole program is to fall under the Ingham County Road Commission. If part of it's being done within the City, I wish the City of Williamston had some say so in this. There should have been someone in this City, should have been saying something about, yes problems, no problems, this should be changed because from Bismark Street to the City limits, that's in the City. Ingham County Road Commission, wherever they got this money from, on a grant, or wherever they got the money to do this I have no idea but they're just going ahead and to me doing everything as they want, when they want and the City has nothing to say about it. I've lived there for 25 or so years and we got curb and gutter up there now which I think is ridiculous. Curb and gutter sticks that high above the road, where the top of it goes like this and goes off our yards like that. There's that much drop in it. It's ridiculous. Thank you.

Hyne: Thank you.

Pratt: May I ask him a question?

Hyne: Yes. Mr. Dolley, would we be able to, at City Hall, someone just look into the concerns? Okay, thank you.

Pratt: May I ask him a question?

Hyne: Yes.

Pratt: I knew we had a concern before about it going from a two inch to a four inch water line, did they change that, do you know Joe?

Joe Eiffert: Gary told me, I called him up and talked to him last week, or the week before, I don't know exactly when it was, Gary says he's going to put a six inch water main down as far as 250 feet, which is the existing water main with the fire hydrant on the end of it.

Pratt: Okay, that was not a part of this deal? Where they have it already tore up, the City couldn't have piggybacked with that, and did that at that time when it was all tore up? Or is that something different? Because I know you follow it pretty close.

Joe Eiffert: That's...

Hyne: I can,

Pratt: Well never mind, I just, because I know you're following it, I just want to see if there was anything the City could be paying some fees on but okay.

Hyne: I was just going to say it was my understanding from previous discussions on this and if I'm wrong Mr. Dolley maybe can research that and follow up, but that when the Road Commission was coming in to do that work that that approved water project for the piping was going to be done in coordination with that so it would be done prior to any paving or curbing, anything like that, but we can follow up and we'll have someone get with you.

Joe Eiffert: I had one of the City workers come out today, to do something for me, and I was talking to him about it. He said with that curbing and gutter on the east side of the street which would be the Township side of the street, the two inch existing water main is under the curb and gutter. He's saying that there's going to be a lot of fun there because now you're going to have to take and lay six inch water main someplace else and you're going to have to tap into that, and you're going to have to go underneath the road for everybody down there to get to there house now.

Hyne: Yeah, well my understanding that was supposed to be done prior to all the paving and road work.

Pratt: That's what I thought too.

Hyne: Right, but we'll check into that for sure. Thank you.

Joe Eiffert: Okay.

Hyne: Okay, is there anyone else wishing to address the Council at this time? Yes.

Wendy Schaft: Hi, my name is Wendy Schaft and I live at 3452 Skyway, and I'm just here as the Williamston Area Chamber of Commerce liaison.

Hyne: Thank you. Welcome. Okay, anyone else wishing to address the Council? Okay, alright. You will have a second opportunity at number 14, under audience participation at the end of the agenda to address the Council once again, so I'll ask one more time, anyone wishing to address the Council? Okay, we'll move forward.

~~Joe Eiffert, 715 N. Putnam commented that he wants the City to be able to have a say in the construction happening on Williamston Road north of town. The curbs are very high and he is concerned that there are no new waterlines going in.~~

~~Manager Dolley will look into his concerns.~~

~~Wendy Shaft commented that she is representing the Chamber of Commerce.~~

6. Presentation of Annual Library Director's Report:

Hyne: Next we have presentation of Annual Library Director's Report.

Michelle Brussow: May I come forward?

Hyne: Sure, welcome. Thank you.

Michelle Brussow: Thank you. Hi.

Pratt: Hi.

Michelle Brussow: Thank you for including us on your agenda. You may notice that I'm a new face here. My name is Michelle Brussow and I'm the new Head Librarian at the Williamston Library. Most of you probably know that we had to say goodbye to Joann Hegadus after a bout with cancer in November. I am looking forward though to come in and get started. What I'd like to do is take a few moments to go over some of the highlights of 2008. We had about 70,000 visits that we counted. A lot of people checked out materials, a lot of people used the computers and/or also our programs. Book groups of all ages, Hawaiian luau programs, underground railroad programs, Eric Villegas cooking programs, that was a big hit with the families, teen programs, there was bee night, and they also had a program on how to get into the college that they wanted to get into. Teenagers and volun-teens also performed a book worm play for the younger kids, and also visited the library and schools. We look forward and are hoping to continue with the schools, going in and doing book talks with the older grades, story times with the younger grades. We have a lot of the summer reading programs lined up already. Gemini will be coming and doing a family concert for everyone. That will be fun and musicians, jugglers, things of that nature. And we want to thank everybody here and our Williamston friends and our Foundation for their support. We appreciate it.

Hyne: Thank you very much.

Pratt: Thanks for being here.

Hyne: Does anyone have any questions, or comments?

VanAllsburg: Yeah, I actually have one question.

Hyne: Councilmember VanAllsburg has a question.

VanAllsburg: Yeah, I have one question; I was wondering how it's going in the location over there and what kind of problems you're running into because of the small space etc.

Michelle Brussow: Thank you for asking. It is a small space, I came from South Lansing which is about four times as big, and it's been quite an adjustment. It's rather warm there. Trudy came over this morning took a look and said I think we better turn on the air. It's just dead air in there and it makes people tired. They just get very tired. They could be at computer and have to get up and go and we could provide a lot more to the community if we had a bigger space.

VanAllsburg: Right, okay. Thanks.

Michelle Brussow: Thank you.

Hyne: Yes, thank you. That's interesting cause I was just talking with the Foundation and with the Community Center being that they're there, it might be something we should put on as far as our next meeting, something just to discuss about maybe dedicating more rooms to the library. I mean it's a huge building and just see what's available and what's already occupied and then maybe we can expand some of that space.

Michelle Brussow: Thank you.

Hyne: If we could add that for discussion. Anyone else have any other questions? Okay. Thank you again very much. Appreciate all you do.

~~The annual Director's report was distributed to Council for review. Michelle Brousou went over the annual report with Council.~~

~~Councilman VanAllsburg questioned how it is going in the community center.~~

~~Ms. Brousou commented that the room is very warm and small.~~

~~The Community Center will be on the next agenda for discussion.~~

7. Presentation- Pat Lindemann Ingham County Drain Commission- Regarding Municipal Drains in the Area and Issues:

Hyne: Okay, moving on, we have presentation from Ingham County Drain Commissioner regarding municipal drains in the area and issues.

Pratt: You don't look like Pat.

Cecilia Kramer: You'll have to pretend.

Pratt: There we go.

Cecilia Kramer: Let me start off by saying, let me turn my hat, and I'm a friend of the library, President of the Friends of the Library in Okemos and I'd like to let you folks

know that you have some distinguished guests. Glenda Story is on the Board of Capital Area District Library and those are the folks that have the overarching, the whole library system under their control. So Glenda's here this evening and also Maureen and she's one of the staff at the downtown branch of the library and so she's here this evening also. So it's kind of special to have folks coming out to tell you a little bit about the library because it is such an important of the ambience and the positive feeling that you get in a community like this so.

Hyne: Thank you. Well thank you, all of you welcome. Thank you.

Cecilia Kramer: Now on to, I'll turn my hat again, and my name is Cecilia Kramer, I am the Deputy Drain Commissioner in Ingham County under Drain Commissioner Pat Lindemann. He asked me to come this evening and talk to you a little bit about our drain program and the soil erosion program. So I've prepared some packets here for I hope each of you. Okay, the first item in your packet there, the top sheet, is the breakdown of the soil erosion and sedimentation control permits. As you know the Ingham County Drain Commissioner handles the soil erosion program for the out-county areas and in past times there have been a number of permits that have been granted. You'll see that this year's things have not been quite as productive in that sense. There hasn't been quite as much building and that has changed. Right now we're just getting into the summer building season when people are doing additions and things like that so this is just a caption of what happened year to date in 2009. You'll see the preceding years and you'll also note that there's a code on the side there, we have done residential, residential minor disturbance, and the next one commercial, again commercial minor disturbance and then there's the waiver and so that's just to give you a little brief explanation. The pages following in that particular section give you an idea of where those soil erosion permits that are currently ongoing and active from 2008 and on through this portion of the year and you'll see that they have been granted. That's just a little bit of a, just a little capsule of what's happening in terms of building here in your community. In 2008, the pages go on back, you'll see what we did in the preceding years. Again on the side on the very left side you'll see the differences between the, there's commercial and then residential. You kind of get a feel for what we were granting here in terms of those permits. You have, and I should tell you we have the soil erosion/sedimentation control person that handles your area for both the residential and the commercial. It is Jason and so if you have questions specific to anything you can contact him at our office. The next item in your packet there is a memo from our Drain Maintenance Supervisor Randy Abbott, and he's outlining the drain maintenance that has been performed on drains that run through or touch in some way, your City or jurisdiction, so you'll see that particularly on the Atzinger there is inspections, there was tree removal, and brush removal north and south of Grand River and then they used the Corwin Road. In this portion of the presentation is accompanied by a map so you can kind of see on the colored outline there where work within your boundaries will be performed or was performed in 2008 and then as proposed work. Again in 2009 Randy anticipates going back on the Atzinger with some soil erosion concerns and they're going to be working right near Grand River to reinforce that very sharp turn in the Atzinger as it goes underneath Grand River and then exits to the North to get to the Red Cedar. Also as always we do have...

Pratt: Could you tell me again where that was please. I'm sorry.

Cecillia Kramer: Okay, the Atzinger is on your map...

Pratt: Okay, I got it okay, thank you.

Cecilia Kramer: We're right here as the number 43.

Pratt: Yeah, Jack Pine Drive and everything, yeah.

Cecilia Kramer: It goes underneath Grand River there as it exits it makes a very sharp bend to the left, before it gets into the trees there. And the Deer Creek again will be working this entire length of Deer Creek. Deer Creek goes, it ends at the Red Cedar but it starts down in Wheatfield actually. It starts in Ingham Township and then comes a long way, so it's a big creek and we have ????? along it most of the time, to try to keep that open and flowing and then the Tobias, he anticipates doing ditch work south of Linn Road, and there's some work that needs to be done there so he'll be working on that this year.

Hyne: Okay, thank you.

Cecilia Kramer: Are there any questions from any of the Council members?

Hyne: Any questions from any Council members?

Cecilia Kramer: Yes, sir?

Moody: I was just, so the estimated charges, are those charged to the City?

Cecilia Kramer: The whole drain district so in the case of Deer Creek or even the Atzinger you can see almost the full length of the Atzinger's on your drawing there, on your chart and so you would have only a portion of it that represents this much that goes through your jurisdiction then the other townships, Wheatfield, would take part of that same portion. Also you note that on the Atzinger for capital, M-43 is there so that means that the State Highway Department gets a portion of that because they like to have, they need to have dry road beds, so they want to work with us so they pick up a portion of that investment and the same thing for any of the County roads for example, Corwin Road, which are all County roads, they would get a portion of that, any land that's in the watershed for the Townships.

VanAllsburg: There's a question in the audience.

Hyne: Can we have a motion to recognize Mr. Eyke?

VanAllsburg: Yeah, I'd make a motion to....

Hyne: Okay, is there support?

Siciliano: Support.

Hyne: Okay, all in favor?

Council: Aye.

Hyne: Okay, Opposed? Mr. Eyke?

Steve Eyke: Hi I'm Steve Eyke and I own a business at 145 West Grand River, I'm also on the town's DDA and one of the most important things about our community is the river and part of your job is to protect the river. Right now when we developed the rapids a time ago, we used to have a flag that flew to tell the quality or condition of the water. That's gone now, I'm not sure what happened to that procedure but as we develop the park downtown, and we develop this walking community the health of this river is primary and I'm also a building contractor and I supply permits for these soil erosions but a lot of builders see the hypocrisy with the whole process because the majority of the soil erosion comes from farming and turning fields over from cow pastures etc. So building operations do not contribute to e-coli in the river, but other things do, maybe drain fields that leach into the river or run off from farmers and cow pastures. What does the Ingham County Drain Commission do for those kinds of issues that are huge and in comparison to building operations, to protect the quality of our river?

Cecilia Kramer: Okay, well a couple of things, first of all as you know there's a difference between the drain which are in this case the Deer Creek and the Atzinger, Tobias and other drains and waters of the State, which is the Red Cedar going through here, so we have very little jurisdiction over the water in it's state. We can't go in there, we can't do any of that sort of thing without getting a DEQ permit, so that's a thing that you or the City going in and getting a permit. As far as what we're doing upstream, because the Red Cedar river up near Swan Creek which is to the east of town here, closer to Webberville. That's where the drain from the Red Cedar River ends and that becomes the water ??????. But there is a drain up that direction and we have gone in at that point up Swan Creek for example, there was an e-coli problem and we with the Health Department which is in charge of that type of issue more directly, a run off from ?????, they get in there, they have to work on that with us. We tell them and they can issue citations. Also ??????. So to further answer your question, the areas that are in this sector are stage 2 of the clean water act so we have a program now that we are going through and we have to protect each of these areas to make sure that there's no ????? coming through there. There is, you had talked about farms, and the farm runoff, the construction runoff is very heavy because of the density of the houses or whatever is built etc. but it's more open for wind erosion or possibly soil erosion in a farming sector and you're right about that. We work with the farmer's, we try and encourage to leave buffer strips along the drain to keep the fields back from the various contacts with the drain and it would be, there are a number of, several programs that help with some of that, but at this point all we can do is encourage them to stay back from the drains and stay outside of the easements as much as possible to keep that soil from not eroding into the river. When we dig our drains to get that soil and whatever out of those drains, we try and dig just using our equipment in the ????? whenever possible so that the side of those slopes can remain stabilized. Same thing as we go down and remove trees,

we try and leave the roots in the side of those ditches in order to hold that soil back and keep that stable and so we're just working in the very bottom if at all possible.

Hyne: Okay thank you.

Eyke: There's a jurisdiction issue here, you have State waters and the County and if you test the water, any water that goes into the state areas, you then notify DEQ that you have an issue.

Cecilia Kramer: Yes.

Eyke: And that's how we work with the issue, with the quality of the river down here.

Cecilia Kramer: That's right and we find that we bring in as many of the employees as deemed appropriate just to work with those things, so we would address those problems down here and then they would have to let us know the proper ????.

Eyke: What's the current quality of the water here now?

Cecilia Kramer: I don't know. I don't know. We have been out testing to see, some of that testing, I don't know how far they've gotten.

Eyke: Thank you.

Hyne: Thank you. And maybe once those results are available, you could provide them to the City.

Cecilia Kramer: Yes, we'll be working with the City in that.

Hyne: Okay, alright. Thank you. Councilmember Pratt, you had a....

Pratt: I just had a response for Mr. Eyke; the way I understand it with the flag situation, that was a scout project. Where they would get the information from the County, they would fly the flags and for some reason they don't now. Now if I'm wrong, someone can correct me.

Siciliano: I'm not sure.

Hyne: That was some time ago.

Pratt: I know, they haven't done it for a couple years, but, I think that's... I think everybody likes it.

Hyne: You know what we could do is just have City, we'll have Mr. Dolley check into that and City Hall and we can actually have information for the next meeting then, because I know I've had people comment to me about that also and I was curious myself, but we could do that, just check into that. Okay. Thank you very much. Appreciate your comments and your time and look forward to working with you so, thank you. Okay.

~~Deputy Drain Commissioner Cecilia Kramer submitted information from the Drain Commissioner's office regarding the SEP breakdown from 2003-2009, a listing of active soil erosion permits, projected drain work for 2009, a map showing locations of the proposed work, a drain assessment history, and drain assessments.~~

Motion by **VanAllsburg**, second by **Siciliano**, to allow Steve Eyke to speak. **Motion passed by voice vote.**

~~Steve Eyke questioned the discontinued use of the flag system for the river quality.~~

~~Manager Dolley will look into why the system is not being used.~~

8. Council Minutes of March 23, 2009 and April 13, 2009:

Hyne: Next we have Council minutes of March 23, 2009, we'll take one at a time here. Any comments or suggestions, or I'll entertain a motion.

Moody: I would move to approve the Council minutes of March 23rd, 2009.

Hyne: Okay, is there support?

VanAllsburg: Second.

Hyne: Okay, we have motion and support. Is there any discussion? Okay.

Zichi: The number of pages is not consistent. It says there's 26 pages at the beginning of the minutes, at the end of the minutes it runs over on page 27.

Hyne: Okay, well we can have that noted and addressed. So in addition to that concern, is there any other comments by Council? Okay, all in favor?

Council: Aye.

Hyne: Opposed?

Zichi: No.

Hyne: Okay, we have one dissenting, motion carries. Please note for the record.

Motion by **Moody**, second by **VanAllsburg**, to approve the Council minutes of March 23, 2009 as presented. **Motion passed by voice vote with Zichi voting no.**

Hyne: And next we have the Council minutes of April 13th, 2009. Do we have any comments or questions, or I'll entertain a motion.

Moody: I guess on 9a. I guess it's the police contracting with other communities, Council discussed contracting with other communities for police services and felt they were interested but needed more time to look into the details. I think that was because of it was too much work, currently I think for the City Manager and the

Police Chief, I didn't think they could do it in the time allotted. That was my understanding. Maybe we could put a, I don't know, if you want to explain that.

Hyne: If we need to review the tape we can do that and then, as needed, or just change the comment.

Smith: Well it says that...

Hyne: Go ahead, yes.

Smith: It says that they needed more time to look into the details so I think it kind of implies that.

Hyne: Okay, alright, that can be noted. Is there any other comments or questions? I'll entertain a motion.

Siciliano: Move approval of the April 13th, 2009 minutes as submitted.

Hyne: Or as amended?

Siciliano: No, as submitted.

Hyne: As submitted? Oh, okay. Is there support?

VanAllsburg: I'll second.

Hyne: Okay, we have a motion and support, any further discussion? Okay, let's, all in favor?

Council: Aye.

Hyne: Opposed? No. Okay thank you. I'll just note I think it is important to note that section, but anyway. Thank you.

Motion by **Siciliano**, second by **VanAllsburg**, to approve the April 13, 2009 minutes as presented. **Motion passed by voice vote with Hyne voting no.**

9. Accounts Payable:

Hyne: Next we have accounts payable, report and action if needed. Councilmember Siciliano.

Siciliano: Okay, excuse me, I reviewed checks numbered 56487 through 56530 totaling \$166,020.67. If you all would draw your attention to check number 56495 for our City Attorney, we were billed \$4,080.36 for a total of 33 hours of work and March 09' I did supply you with a copy of their bill but I remind the Council members that it is attorney/client privilege that you do have a breakdown of that. I would also draw attention to check number 56509 and that is payment to the Ingham County Treasurer for Tobias/Linn drain project and settlement and that's actually for work that dates back prior to what we were looking at tonight if I'm not mistaken. When

previous improvements were done at Linn Road back when construction was going on, drain fields were made, this was the payment I guess the County just never...

Manager Dolley: No, it's an ongoing thing.

Siciliano: Okay, I apologize, I misunderstood, but that is a significant \$84,603 and I would also draw your attention to 56513 which is the bill from McKenna and Associates for September 08' planning as well as March 09' planning and zoning as well as Zoning rewrite services and plan administration for TIFA 2B. The planning from September 08' if you recall at the last meeting there was an outstanding bill that we hadn't paid that we were looking into to make sure that we actually needed to pay it, and it was determined that it was necessary. That bill included the retainer plus \$1,036 on top for March 09' we have a total of, we have the retainer plus \$3,334.50 which equals 35.75 hours of work outside the retainer and for planning and zoning it's just the \$757 for work outside of the retainer which is about 8 hours. Other than that I would, the last thing I want to draw your attention to is 56530 the very last one on this sheet which is the third payment to the Theatre for the Arts Grant. If there are any questions, I would move approval of checks 56487 through 56530.

Hyne: Okay, is there support?

Moody: Just one question.

Hyne: Well we have to have a second and then we can have discussion. Is there support?

VanAllsburg, second.

Hyne: We have motion and support, discussion? Councilmember Moody.

Moody: Just, so on the check 56511, which is our former manager's reimbursement, what actually that took place?

Siciliano: That was for the conference that was attended back in early, it was the one in Kentucky, I believe it was a water conference.

Pratt: In Kentucky, or Tennessee?

Siciliano: Oh, I'm sorry Tennessee. I honestly don't remember which one it was.

Pratt: Okay, that's fine.

Siciliano: It was consistent with the other bills I received.

Moody: I just wanted to make sure.

Siciliano: That's fine.

Hyne: If I may, I have a question...

Pratt: On that same one, acts for \$435.93 right?

Siciliano: All receipts were included. It was a reimbursement and a stack of receipts from the trip. So they can be reviewed by anyone also.

Pratt: Thank you.

Hyne: Okay, I guess I have a question regarding, now on the 56513, special planning services from September 08' it says, is there a reason why, is that the one you were talking about...

Siciliano: Yeah, at the previous meeting we had...

Hyne: That's the one we had to review?

Siciliano: Yes, it was reviewed to make sure that we actually did owe that.

Hyne: And then the zoning services for \$1,645?

Siciliano: Is just our installment, our payment plan as far as the contract of \$23,000 for the zoning rewrite. That's our payment for this billing cycle.

Hyne: Okay, and then the Planning Zoning services for March 09'. Now what is that?

Siciliano: That is the regular zoning services retainer which is \$3,405 plus \$757 outside of the retainer.

Hyne: And then the professional, the Economic Development...

Siciliano: Community Development correct, the Community Development which is the same retainer \$3,400 retainer plus \$3,334 which is a total of 35.75 hours of work outside of the retainer for the month of March.

Hyne: So how much is that for the month, outside the retainer? You said it was \$3,3...

Siciliano: \$3,334. It's exactly \$3,334.50 that was spent outside the retainer. That bill is also on the table somewhere.

Hyne: Alright, any other further discussion? Yes.

Smith: I was just wanting to ask Alan if the payment to the Drain Commissioner is included in our budget.

Hyne: What is the settlement?

Dolley: No, it's for this year's settlement. Next year we'll go through the same, close to the same amount.

Hyne: And that's for our portion of the maintenance and all of the...

Dolley: Portion of what was done out there and they're billing us over a period of time.

Hyne: Okay.

Zichi: This was construction, not maintenance, construction.

Hyne: Okay. Anyone else? Okay, roll call please.

Thompson: Zichi?

Zichi: Yes.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: No.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Pratt: We're paying McKenna way way way too much money.

Hyne: Okay, we need to....

Pratt: I know.

Hyne: We need to be recognized please. Thank you.

~~Councilman Siciliano reported that the accounts payable totaled \$166,020.67 with reference #'s 56487-56530.~~

Motion by **Siciliano**, second by **VanAllsburg**, to approve the accounts payable as presented. Yes: Zichi, Hyne, Moody, Siciliano, Smith, VanAllsburg. No: Pratt. **Motion passed.**

10. Action Items

10a. Interim City Manager Contract Proposal:

Hyne: Okay, next we have our action items. We have number 10a. in our Manager contract proposal before you. Okay, everyone should have a copy of this and I will say the committee that was charged with I guess, meeting with Mr. Allard regarding negotiations, basically what the committee did, we listened to his thoughts, his recommendations and threw out some thoughts, but in the end are bringing forward his recommendations, his proposal, to the Council for negotiations, final negotiations, final decision on this and I can say I did have an opportunity to speak with him and he has agreed to a final amount for a retainer and that was a concern raised that to do an hourly could actually be significant, with the work, the grants, and projects that are pending in the City and the review, that it would be a benefit to go with a retainer, that was a recommendation for cost savings. He has agreed to, from a lot of his suggestions to a final dollar amount for a retainer of \$11,500 a month for a period of 3 months, no mileage, and to include occasional as needed business expenses as far as an overnight, if he has a late, late night meeting and a following early morning meeting which he said he strongly prefers to be with his family, and travel, so this would be occasional at the most. And of course any business meetings if he had a dinner or a lunch, so that would also be occasionally, which I did speak with our City Attorneys that that is standard practice, so it's not anything out of the ordinary. So Attorney Toskey do you have any comments regarding this?

Attorney Toskey: I do want to distinguish; you used the term retainer and the contract as a draft, a working document that is before the Council actually structures the compensation as salary for a temporary employee. This would be an employment relationship for which a salary is contemplated payable in bi-weekly installment payments.

Hyne: I did speak to Mr. Allard regarding the term consultant or an employee status, he said either one would be acceptable with him. So that's something for the Council to consider.

Pratt: Are you referring to compensation number five on page 2?

Toskey: I am.

Pratt: Okay, thank you.

Hyne: Is there anything as our legal counsel for the City that you see of concern in any of this or anything that we should be aware of?

Toskey: No, again working from the draft document, it is structured as a temporary employment relationship where the interim City Manager would receive a monthly salary payable every two weeks consistent with your personnel payroll. The hours of work are set out as normal office hours plus whatever substantial time is necessary to be devoted outside of normal office hours. There are no fringe benefits, other than those that are statutory and required by law such as social security, workers compensation, liability insurance, he would be carried and covered under your liability policy, there would be no additional cost above and beyond your normal policy. Otherwise the provisions are those required by law, a non-discrimination provision, an employee best efforts provision, it's really very much standard boiler plate.

Hyne: So there's the protection clauses for the City and everything, your saying?

Toskey: Yes.

Hyne: Okay, I did want to note also because this was a concern of the committee, and Mr. Allard confirmed that he would be here and perform the time necessary and devote that time necessary to complete the projects within that three month period. He would not have any normal 40 hour week. He would put in his time until it was done, that was his words, am I correct?

VanAllsburg: Yes.

Hyne: Okay, I just want to make sure, and so he did make that statement so he will not be having normal hours, it would be whatever is needed and necessary and also he did comment, I'm trying to recall, that as far as the stimulus projects that were submitted previously, the 12 projects that were, I believe, I see Mr. DeVries here, commented that they were not submitted, the 12 and but anyway, Mr. Allard did say that he would immediately if confirmed by the Council that he would immediately address those issues and see if there was anything that may be able to be done on that which I can tell you on those projects, I went through and added, you know we all are concerned about money, we're all concerned, we're all residents here in addition to elected officials, we pay taxes also and some of us struggling too, so we're all very conscious of what's going on in the economy and I will say those stimulus dollars, not that we would receive all of them, but the total amount for the projects that would have been submitted were, my calculation was about \$7.7 million dollars of projects that were not submitted. So that's something that if we can recapture a portion of that, it's certainly a value to this community. That's just my own opinion and of course there's 6 other Council members here that have an opinion and does anyone else have any comments they'd wish to address at this time?

VanAllsburg: Yeah, I have a comment.

Hyne: Go ahead.

VanAllsburg: Did you want to go first?

Siciliano: Mine's probably, I just have a quick question. There was a discussion about being a contract worker or an employee, I may be completely wrong, but for workman's comp benefits don't they need to be on the payroll, they wouldn't be like a 1099 contract worker? We would have to hire him and pay him through payroll for him to receive the workman's comp?

Toskey: Well that's true, but that's exactly what this draft...

Siciliano: Oh, I'm just making sure, because there is discussion that we could pick which one, but in that case those benefits, to receive those benefits you would have to be...

Toskey: Workers' Compensation is a statutory benefit required by Michigan law under the Workers' Compensation Act, you're absolutely correct, and I think that is referenced and set out under paragraph 7a. and b. that the statutory b., social security, workers' compensation, unemployment is another statutory benefit that you are required. I did want to point out because I heard the comment earlier, there is a provision at paragraph 3 on page 2, that this appointment, and it is an appointment, would terminate at the same time on the effective date of the successor City Manager's appointment. So unless you are to set another date, there is a sunset provision, so to speak at paragraph three and that is at the appointment of the permanent City Manager's position effectively terminates this Interim City Manager's employment contract. There is a provision however at paragraph four which follows just immediately following that, that in the event that Council were for whatever reason to determine to terminate this earlier, it could do so by a formal vote and seven days advance written notice. So it is open-ended until this Council votes to appoint a permanent City Manager and it is that date which will by its terms terminate this agreement unless you terminated it earlier assuming this agreement is approved.

Hyne: Okay, I know from our committee meeting, he agreed to three months. So, but I mean if, I guess it could be open ended.

Pratt: He said he felt that he could do it within three months.

Hyne: That he could complete it in three months, right.

VanAllsburg: Well obviously we're not going to pay two City Managers at the same time.

Hyne: Right, well I'm just saying, that...

VanAllsburg: It would be great if it was two months.

Hyne: Right two months is great, but he felt at the most it would be three months.

VanAllsburg: Right.

Hyne: I just wanted everyone to know that.

Pratt: That's the average of what they you know, the way I understood it.

Hyne: Okay, Councilmember VanAllsburg, you have comments.

VanAllsburg: Yeah, I wanted to make a couple comments because I did receive some input from the community that I sort of jumped the gun on this a little bit and so I went down and met with the guy for quite some time and I also got a reference on him from the Alzheimer's Foundation of Grand Rapids and they indicated that he had come into a very difficult situation both financially and organizationally, he took steps, he increased donations and he got more volunteers and less staff and he got it under control financially and he also brought the organization together and then they ended up merging with the Detroit chapter as well because all the chapters were having trouble so he got a really high recommendation from this woman. And she also said that he was very willing to accept her ideas as input to his process so there was that and then I came away from the meeting feeling like that he was the guy for the job here even though I hadn't talked to him in detail before; now I have so I don't feel bad for having nominated him. I talked to him today and my perception of his, his perception right now is that he's looking at this as a challenge and he's excited to come here. He realizes there's some divisiveness on the Council, he realizes the problems that are going on, he realizes the challenges that are here and he's looking at it as a challenge to come in here and help us out so I still feel he's the right guy. I also talked to Rodney Cook today because I wanted to see if Rodney Cook was going to charge us mileage and he was. So Rodney Cook would have been at \$55 an hour, he would have been at \$92.40 plus mileage. So although I was comfortable with Allard at the higher amount anyways, because I think he's worth the extra money but the fact is when it comes down I'm not going to argue with that. But anyways that's what I've done, that's where I'm at on this so.

Hyne: Okay, I would just like to follow up on Councilman VanAllsburg's comments; originally it was 18 plus expenses and mileage and then he agreed to 12 and I spoke to him again and, it doesn't hurt, as my mom always said all they can do is say no, right? So, went to bat and he was, gave him some time to think about it but he did agree the 11, 5, no mileage and eliminated a lot of expenses so he comes from a consulting background to some degree and so that's what we were able to get for a bottom line and you can look at some of the comparable numbers and to me it sounded significant and then when you look at some of these other numbers and if you research some of this with benefits and other amenities that can go with this position, it's unbelievable, but it's in the ball park and especially he is highly qualified, he has a proven record of success to bring some healing, bring some success, a lot of success, and he's been very successful at what he does and so I just want to throw that out. Anyone else have any comments? Yes.

Moody: I know at the last meeting I stated I definitely think we need an interim manager because there's a lot of work to be done and it's during the budget season, and the stimulus money out there, the grants. I mean a couple of meetings back we

had a resident of the City come to a meeting, I think it was Bob Schueurman talked about the fact that we haven't sat in on all these CARTS meetings and there's some dispute about that but I mean we're not on any agendas for the last 3 years and he talked about the fact that we've missed out on opportunities of grants, you know \$375,000 worth and it's important that we keep on top of that stuff and like I said I thought Alan was doing a great job and I just thought it was too much for one man to do both, the Treasurer and the Interim, and that's why I'm supporting an interim. As to cost for the interim you know I supported any of the guys we brought in but I also support this Tim Allard he seems like a, he's on the MML list, he's seems like he's gotten his costs down in fact I asked our interim manager right now, Mr. Dolley about the cost they had for the former Interim Manager that was brought in back you know years back, as the name Jan Lazar and he gave us a list and he provided it to the whole Council of her costs and actually I was even going to ask Alan to clarify what some of the numbers were but from what you state that's the breakdown, it was like over \$300,000 they paid her?

Hyne: \$360,000.

Moody: So it's a lot less than what we're intending on with this interim manager and it's you know, it seems like a lot of money I know some months here she was paid \$28,000 in one month and there's a lot of months here over \$20,000 and that's the interim manager that was brought in you know at a prior time when the City you know got rid of the City Manager and brought in an interim, so this process is not new to the City but the amount is. So we're not talking these kind of amounts and you know the Interim Manager is well qualified, he's got a masters degree and you know other degrees to back up his qualifications involved with being a City Manager and East Grand Rapids I believe it was. It's nice to have an interim manager that has that kind of background I know our former City Manager who's resume wasn't comparable to this interim even and this isn't a permanent one, we're just talking interim and I know costs have been pushed out in the paper and stuff and I just want to state that obviously we're sensitive to costs and if this, one of the reasons why we wanted get an interim manager here is to make sure the budget gets done right, it's the budget season, it's required to be done July 1st I believe the deadline, a lot of work, I'm sure Alan is working hard on it, I know we had a budget meeting before this meeting at 6:00 and a lot of work for one person, I think that maybe one more mind working with him we could find ways to save money and work with Alan and maybe lower our taxes, god knows, it would be nice but, so that's at least my plan for having an interim here is to you know get some good minds to work on this to work with Alan to work with the other you know staff here and to try to save us some money. I know one of the things he presents here that we'll be talking about is that he could save us money on a permanent City Manager search you know there's some savings there maybe, I don't know if you want to go that way but he suggests a cheaper, that he could do this search for us for a little less money than MML would. There's some savings there. Again this guy's not getting health, he's not getting all the different benefit packages that you would get so he's not extremely expensive. I don't know if you want to compare it to what our former City Manager had but her salary was pretty high up there, I mean when I did my search on our MML list she was the third highest paid City Manager for a size of our City of 4,000 and you know that's a pretty hefty salary, I think it was \$84,000 plus \$5,000 to

be the City Clerk plus if you look at the budget, her budget for the City Manager is like \$210,000, I know some of that includes the executive secretary and her fringes too, but that's a lot of money in there that I don't understand where all that goes, I know we broke it out somewhat today but I mean it's a lot of money it's just that, to talk about if we're concerned about money, you know she had, I think it's in here where is it? In 08'-09' her salary and wages were \$100, well no that's for everybody, \$145,600, fringe benefits \$65,000, \$500 operating supplies, \$45,000 for contracts and services, which I'm actually not sure what that is, I don't know if you'd know.

Dolley: I'd have to go in and look.

Moody: I mean so there's...

Hyne: That's for that department.

Moody: That's for that department, the city manager and executive secretary that we're paying \$258,681 for the city manager position and the executive secretary.

Dolley: Was that amount actually spent?

Moody: Oh that's...

Dolley: Or is that just a budgeted number?

Moody: Oh, maybe that's a budgeted number, it's \$201,000 was the actual budget from 08'-09'. Yeah, it's estimated 08'-09' of \$258,681 so that's what might be spent by the end of the year.

Dolley: That contract in there for estimated numbers was for a contract for Mr. Allard at \$12,000 a year, or \$12,000 a month as he presented it at the committee meeting.

Moody: Oh, okay, so you're estimating if we took that number that he gave us originally.

Dolley: Yes sir.

Hyne: Still it's at \$200,000.

Dolley: He stated that he wanted to be contracted consultant at the committee meeting.

Moody: And he's come down on that.

Dolley: So that's going to get stuck in there.

Moody: In her budget. Alright.

Hyne: So what, what does that department cost then without that?

Moody: \$200,000?

Hyne: \$200,000? Okay.

Moody: Okay. Maybe that's just, if we have another eye in there, maybe he can find ways to cut back on that, I don't know if anyone's seen the general fund budget but you know there's a lot of room I think we can look at. I guess like I said I fully understand, kind of save some money here, I mean I remember a couple months back when the City, and I don't want to down anyone who voted for it, but I voted against it, but when the City decided to buy a new plow for \$36,000 and I was thinking why don't we look for a used one. The one that we had was only like a couple of years old but we approved to buy a brand new one for \$36,000, we won't think about getting an interim manager that would be beneficial to the City and maybe save us some money. That \$36,000 truck's going to depreciate and we're going to lose all kinds of money on that but we're going to bring in a real mind here and maybe he can help us, so. Again I'm looking for ways to save us some money but I don't think that this interim manager is outrageous and consistent with what we did in the past. I think the amounts are a lot less now and you know I'm glad that Councilmember talked with him and he said he sounds comfortable with him and it's good because it kind of bridges the divide, you understand the votes that we had before, it was good to see that we're all kind of agreeing on one person people like.

VanAllsburg: I'd like to comment that both Rodney Cook and Tim Allard made was that it was important to see a unification moving forward in terms of the voting and also in terms of attitude that that could act as a deterrent getting somebody in here.

Moody: I mean that's an important point again, we're dealing with you know different you know votes here so maybe we can't get the guy we want, but you know if we can get a coalition of people that are the more the merrier. I think that's my point.

Hyne: Okay, thank you. Councilmember Pratt.

Pratt: I also talked with him on Saturday after I'd spoken with Michael. His big push is he wants to see this Council united and for us to bring anybody in, we've got to get back to running this City as a whole. We've got to unite as a Council you know get rid of this nonsense you know back biting stuff. Put the facts out, let's go along with it and I'm going to stand up and support Mr. Timothy P. Allard. I think he's the best thing that's going to happen for us right now as an interim and I think the sooner we bring in somebody with his caliper and his attitude, his willingness to accept a challenge and to say please let's unite this community. I think that's going to be the best thing for this community right now because there's just too much nonsense going on and there's too much friction and it has to stop, it has to stop to build this community which is a beautiful, beautiful community. And I feel very strongly that he's the guy that's going to come in and do it.

Hyne: Okay, thank you. Anyone else? Yes.

Zichi: I guess there's a couple questions; when did the committee meet with Mr. Allard? April the 18th?

Hyne: Whatever that Saturday was.

Zichi: So, 9 days, 10 days ago?

Hyne: We have to, I guess I would defer to the Clerk to give the date on that.

VanAllsburg: Yeah, it was, it was Saturday.

Dolley: It was April 18th.

Pratt: Okay.

Zichi: And we got this contract at a quarter to five in our e-mail today.

Hyne: Would you like me to answer that for you?

Zichi: Yes.

Hyne: Sure. Actually the original discussion at the committee was as Mr. Dolley stated, his presentation was at \$12,000 and I have to say that I felt that we could do better and I did contact him, gave him some food for thought last week and asked him if he would be willing to reconsider, that we had a tremendous community, and asked him to reconsider his mileage and some of the other expenses and I told him I realized that he didn't live here, that I lived here and that I felt very strongly and committed to this community and to the direction that we are going and how the residents are stepping up and even the business owners are stepping up and that we have a great thing going here and we need to continue it and continue this energy that has begun, because it is a very good thing and so I talked to him today, he returned my call and he said that he would actually forgo the mileage and instead of doing \$12,000 and instead of raising it to compensate for that mileage he actually agreed when I suggested that we in addition to forgo the mileage to then reduce that monthly fee so he not only agreed to eliminate the mileage, eliminate some of the additional fees but also agreed to once again not reduce it from \$18,000 to \$12,000, but now reduce it to \$11,500 and I just told him that I just felt so strongly about this community and I knew the Council did and it certainly would make it more of a discussion item for the Council to consider if that dollar amount could be lowered and he's been to the City I believe twice and I know he said he did note that he spoke with Councilmember VanAllsburg and he said it was a very meaningful conversation, he appreciated him coming to the Grand Rapids area to meet with him and he felt strongly for this community and he said that he really felt that he could make a difference and he said that was very important to him, he's worked in non-profit and so he felt that was significant to him so in light of that conversation that was late in the day, Attorney Tosky was in a meeting, I spoke with Mr. Stoker, Attorney Toskey did have drafts of previous contracts ready, but this one was done relatively late in the day, so even though it was late in the day, I have to say I'm very

pleased that it's a lot better than the other contracts that we've had. So I hope that helps.

Zichi: Well it wasn't completely responsive, but close enough. The issue that I have...

Hyne: Can I ask what other response, what were you looking for that I did not answer?

Zichi: Well, why didn't we get it sooner? You talked about changes being made, I appreciate that, but

Hyne: You want me to tell you why, I'll tell you. I gave it to Mr. Stoker, I called him immediately and he...

Zichi: After the 18th immediately? Today?

Hyne: I talked, this contract's from today at like 5:00.

Zichi: I know, quarter to five was when it was e-mailed to us.

Hyne: So yeah, it was e-mailed immediately so I can't, you can only do as immediate as it was, I'm actually impressed that it got out at quarter to five, so I have to say thank you to our legal team because that was quite an undertaking to pull together for tonight.

Zichi: My point is that we're talking about a contract that annualizes out to \$152,000 a year when you add in the employment taxes that are here at 10%, that's a little low, but close.

Hyne: What was the dollar amount you said?

Zichi: \$151,000.

Hyne: Okay.

Zichi: \$151,800 to be precise. Now interestingly enough that \$11,500 is more than we paid Jan Lazar since the figure was over a 32 month period. Now it's a little misleading to call this a three month contract when it's clearly stated in the contract that it continues until we have a permanent City Manager now understand the last time we went through a City Manager search we not only had more than a three month period with an interim City Manager but we made the offer to I want to say four, but I can only remember three for sure, different individuals before we got a City Manager who was able to comply with the requirements and meet with us. The other thing that concerns me a little bit about this is that I haven't heard that background checks are done. Right on the MML website it says in big bold letters it says "we don't do background checks, if you are interested in hiring these people, you need to do that" and I don't know that this Council has done that, I don't know that the committee interviewed any of his references, I know Scott said he did

individually but what was the committee doing, how did they make sure that we are not hiring somebody that's inappropriate? The other thing that concerns me more than I can say is that you know I'm a big fan of trying to compare apples to apples, what was going on in 2000 and 2001 and 2002 when we had our last interim city manager, we had 425 agreements, we had the detachment going on, we had Granger at the Industrial Park threatening to sue us, we had budget shortfalls and in fact Treasury was threatening to take over the City of Williamston's finances because we were in such deep financial trouble, we had MDOT reconstructing M-43 which required an awful lot of City time to coordinate, and make sure that things were done appropriately. We had water and sewer refunding bonds that were interest only payments that were just killing the City at that point. We had a lawsuit from a former policeman who was arguing over feeding a dog, and I'm sure the attorney will remember that case. We had to clean up of the financial fiasco with the City services building. We had the Tobias Drain that we just paid another \$80,000 for this year, that construction was taking place at that same time period. Man, apples to apples you can't compare what was going on then with what is going on now and we're talking about paying him more than we paid Jan Lazar? I mean I hear the complaints that we paid Jan Lazar too much, and you know what yeah, in hind sight yeah we did, but this is even more. And that's my concern at this point is that as much as we need to do this quickly, we also need to do it with an eye toward the bottom line and we had two other people who submitted offers that were less expensive than this and less expensive than his original one, from very qualified candidates and I am just a little uncomfortable with the cost here. I'll leave it at that.

Hyne: Okay. I would just like to comment, on one of the candidates, Mr. Hoffmeyer, I actually was really impressed, I was impressed with everyone actually, but he did acknowledge that he was going to be on an extended vacation during this time period so realistically I don't think at least personally that I'd want to consider someone who would be gone three weeks, so that was an issue that I had, but as far as background checks, that is why this discussion is taking place as an action item. The committee served as a messenger, the Council takes direct action. There's a policy setting committee of this City, and certainly that can and should be addressed as discussed tonight, so to ask what the Council has done, Mr. Zichi you are on the Council too and if you would like to do a background check which I believe our legal counsel would strongly recommend and I think all of us, we can certainly include that and should be included in this contract okay. This is for consideration mainly the committee took dollar amounts and tried to work through a negotiation for a salary and just being the messenger, present it to the Council for us to then to come up with a dollar amount that we can I guess agree upon, or not agree upon, whatever that may be, and then also I would, I would like to address specifically because I think it's some very good points that you brought up regarding situations that the City faces, now I agree that those situations that were faced were all significant to the residents, and taxpayers of this community but in addition to that time I think every year, I truly believe that we face significant issues that need to be addressed whether they're lawsuits, they're not isolated to that time frame. We continue to deal with legal issues, in closed session as required by I guess you'd say our Charters and laws and then also this year, I would say currently dealing with are significant dollar amounts and that is one reason why I know I can personally state and I would assume that most of this Council would also share that,

that you want to make sure at this point in time especially with the economy the way it is and job losses and foreclosures, that we are being very responsible in getting someone who is qualified in light of some of the situations the City has faced, now we may disagree on that but I think when you have celebrated some grants that we have received with the help of the Ingham County Economic Development and some of our staffing through the EDA grant \$400,000, we have the parks grant that is significant also, we have a budget this year that has to deal with providing services to our residents and also the stimulus money that is coming through the state of Michigan which we have failed, although it was stated that we submitted those projects, 12 of them, we're looking at 7.7 million dollars in projects that right now we do not have submitted for and this gentleman for the cost of I know from the committee when we discussed, it was discussed at three months, you're looking at \$34,500 plus occasional overnight for meetings if it's very very late, so it would be on a very rare occasion and you're looking at \$34,500 for a person who is a degreed individual, who has extensive experience in dealing with personnel issues, dealing with budget, we're talking multi-million dollar budgets, it's like he dropped out of heaven, I mean you know and so when you compare apples to apples or however you want to do this and \$34,500 compared to \$360,941, I would say that's a significant difference and the value and the money the potentially we can recap here and as far as serious issues that may, we don't know what's here and in order to then attract a quality professional to come here, there are issues that personally need to be resolved and addressed and I have stated this before, not to rehash things, but things are what they are and they need to be acknowledged, when you have contracts that we still to this day are not aware, our legal team, Attorney Toskey have you received those contracts that were directed by Council to this date that were the issues from the former City Manager for your review?

Toskey: No we have not, but keep in mind, to my knowledge the Interim City Manager has not been charged with that.

Hyne: Right, no I'm just saying I'm talking about previously there was not the cooperation from the direction of Council, correct? Would that be fair? Well that's another issue, but our legal counsel has not received those contracts okay and then also I can say through my freedom of information request in my attempt additional attempt to receive those contracts that FOIA has never been met, and we're talking about compliance with state law. To me that raises a red flag that there may be some significant issues, now do we know for sure? No, we don't know but there are certain reasonable, I guess, issues that have presented themselves that would cause to me a reasonable person to be concerned and question and I think in order to proceed I think those issues are just as important if not more. To me a FOIA, to not be completed and to deny a resident and an elected official public information is absolutely huge and I think when you're trying to attract a quality professional to come in here, you need someone who wants to and has a desire to work with people, to work within the community. He is expressed a significant interest to meet with residents to go around town, to go to the service groups and I think in three months, I am in great hopes that we will be amazed. So when you're looking at \$34,500 for three months, yes, is that significant, yes. It's a lot more than some people make. Yes, it's significant, but when you look at the reality and you look at back in 2000, as far back as 2000 we're looking at what, 8 ½ years ago you know

you're looking at some of these are not even, you're looking at 2 weeks you're looking at \$8,625 up to \$23,450, I mean it goes on and on and as recent there was an invoice submitted and paid which I don't understand, I'm actually pretty interested in this January 14th of 03' for \$14,475. I don't understand in 2003 what we're paying a final invoice for professional services to Jan Lazar.

Zichi: There was additional work being done at the direction of Council and

Hyne: Well...

Zichi: And let me finish...

Hyne: I didn't ask, I'm not asking you Councilmember.

Zichi: Well you said you...

Hyne: But you know I didn't recognize you, I appreciate that.

Zichi: Okay, you don't want to know, you don't want to know.

Hyne: Thank you, I would like to know from our Treasurer, I'll find out from our Treasurer. But anyways when you're comparing these and then you look at, I just want this very clear to the public so they understand all the numbers that we're looking at here, I think it's very important to look at facts, when you look at the City Manager also did receive compensation for travel, for food, for conferences out of state, and had a generous, generous monthly salary and benefits you know I'll say the contract you know the reality needs to be addressed that that was a five year contract and she was making \$87,000 at least that was the last note that I received and it was an open ended contract, yes there was a severance package, I've heard many people talk about that and that severance package to my understanding, correct me if I'm wrong was half the salary, 6 months salary, and 6 months benefits, and the fact is, I want it very clear I did not support that contract, I never would and there are people here that did and I find it amazing to support a contract for five years that is open ended and that even if we chose not to renew that in five years you'd still have to pay that severance the way that contract was written. That's unacceptable to me, to the community and this is an open ended, this does have an end. This is not a permanent position and he qualified, he comes with success and I have to say I struggled myself with the dollar amount and then when he came down and you compare the extraordinary dollar amounts in the past and what we've been paying recently and not receive contracts, not receive FOIA requests, and this is what I'm aware of, I have no problem with having someone come in here and trying to attract quality professional for this community, I think this community deserves this and I think that we're a great community and I think we're on the edge of something and we got everyone pulling together and I think we just need to continue what we have, what we have going. I think it's unique and we need to embrace this because this dollar amount is actually less than what we've been paying and we're going to get substantially more. Councilmember Pratt.

Pratt: Two things, Ken Zichi you signed the contract with Lisa Hitchcock that left.

Zichi: At the direction of Council, yes.

Pratt: Okay at the end of five years, we would still have to pay this bailout if we did not renew her contract, this, now let me finish okay because I'm being told by my attorney, okay I received information today that when Jan Lazar was hired to come in as interim city manager you were here on a daily basis telling them how to run the City and that's not right as a Mayor, okay. I've got a person that will come in and testify before the Council.

Zichi: You're right, it's not correct and I would love to hear that person testify under oath because that is not true.

Pratt: Okay, I just want to make sure that you were aware of this.

Hyne: Okay, any other questions by Council? Yes.

Zichi: Yes,

Hyne: Go ahead

Zichi: Go ahead.

Hyne: Did you want to...

Zichi: No, go ahead.

Hyne: Okay.

Moody: I just wanted to respond to that, I can't find 32 months like you were talking about with Jan Lazar but I look at the list I mean I'm just adding up...

Zichi: May of 2000 to January of 03'.

Moody: Okay, don't even add that up, but just add up the 2001-2000 I mean, just even part of it's \$175,000. I don't know how is it any cheaper? It's a lot more money.

Zichi: It's \$11,279 per month for 32 months is the average.

Moody: I'm just looking at what our City Manager gave us.

Zichi: I'm looking at the total.

Moody: And you have those dates here and all 2001, 2000 you know...

Zichi: You notice those dates are not in order...

Hyne: Wait, we have to have one person speaking at a time.

Moody: Your numbers don't jive I mean they don't work with the numbers here so.

Zichi: It's math.

Hyne: Excuse me, I just want to say, Councilmember Moody you speak, Councilmember Zichi if you'd like to speak then when he's finished I will recognize you.

Moody: I just want to say that first of all there's only, we only have the final invoice in 03' so we take that out, that's the only payment in 03'. Then the only payments in there are some for 2000, 2001, and 2002 and they're not even every, you know it's not to the full time frame here so if we just pull portions of these, you're way over the amount that were paying right now. And on the second point I want to make is that I'm glad to hear your concern about costs but again like Councilman Pratt talked about, that severance that you voted for that didn't really seem to put the City's interest at heart here with a nice severance package so that we couldn't even at the end of her contract move on to a new city manager without paying six months severance and not to mention her salary was outrageous for her level of education as well as her resume that was a pretty amazing salary and I understand that you personally knew her beforehand? It would be shocking...

Zichi: I never met her before she interviewed for the job.

Moody: Never knew her?

Zichi: Never knew her before. I love the way these rumors get started and I guess I'm not going to rehash that. We made the decision, I'm not going to talk about whether or not the City Manager was appropriate, alright. We need to stop rehashing that, but the bottom line is the math is what the math. I did the numbers, it's \$11,279 average per month, if you don't believe it, do the math yourself. Don't just sit here with I think it's about, this is from the spreadsheet, and there appears to be a couple of duplicates in there and I don't know if Alan made a mistake with the dates because he was in hurry or what the deal was, that's including all of those numbers, but the point remains, rehash what decisions were made in the past or not, we still have somebody, we have at least two others, and maybe more individuals who are highly qualified for this position who are less expensive than this gentleman was, I haven't heard that we did anything more than a perfunctory check of his background and qualifications, I'm not sure why we're at the point where we've got a contract in front of us. What was this three person committee supposed to have done?

Hyne: The three person committee was charged by the direction of this Council, you included okay...

Zichi: And what was the charge?

Hyne: The charge was to, I actually Ms. Thompson send me that motion, I believe it stated, I guess I could sum it up, do you have it right there? Basically to negotiate, I

just want to make sure we have it exact, I'd hate to have a misunderstanding. So basically it was to negotiate, my understanding was to receive a salary recommendation and discuss this with Mr. Allard and then bring those back that presentation and that agreement on his behalf to the Council for discussion and ultimate decision by this Council, okay. A committee does not take action on issues that would be before the Council. That is inappropriate and Attorney Toskey would you comment on that, as far as the committee their charge, taking action? That is before the full Council of the City to determine hiring and setting salaries and costs and such matters of financial significance, is that correct, that a Council would make that decision, not a committee?

Toskey: Of course a committee investigates and makes recommendation to Council and the Council takes any action as it deems appropriate by a vote of the full Council.

Zichi: The motion that was there was in our packet and it says that and this was Mike Moody's motion: I'd move to create a committee that would and a bunch of other things, but the gist of this was that, report back to the City Council regarding the interim manager selection to be voted on by the City Council at that point. You were supposed to investigate possible city manager candidates...

Moody: The committee right?

Zichi: But that was the motion, to investigate the possible interim city manager candidates, I don't see that the committee did that.

Hyne: There was also a direction, and Deputy Clerk regarding the specific charge with Mr. Allard to set up that committee, I don't have it before me, I can't pull it out like this. Do you have that? Ms. Thompson could you please read that please?

Thompson: Motion by VanAllsburg, second by Moody, to offer Timothy Allard the interim city manager position pending salary negotiations.

Hyne: Okay, and then that committee that had the previous charge was then charged with those negotiations and be the messenger back with that information as Attorney Toskey stated for decision by this board. Which we did.

Zichi: The committee had more than one task granted, but what I'm saying is they didn't do this task and that's part of my concern about this.

VanAllsburg: Yeah, I can respond to that, I think he's right, I agree with you that the procedure was flawed. I don't agree that we came up with, I think the guy we came up with is the right guy for the job. Was the procedure flawed...

Hyne: I don't agree with that.

VanAllsburg: yeah I think the procedure was flawed.

Zichi: And I don't know whether or not he's the right guy.

VanAllsburg: Yeah, I know you don't. That's where I'm at, I mean I can only speak for myself, but I'm agreeing with you anyway that the procedure was flawed, I could see that we could have done it in a different way.

Hyne: Okay, I have a comment because I want to make sure the public is very well aware that and sometimes it can get misdirected sometimes how procedures are and if you're not familiar and you don't do it frequently, it's difficult to follow sometimes, but when it was a motion made by a Councilmember as Councilmember VanAllsburg did and it was supported and voted on by this Council and a majority approved that, that is a direction of the Council, correct Attorney Toskey? And that would be then the action of this Council to be addressed at that time. Would that be fair to state?

Toskey: Yes, that would be a fair description.

Hyne: Okay, so with regard to maybe having suggestions, discussions, and previous meetings when Councilmember VanAllsburg made that motion specifically to give direction with a name and an action to this Council and it was approved by a majority, that would be the direction of the committee, would that be fair Attorney Toskey.

Toskey: The Council speaks through it's motions and resolutions, that's correct.

Hyne: Okay, thank you. So I just want that very very clear because I do not believe, would you say that that process was flawed? Was this process flawed?

Toskey: You're asking me for a legal opinion when in fact the discussion is regarding the practical application and results that are before you, it's a very difficult and challenging issue for this Council to chew on and grapple with, it really is not a legal question as such.

Hyne: I just want to make sure because sometimes comments can be made as opinion and maybe put out as fact and in reality it's an opinion and when we are functioning in an open meeting and we have motions by Council members and a majority vote which is done under the open meetings act and follows every provision under state law, I don't know how that process can be flawed, and if we had a flawed process, we have our legal counsel sitting right here to direct us on legal issues, and I don't recall a comment being made that we were proceeding in a flawed manner legally, so the lights are on the audience is here, we're following state law under the open meetings act, we had a motion by Councilmember support and a majority vote, I'm not aware of any other procedure that we are required or should have taken. Councilmember.

Siciliano: I'll try to keep it short, so John can get in here. We had three Council members just talk about coming together on something and then we spent the next half hour antagonizing each other about decisions made in 2001. I mean I appreciate we might want to compare the last time we had an interim manager but I don't know how using those previous numbers to justify spending now is anything

but to prove a means to a political end. I actually and personally I'm comfortable with moving forward for the main reason that the City employees need to know what the heck is going on when they come to work tomorrow morning. It's as simple as that. So I'm comfortable with moving forward, I think I was actually impressed, I had very low expectations of how far Mr. Allard would come down and I have to say I was surprised by how much concession he made. I was hoping to see, for me to realistically consider supporting him but I just don't see any reason to be talking about the past right now, we just talked about we need to go forward. If somebody feels strong enough to make a motion let's do it and move on.

Hyne: Councilmember Pratt.

Pratt: I would like to make a motion that the City Attorney and the Mayor of the City of Williamston Michelle Hyne contact Mr. Timothy Allard with the proposed contract that's before us tonight and see if we can't get this thing working immediately and I feel that he is the person to be our interim city manager and he made it very very clear it's an interim position and I think it's time as Councilmember Siciliano just stated, we've got to move forward, we cannot sit here for the last half hour and talk about Jan Lazar and everything else, I just, my motion is that we approve, or we, the Council direct the City Attorney, Bonnie Toskey, the Mayor, Michelle Hyne, to work with Mr. Allard to see if we cannot come to terms immediately on this contract and the faster we do it the better off, so we can get somebody in here to get this nonsense over with.

Hyne: Okay, Attorney Toskey, did you have a comment?

Toskey: Mayor Hyne it appears that all terms have been tentatively negotiated and set out in the contract that is before you I believe the relevant salary is set out at paragraph five for \$11,500 a monthly salary. The only question in my mind that would be at all confusing is that Mr. Allard submitted to you a document dated April 13, 2009 where he refers two week set aside for a tentatively scheduled vacation. The contract does not provide for any paid leave, however he is a salaried employee. I would recommend that, that issue be clarified prior to a final offer to him and confirmation of the tentative amount that is before you. Other than that, the salary is set out, the terms and conditions are set out. The only issue that in my mind that is at all vague is the paid leave relative to his request for a two week vacation. You need to clarify that that is an unpaid leave under the terms of the agreement that is before you.

Hyne: Okay. Is everyone clear on that? Yes sir.

Pratt: Can I address that with you Attorney? The way I understood him at the interview process, he said if it came down to that that he would waive this vacation thing until his, now if I'm wrong, the way I understood him is that he would waive that vacation thing in order to do his three months, he really is very strongly feels that we can do this in three months and I think we should give the gentleman a chance, so I'll amend my motion to say that and eliminate the three weeks vacation that he has proposed.

Hyne: Two weeks, it's two weeks.

Pratt: Two weeks proposed vacation and if there's any more question that the City Attorney Bonnie Toskey, and the City Mayor Michelle Hyne negotiate that and sign this and get it over with and get the man in on the job so it was brought up before, the staff knows exactly what's happening. Everybody can get back to work.

Toskey: Madame Mayor I would also recommend that you discuss and identify the beginning dates, the effective date of this contract if it were to proceed and be approved by Council.

Pratt: Okay, I will amend motion...

Hyne: I will tell you what he agreed to. From our committee meeting he also stated that our meetings are on a Monday, he said he would be able to start that next immediate Wednesday.

Pratt: After the next meeting?

Hyne: After...

Pratt: After tonight?

Hyne: Yes, it would Wednesday.

Pratt: Okay, yeah.

Hyne: Do you remember that from the committee meeting?

Pratt: Sure, I will make the motion then that he be advised that we would like to have him start on Wednesday the 29th.

Moody: I'd support it.

Pratt: Okay.

Hyne: We have a motion and support, is there any discussion?

Siciliano: I'd move to recognize Ms. Campbell.

Hyne: Okay, is there support?

VanAllsburg: Second.

Hyne: All in favor?

Council: Aye.

Hyne: Okay, opposed? Okay, Ms. Campbell.

Terri Campbell: Terri Campbell, 308 Fulton Street, I think you guys are moving very quickly on this. Something I do want to bring up at the committee meeting I had, Mr. Allard stated that he was looking for full time employment elsewhere but that he would work for Williamston until the new permanent manager was found. Well what if it takes longer than the two to three months, I personally and I'm sure many others would have a hard time turning down a full time offer else where. Now he says he does but. And maybe he won't, maybe it takes longer than three months. The other thing he had offered was to do the city manager search for a charge and I think the City itself would be better served going through MML as Mr. Allard and several other Council members have made statements that this interim manager is going to be way too busy being in Williamston with all these projects that they need to concentrate their efforts here in Williamston and not be out and about for the manager search and I think that would be doing the City a disservice. Even looking at the cost, if it's for three months, it doesn't justify what you're asking the City to pay. This would be a great opportunity to save the taxpayers some money. The gentleman has qualifications that we don't need. It's been what 16 years since he's been in City government, he did not have one reference on his app. Mr. VanAllsburg stated he spoke with one, he didn't have any where he used to work prior to this where he was employed at the Hope Network and we all need to live within our budget and that price that you're contemplating accepting is over the budget. Thank you.

Hyne: Thank you. Alright, is there any further discussion by Council members? Yes.

Smith: I do think Ken brought up an interesting point about background checks and part of it I take an issue with some that weren't done previously so I don't want to be doing exactly what I complained about. So I don't know what it takes to do a background check as far as this type of an employee and who would do it for the City. I'm asking if you could perhaps tell me that.

Toskey: A background check is commonly known as the investigation into the history of the applicant, their employment history to make contact under recommended references listed and the prior employment again of the applicant denotes the appointments as City Manager for the City of East Grand Rapids, that should be investigated, the personnel records, the employment records that this applicant has with the City of Grand Rapids could be reviewed, other persons in prominent appointments or elected positions with whom he worked at that time could be contacted, as well as other resources so it would be a matter of investigating, researching, making contacts, in writing and orally with various representatives of the employment history. Confirming the educational background and degree status is always a wise recommendation but it's basically that process of working back through the resume and application to actually confirm, receive confirmation of the status as recorded.

Moody: Could we put that in the contract?

Smith: Could we accept this contract and have him start on Wednesday while doing the background check and have that employment be subject to an adequate finding of a background investigation.

Toskey: Well you could but adequate background investigation is a very subjective standard, you will have entered into an employment contract, you could make it subject to this Council's review and acceptance of the findings of a background investigation and check yes, so at that time it would be the Council's determination as to whether to accept and approve the results of the background investigation. I would be comfortable with that, but probably not comfortable with leaving it as subject to an acceptable.

Hyne: So you would be comfortable though with the other recommendation?

Toskey: Yes, you are the employer, you are the entity who has to live with this guy, he will be implementing your policies and working with you in what is obviously a challenging situation. So you need to be very comfortable that yes the background is what you thought it was, the degrees are what you thought they were, the roles played are as set out on this application and professional qualifications. The budget cited is one of ten million, you want confirmation on that, what roles the individual played with the budget preparation at that time. The City of East Grand Rapids may have a budget director, so it's those kinds of questions and investigation which this Council should find to be relevant consideration for that kind of background.

Moody: Who should we have conduct this background check?

Toskey: Whoever you decide you would want to have conduct it. There are certainly commercial entities which do that for you, this Council could assign that to a committee, it could assign it to an individual, it could assign it to City Attorneys, it's really your decision as to who would be best situated to make that kind of investigation.

Pratt: I think, personally, it should be the City Attorney because they seem to have the resources and I feel that we have to trust them, they're being paid by us and if something comes out, I think at that point we can tell the guy sorry but you know, this is not what you put on your applications, I would think that would be grounds for saying guess what this isn't what really is here.

Hyne: Okay, but we need to, we have a motion, we need to have a supporting...

Thompson: We do.

Pratt: Michael supported.

Hyne: Did you support it? I didn't hear that I apologize okay.

VanAllsburg: Yeah, I have a question; if after three weeks let's say he's shown up for two hours, it's obvious that we didn't want him here anymore and we wanted to get rid of him, what's our financial obligation?

Toskey: You must pay the employee if you let him through the threshold and allow them to perform the work, you pay the employee under Michigan's Wage and Fringe Benefit Act, but the provision we're discussing is one which sets and outside deadline, in other words if the Council upon it's review, receipt and review discussion, debate about the findings of the background check determine to terminate this and you made that a condition of acceptance and approval of the contract then it would terminate at the time of the Council's resolution otherwise the agreement provides for a seven day written advance notice.

VanAllsburg: I understand.

Hyne: There's no severance package.

VanAllsburg: Right, I understand that but the question was if we want to terminate him what's our financial, do we owe him, or do we...

Pratt: No.

Siciliano: It's prorated through the last day he's here.

VanAllsburg: So it would be for how many days he worked.

Toskey: Yes.

Pratt: So isn't there a thing though that says within the first 90 days we can do whatever we want to do as far as that contract or am I mistaken on that?

Toskey: There is no such provision in this document, you can do anything you want to do for the duration of this contract so long as there is 7 days written advance notice.

Pratt: Okay, okay.

Toskey: This is not a 60 day or 90 day, it's an indefinite term until the first day of the appointment of the permanent city manager.

Smith: My other thought is especially given there are multiple people concerned that we can't do this in a 90 day time frame and it may not happen in 90 days, I think we should make the arrangement for him to be able to take a non-paid vacation. But it's not in the document as it is which is what Attorney Toskey had mentioned that before they execute this contract, shouldn't we vote to execute it, that they should have a conversation about an unpaid leave in the event that he would like it. I think we should be proactive in thinking of that.

Pratt: I think that's a very good point.

Hyne: Okay.

Pratt: Do I need to amend my motion to state that, what Traci just said?

Toskey: You could.

Hyne: You could have a friendly...

Pratt: I'd like to make a friendly amendment that you know we consult with him and if it is more than 90 days, or if it's more if there's something in there that he wants to take a two week unpaid vacation, I mean it's, he's walking into a bees nest.

Toskey: Well he referred to a family, the gentleman has a family and with school age children you frequently have a summer vacation.

Pratt: Right. So the way understood when he was interviewing he was willing to forgo that if there was a 90 day thing you know what is this, April, May, June, July you know and he also made it very clear though that the position that he's applying for there's been people saying that he might quit in the meantime, he said the job that he's applying for usually takes 90 days for the background checks before he is hired to the position so it's not like he's going to start Wednesday and get a full time job Friday and quit.

VanAllsburg: Well he's committed to 3 months but his contract will end in three months and another contract would be required so...

Hyne: That's not the way this is written.

VanAllsburg: But that's what he said his intent is, his intent is to come in for three months not more than that and his intent is to have a City Manager for us in three months, if that doesn't happen then he may or may not be accepting a job somewhere else at that point.

Toskey: This contract as it is drafted does not provide for search by him as an interim city manager for a permanent replacement.

VanAllsburg: Yeah I understand.

Toskey: It does not, so he will not be in control of that.

VanAllsburg: Not yet, but we could approve that later on.

Toskey: You could appoint him later on.

Pratt: Because that was one of his biggies that was brought up that MML charges and he said at the meeting he'll do it for \$5,000 where MML charges \$8,000.

Hyne: Well that's another...

Pratt: Well I know, I'm just saying that you know even if you go to MML for it they're going to charge more than this cat wants to charge us.

Hyne: So where we're at with this we have a friendly amendment to include a two week unpaid vacation for consideration.

Moody: And a background check.

Hyne: And a background check. Correct?

Pratt: That's fine with me.

VanAllsburg: But just saying a background check...

Moody: Yeah, we need the language.

Hyne: Attorney Toskey? As far as the background check do you want the language for that to put that in the motion.

Pratt: That's part of the motion wasn't it?

Toskey: City Attorneys to provide a background check and report back to Council...

Pratt: Background check for Mr. Timothy P. Allard.

Toskey: And the contract although it would start immediately would nevertheless be subject to this Council's acceptance and approval of the results of that background check. In the event those results are not acceptable to this Council the contract would terminate upon this Council's resolution that evening.

Pratt: That's exactly what I thought you said before.

Hyne: Okay, Councilmember Moody.

Moody: I'd support that.

Hyne: Okay, alright. I guess is there further discussion by Council?

VanAllsburg: Yeah, I just want to make one more comment and it's that I think it's important to realize that Terri Campbell is making good points and Ken is making good points too and the fact that you know I may not agree with those exactly and this particular situation, I think it's important to understand that there is two sides to this okay, and we have to vote but we don't have to be, we don't have to give Ken or Terri that their issues are not valid I mean I think they're very valid. Decisions are difficult and so I think it's important to realize that. It's not like they're out in left field someplace because Ken's questioning the procedure and Terri's questioning the cost so I think if we're going to start to get along better and try to make a

statement that says something about that in a nebulous sort of way that might mean something which doesn't but, so.

Hyne: Okay, anyone else? I would just like to comment, follow up I mean I agree I think we all need to be respectful whether we agree or not with everyone's opinion and everyone's comments, but I you know we need to be careful what's opinion and what's fact because it can certainly be questionable you know and I would like to state though you know some of these dollar amounts you know certainly it's very important to consider these and when you, to say that there isn't a comparison, well when you look at the City Manager when she was paid \$87,000 a year and you know she had a fringe package and she in addition to that she did receive compensation for traveling out of state, food, lodging, all those additional monies, I think it needs to be very clear factually to the community what we're talking about here for an individual that was previously hired by a previous Council someone and it's my understanding did not have a degree you know and we were paying premium dollars and there was some significant issues and we're looking at with the fringes I mean my figures when you're looking at multipliers and everything about \$10, 223 that's not including, I mean that's my understanding and then you know you're looking at additional monies of almost, well \$1,138 mileage, food that's currently billed, that's not budgeted, you know you have a \$170 in memberships, you have \$269 in conferences that's not included in those dollar amounts. When you add those and you compare those dollar amounts, I mean I don't mean to split hairs on this, but if there's going to be comments made I want to be very clear where we're at and what the dollar amounts are because they are not significantly higher and to say that we shouldn't compare back in 2001, I think we do need to look at history so it doesn't repeat itself and when we have individuals that are still involved that were involved in those decisions to say that this is a significant dollar amount, I think number one it's unfair and it's unfortunate because those dollar amounts are significant back in 2001 and you're looking at an 8 year plus time difference. It's huge and I'll tell you personally I'm going to be honest here that I think this is getting very political. I probably shouldn't say this but I'm going to it's very political and I think it's unfortunate and I'm going to just say from my own stand point I'm looking at this as a resident as someone who has to pay bills who struggles like everyone else here, as a public servant and...

Zichi: Call the question.

Hyne: Excuse me.

Zichi: That motion is always in order.

Hyne: That's fine Mr. Zichi.

Zichi: You need to call for a second.

Hyne: Okay.

Moody: You can't interrupt the debate to call the question, not while it's going.

Hyne: Attorney Toskey could you please as parliamentarian. I was speaking.

Zichi: I called the question.

Moody: I think you need to be recognized to call the question though. I think, you can't just shout it out while someone's talking.

Toskey: That is true technically according to your board rules as well as standard parliamentary procedure on the other hand you've had a fairly free and wide ranging debate with very little protocol and compliance with your rules that's not to say that varies. The rules do require that the Council needs to be acknowledged by the Mayor.

Hyne: Okay, thank you. I'm going to finish here thank you. I'm just going to state that this needs to be addressed by the facts and not by opinion and that's all I'm going to say and so people need to be, I'm just going to say this there will be a lot of numbers thrown out, there will be a lot of comments made and unfortunately it may be difficult sometimes to decipher that but please remember to go by fact, and that's all I'll say.

Pratt: I would like to, I made a motion, I'd like to call for the vote.

Zichi: Second.

Pratt: Do I have a right to do that?

Hyne: I recognize you, yes. Okay.

Pratt: Okay, I want to call for the vote on the motion I made half an hour ago.

VanAllsburg: Do we have to vote on calling for the vote?

Toskey: Yes.

Pratt: Oh come on.

Hyne: Is there any discussion? No, okay. Deputy Clerk, please do roll.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Zichi: Yes.

Hyne: Okay, let's go forward okay. Without further discussion we'll move forward. Could you please do the roll?

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Zichi: No.

Hyne: Okay we have majority, one dissenting, please note for the record okay, any further discussion by Council on this agenda item?

Motion by **Pratt**, second by **Moody**, that the Council direct the City Attorney and the Mayor, Michelle Hyne, to work with Mr. Timothy Allard to see if we cannot come to terms immediately on this contract and the faster we do it the better off, so we can get someone in here to get this nonsense over with and also eliminate the two weeks proposed vacation and if there is any more question that the City Attorney Bonnie Toskey, and the City Mayor Michelle Hyne, negotiate that and sign this and get it over with and get the man in on the job so the staff knows exactly what is happening and he should be advised that he should begin on Wednesday, April 29th and consult with Mr. Allard on the two week vacation after 90 days and the City Attorney to perform a background check to report back to the Council and the contract although it would start immediately, would nevertheless be subject to this Council's acceptance and approval of the results of that background check in the event those results are not acceptable to Council the contract would terminate upon the Council's resolution that evening.

Motion by **Siciliano**, second by **VanAllsburg**, to allow Terri Campbell to speak. **Motion passed by voice vote.**

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

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

10b. Proposal for Bridge Inspection Services for Wallace and Putnam Streets:

Hyne: Okay moving forward we have the proposal for bridge inspection services for Wallace and Putnam Street under 10b. I see Mr. DeVries is here, if you would like...

Pratt: Alan Dolley wanted this he had his hand up.

Dolley: I invited Scott Devries to come in and explain this service contract agreement to do the bridge inspections.

Hyne: Mr. DeVries would you please? Thank you.

Pratt: Can I ask one quick question before you start?

Hyne: Yes.

Pratt: We've had some complaints that the bridge on the north east side is splitting in half, it pulled the railings out, does this address that?

DeVries: Yes.

Pratt: Okay because there's a big crack down there and it's going across and it was brought to my attention a couple times by different people and I don't know if you're aware of that but I met Gary Haney over there and so he went back and bolted the

things back together, but they pulled right out. They cracked down there. I just want to know if that was part of this thing Scott, I don't mean to throw you off.

DeVries: Well as a part of the normal asset management and so forth, regular bridge inspections are recommended, in fact required by the State of Michigan and MDOT requires bridge inspections are conducted every two years and the last time the bridge inspections were conducted was May of 2007 so you are due for your every two year bridge inspection. We look at the overall condition of the bridge, anything that's occurring with the bridge as with any other structure out there, forces of nature acts upon them and they need to be inspected and recommendations are made as to how to deal with that. There may be some further things that will need to be followed up with. In addition to the normal two year bridge inspection, the federal government has been changes their requirements slightly and MDOT requires that bridges that are not built within the last few years have to have a scour analysis, a level one scour analysis in previous inspections, this has not been required. This is not going to be required on the bridge at Putnam Street because it was built with a new foundation and it was reconstructed just a few years ago so it doesn't fall under that requirement however the other bridge in town which is technically a bridge, over on Wallace Street has to have a scour analysis, so that's included in the proposal. You just can't walk in and do this type of thing, there is a limited number of folks in the state who are qualified and they have to have a special certification to do this so anyways that's the proposal to do that work and we're ready to perform that if you want to hire us.

Hyne: Okay. Any questions by Council? Yes.

VanAllsburg: I had one, is the, you mentioned that you're going to have to take photographs, are the photographs part of what's required or are the photographs something you're doing because it makes sense; it's item four on here: provide updated photographs showing the crouch and elevation views, provide photographs of areas of concern.

DeVries: Let's see the State of Michigan has an online thing that needs to be filled out, we take care of that and anything that we identify there, we take photographs and you get copies of those photographs. I'm not certain whether the website has those photos on them but there's a paper trail that follows as well. Does that answer your question?

VanAllsburg: Okay.

DeVries: I'm not the person that fills it out, I'm not the person, so I can't, the answer to whether we upload the photos to the website I can't answer. I can find out if you wish.

VanAllsburg: The other thing too in option three it says perform calculations for determining inventory and operate and note a rating, it seems like those would have already been calculated when they built the bridge to begin with so are you like recalculating it because of structural damage on the bridge or why are you recalculating?

DeVries: Every time you do the inspection you have to go through and look through the calculations because based on what you find for measurements and thickness the numbers that are out there, because there's a beam.

VanAllsburg: Okay.

DeVries: That beam can decrease in cross section just because of the elements, so you take those measurements and then you determine what the structure rating is.

VanAllsburg: Alright, thank you.

Hyne: Okay, any other questions by Council? Yes.

Moody: I just wanted, the City Manager, is this something in our budget that we estimate or, Alan do you know?

Dolley: That we budgeted for? No.

Moody: Yeah did we, is this within our budget, the estimated fees?

Dolley: When we're aware of them yes.

Moody: Okay, every two year, I was just wondering if it was in there.

Dolley: I'd have to go back and look at prior contracts and look at this year's budget and find detail, so.

Hyne: Okay. So we don't? Alright. Yes.

Zichi: I had a question and a comment; do we know how much the level one scour analysis is added to the cost of this contract? I was going to look at the last one we did and I forgot to pull it out.

DeVries: I don't have the exact number but the previous one was less than \$4,000, it was \$3,000 and some odd...

Zichi: Okay. So it's not a huge increase?

DeVries: It's not a large amount I believe.

Zichi: Actually it's not a significant percentage of the cost.

DeVries: We have to go through and do some cross sections and then go down and look at the what's underneath the water.

Zichi: It's and that was the second part of the question, the scour analysis, and the way the water is moved around the footings, okay.

DeVries: What they find out is if there's significant scouring going on at the level one and then there's the next step which would be a level two where they actually do some computer modeling and so forth.

Zichi: Okay. I guess and the comment I wanted to make is that it just drives me crazy the Wallace Street bridge serves one residence and it's a residence the is not located in the City but the bridge is so we're stuck with having to do this but oh well, the law is what it is.

DeVries: True.

Hyne: Okay, any other questions by Council? Do we have a motion?

Smith: Actually I guess I do have a question; is the next piece of paper your contract to do it, the agreement to have, oh you probably don't have this, it says contract provisions at the top.

DeVries: Okay.

Smith: So I just wanted to make sure that it has all of the language in it that our City Attorney, Bonnie Toskey, is in all contracts.

Toskey: It does, I have quickly reviewed the provisions and it looks like an adequate contract with one exception, I do not see the hourly rate or provision for time and materials with a cost estimate. That could be cured by a simple notation regarding the hourly rate that will be billed plus materials and attaching the cover letter as a proposal with the terms of it becoming part of the contract itself.

Tape turned over.

Hyne: That would be adequate?

Toskey: That would be fine.

Hyne: Is that all right?

VanAllsburg: Yeah, that's fine.

Hyne: Is there support?

Siciliano: I'll second.

Hyne: Motion and support. Is there any further discussion by the Council? Let's do roll call please.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Zichi: Yes.

Thompson: Hyne?

Hyne: Yes. Okay, thank you very much. Appreciate it.

Pratt: Thank you.

Moody: Thanks.

Motion by **VanAllsburg**, second by **Siciliano**, to approve the bridge inspection proposal from C2AE for an amount not to exceed \$4800 and include what Attorney Toskey wants added to the agreement. Yes: Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne. No: None. **Motion passed.**

10c. City Manager Search Through Michigan Municipal League:

Hyne: Alright next we have item 10c. City Manager Search through Michigan Municipal League.

Pratt: Madame Chair?

Hyne: Yes.

Pratt: I think we should hold off on this until the interim City Manager is on board and let him discuss it with us. He seemed to have some real concerns and his fees you know. I just think we should wait to discuss this until he has a chance to come to the City and get a feel and you know, if he can bring continuity back and everything so when we do look for somebody it's going to be easier to work with.

Hyne: Right, is that a motion?

Pratt: I make a motion we table this until further notice.

Hyne: Okay, is there support?

VanAllsburg: I'm not sure if I support this or not.

Moody: If we support it can we discuss it then.

Hyne: Yeah.

Pratt: Well sure.

Moody: I'll support it then.

Hyne: Okay, we have a motion and support. Discussion? Councilmember VanAllsburg?

VanAllsburg: Well he's offered to, he wants to do it, so does it make sense to have him come to the next Council meeting and tell us why he thinks he can do it better than MML?

Hyne: That would be I think an open way to do it and we can all consider, the audience and the Council, hear his presentation.

Moody: My only concern is you know I like the idea to save money and we go and do it now, the last time we had the 3 City Managers here they talked about the delay you know the longer we delay putting out our notice that we're looking for a city manager the further it puts us behind getting one and so that's my only concern. I don't know if we can work with the agenda and pick one or the other now, or do we maybe it's as far as to have them come and talk, I just want to put that out there for discussion.

Hyne: It's a good point.

Smith: Well you've already mentioned you anticipate this gentleman is going to be putting in many many many hours here beyond a 40 hour week, so if we're already, if we're paying him a sum of money to be here and work as much as he's willing to do essentially, I'd just as soon he focus on that and have someone else working on the search.

Hyne: Okay.

Smith: I mean that's just my personal thoughts at this moment. Although I'm interested and if he had an opportunity to tell me why his deal might be just as good or better that would be fine, but I am concerned about putting it off another 2 or 3 weeks until our next meeting.

VanAllsburg: Yeah, I did, I talked to him today and asked him that exact question.

Pratt: May 11th.

Hyne: You know I just need to make a comment really quick, I know we've been kind of loose with that to allow some dialogue but we need to kind of reel it in yes?

VanAllsburg: Okay, I asked him two questions on this, the first question was are you going to have time to do this because you're doing other stuff as well and he said yes. Then I asked him, why is it better for you to do this than MML to do this and he said that his intent was to, now granted he hasn't seen MML's proposal but he told me that his intent is to go out in the community, go to, which meeting was he going to go to? The Rotary?

Hyne: Rotary, Kiwanis, Chamber, all of them.

VanAllsburg: And try to, he's looking at this as he's going to try to sell Williamston to the appropriate candidates so and it's also something that's never been done before as far as getting people in the position, he's done this before, not with the City Manager but other situations, which he can talk more about specifically. But any rate he did, the time wasn't a concern, he's planning on doing both, or hoping to do both and that was his comment on why he thought he would be better than MML was because he would be here finding out about the City and then, but I did notice it contradicts that a little bit because the MML talks about doing the same thing. They charge extra for it but they do, it was in here, it's one of their phases.

Moody: What page?

Hyne: Page 4.

Moody: Oh. Oh, so this is more than 8 or whatever 1000 they told us?

VanAllsburg: Yeah, it talks about optional, additional outreach activities that's on page four, at the top and that little paragraph talks about doing what he talks about doing as well.

Hyne: One point to make as an outreach he would automatically be doing that in the position.

VanAllsburg: Right, he's already here. The time I guess depends, I'm not sure how to say this so, I'm inclined to let him do it. That's where I'm at.

Pratt: Thank you.

Hyne: Okay, Councilmember Moody?

Moody: On page 7, do the professional fees of the project expenses as, are these addition costs.

Pratt: Yes.

Moody: The mileage and the...

Hyne: Yes. They charge mileage, everything, background, incidentals, overnights, yes.

Moody: So the \$8,000...

Pratt: \$75 per hour travel?

Hyne: Yeah, it's not really, the mileage is not per mile, it's per hour \$75, and then an hourly rate for meeting prep is \$125 so those are all additional expenses.

Moody: Is that more on top of are we talking \$8,000...

Pratt: \$8,000 the fee and then these are on top of that.

Moody: Okay, so.

Hyne: Yes.

Moody: Can we vote for Tim Allard to do it in this action item or no?

Hyne: You'd have to make a motion to amend the agenda correct Attorney Toskey?

Toskey: Yes, but as I think about this I am confused myself on how I am going to create a contractual obligation if you are offering him full time employment given his best efforts where he is working at the assignment of this Council, I am unclear as to how you are going to segregate or create another discreet function that clearly by it's terms must be performed during the course of the work day and the work week.

Hyne: I agree.

Toskey: So I just am having difficulty envisioning how I'm going to incorporate this additional charge into the preexisting contract, are you going to pay him two rates for work to be performed during the 40 hour work week?

Zichi: I'll go one further, I got to agree with Traci, I don't know how he can do this and also act as an interim City Manager at the same time. There's only 24 hours in a day and I assume he sleeps. You know I, my experience with MML search is that not only is it very professional but the additional charges that you're talking about are usually not charged because they do their outreach at the meetings where they do the interviews rather than having separate meetings. Yeah, you know what they're not going to go to the Rotary breakfasts but the Rotary is invited and everybody who's a stakeholder in this community knows when the interviews are, knows how to give the input to the MML search committee and that's included in their proposal. I'm trying to remember the only, other than advertising and background checks the only incidental we have, there was one with a final round candidate I think we paid for a meal. So we really didn't pay much in terms of incidentals.

Hyne: Councilmember.

VanAllsburg: Yeah, what if MML isn't going as fast as we need them to go in order to do this in three months like he wants to do, if he's got the whole thing under his control then he can do, he can work as many hours as he wants and get things done in his own way. I agree it's putting a lot of trust into one guy you know but...

Hyne: Yeah. Councilmember.

Siciliano: The problem with that is it's too subjective, how do we know he's going to find a qualified candidate in three months. He might be capable of getting it done in three months, but there's no guarantee someone qualified's going to come looking for the job in three months.

Hyne: You know I did ask, and brought that up because I was concerned about that also and because this is what his statement to me was that, the City is a member of the Michigan Municipal League, we can post on that site just as well as they can for positions so it doesn't limit us to where we can post. We would post on the MML website just like MML would you know for that position so we would have the same access as they would for that same thing because we are a member. So that's one consideration and the fact also, I mean, you know, I'm just throwing out hypothetical's that you know I agree with Traci that there's a strong consideration for that fact and also the fact though that you know you have evenings, you have different times that you can do this on the weekends and things and the fact that he would definitely be a direct communication with residents and the needs of the community and would know it first hand from being here and it would be a recommendation and basically what he would do is provide basically the same service and he's done this service, not as a City Manager but like you stated. It's just a thought to consider so. Yes.

Pratt: Well along that same line I would think we would do this just like any other position, advertise this through MML and put it out there to colleges and other places. I mean there's a lot of people right now out of work you know they may not belong to MML you know. If we want a thousand resumes or something but I think there should be a qualification then you know they're certified, whatever. They shouldn't have to belong to MML to apply.

Hyne: No, but we belong to, so we can post and...

Pratt: Well I know but on the same token I think we should post other places. You know.

Hyne: Right.

Pratt: We probably have people right here in Williamston. Post it in the emptyprise.

Hyne: Another consideration too is when you have a City Manager you know we hire the Police Chief, the City Manager hires the Police Chief, hires the DPW Supervisors, hires all those department heads. They do that on a, that's their

charge, so I mean that's one thing we need to consider also, but. Councilmember, did you have a comment?

Moody: I originally did, I thought when I looked at the Municipal League's first facilitator I mean all that is is just another person that's going to do it. Bill Baldrige is the one that I got the call back from for the interim city manager. He didn't want to do it, but he would probably do this MML thing. It's not like they bring in someone that's a lot different from what we've got, you know if we did use Tim Allard.

VanAllsburg: ?????, sorry Michelle.

Hyne: It's okay.

VanAllsburg: You need to hit me when I talk out of turn.

Hyne: But it did say that you could choose another individual if you wished I remember reading that somewhere that if there was someone else that... Yes.

Siciliano: The second paragraph it states to it says the addition of standard advertising of professional associations and online venues to practically recruit candidates with direct e-mail, fax, personal calls, otherwise promote the position. So I think that they, the MML would post everywhere it needs to be posted not just through the MML. I haven't made up my mind, I'm just pointing out the similar...

Hyne: Okay, what is the pleasure of the Council?

Siciliano: We've got a motion don't we?

Hyne: Do we? Yes we do, we have one to table it? Could you restate that, was to say indefinitely or was it?

Thompson: Until further notice.

Hyne: Alright, any further discussion? Let's do a roll call please.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: No.

Thompson: Smith?

Smith: No.

Thompson: VanAllsburg?

VanAllsburg: No.

Thompson: Zichi?

Zichi: No.

Thompson: Hyne?

Hyne: No.

Thompson: Moody?

Moody: No.

Motion by **Pratt**, second by **Moody**, to table the City Manager search through the Michigan Municipal League until further notice. Yes: Pratt. No: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody. **Motion failed.**

Hyne: Okay, motion fails. Alright.

VanAllsburg: So we need to decide to do the search with MML or Tim Allard.

Hyne: Well we need to deal with the action item that's on the agenda and that is the Municipal League. So did you have, Councilmember Smith?

Smith: Well I'm not prepared to hire Tim Allard to do it you could, the best you get is to table it until the next meeting pending a presentation by Mr. Allard so, as opposed to just indefinitely John.

Pratt: That's fine, I don't care. I don't have a problem with that.

Smith: So I still have some other thoughts so.

Hyne: Okay, Councilmember?

Siciliano: I have two thoughts, one is if he's supposedly going to begin on Wednesday and we want to do it in three months, we're already losing two weeks if we table it again and the other is I mean I don't know, Scott said that he really thought it would be a three month process, he didn't really have an intention of sticking around, I mean what if in those three months he does have within the 90 days he gets the job and we don't have a City Manager yet. What happens then?

Pratt: Hire another interim.

Siciliano: But we're going to pay him that extra money to do the search, I'm not worried about him I mean Alan can fill in for City Manager if he goes away, I'm not worried about Alan's capability, what I'm saying is if we're paying him extra as a

consultant to find the City Manager and we don't find have one and he leaves, where does that leave us? We're going to start over again and pay MML?

VanAllsburg: Good point.

Siciliano: And I'm not saying... That's the worst case scenario, I'm not saying that's going to happen but.

Pratt: That's a good point.

Hyne: That's a good point.

VanAllsburg: I'm kind of in Traci's camp right now except that it is extra time but...

Hyne: We could set a time limit though. We could set a time limit, it's a contract. You know you do have a contract that says provisions and they have to agree to that so, yes.

Smith: Bonnie was concerned with how she's going to write this contract. Have you figured that out?

Toskey: No.

Zichi: Have you figured out how to get more than 24 hours in a day?

Toskey: If the applicant contemplates 55-65 hours a week for the salary that you've negotiated, are you adding an additional duty and therefore adding an additional \$2000 per month to that salary, is that what you are contemplating?

Hyne: It was a flat fee that he said a \$5,000 flat with the same, like background check fees things like that that MML charges. That would also be, that would be additional but his fee would be like \$3,000 less than what MML was.

Toskey: And would those duties be performed during the workday that you're otherwise contracting with him to...

Hyne: We didn't discuss that. That was not...

Toskey: That's the legal dilemma.

Hyne: I think we need to have him present because that was not really an issue that we were discussing so.

Smith: In light of all of this I'm prepared to make a motion.

Hyne: Okay go ahead.

Pratt: Alan...

Smith: Oh, I'm sorry Alan.

Dolley: Having been doing the job as acting city manager now for a month my question would be where's he going to get the time to do this, where's he going to come up with the time for the advertising ideas? MML can start immediately. Your contract with Tim Allard is for three months. MML's got a timeline down here and they can get started on it and concentrate on that. They're not going to be concentrating on our budget, they're not going to be concentrating on grants, they're not going to be concentrating on learning the City employees. And Council was talking about moving forward earlier tonight, I honestly feel MML is separated from this community, they can come in, they can look at it from the outside also and say what does the community need. I can tell you this last two weeks I have 115 hours in so if I'm doing that much time, what's Mr. Allard going to do if he's going to be chasing other grants, and all these other things and trying to learn the City.

Hyne: I agree with you, I think that's a concern. Because I know you're doing two full time positions, it's tough. It is tough and it's exhausting so it's something that is very valid to consider. Yes.

Moody: Yeah, I was concerned you know I talked about the cost savings and I do like that but I mean you know I can understand the concerns about whether we're getting our money's worth maybe if we're paying him twice. I understand that and you know I'm going to...

Hyne: Okay, your motion, are you ready?

Smith: I'm ready. I move that we move forward by hiring the Michigan Municipal League to pursue conducting the Manager search for Williamston.

Pratt: Support.

Hyne: We have a motion and support, is there any further discussion? Okay, let's do roll call.

Thompson: Zichi?

Zichi: Yes.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Hyne: Okay, motion carries.

Motion by **Smith**, second by **Pratt**, to move forward with the Michigan Municipal League Manager search. Yes: Zichi, Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg. No: None. **Motion passed.**

Hyne: Attorney Toskey do we need to specify how to proceed with the Michigan Municipal League, as presented in our packet? With a contract or? We've agreed to proceed, but in what manner? As presented or?

Toskey: The material that you have in front of you actually constitutes a contract as Michigan Municipal League has submitted it to you through your interim manager if you notice Many Reed consulting services request that you sign on behalf of the City of Williamston, the rates, the fees, the projects, the terms and conditions of this agreement, how they propose to go about through a phase 7 step process is what they are offering to you so I would interpret your motion as accepting the terms and conditions as set out in this 7 page document.

Hyne: Okay.

Toskey: And it authorizes the appropriate signatories being the interim manager and the Mayor.

Hyne: So another motion to direct that, and then also what I would like, I would just suggest that we do specify and strongly encourage this to be completed within the three month period.

Toskey: Once again I want to use this opportunity to disabuse this Council, there is nothing in the contract that provides for a three month interim term of office or term of employment it is open ended until the Council employs the first day of the perspective permanent City Manager and I keep hearing three months but, three months has no legal significance in this contract.

Hyne: Right, I guess more of giving an incentive, a goal instead of leaving it open ended. I think sometimes if you have a date, a projected date, it gives us something

to work toward and I'd rather see something like that than just not to have one. It's just my thought.

Dolley: They've got their projected dates out there. It's an 11 week, 12 week program, now whether the City Council can find to their satisfaction a representative that MML can move forward with or not is the question.

Hyne: Right, but I think although they put this in there, I think we, I would appreciate it if it we could speak through our motions and acknowledge that that is a goal that we have as a Council, to complete the process in three months. But that's my thought so.

Moody: I'd move that the goal would be to get a City Manager within three months.

Hyne: And then to, we need to incorporate that contract.

Moody: And incorporate the contract that the Michigan Municipal League has provided and is attached in our packet.

Hyne: Okay, is there support?

VanAllsburg: Yeah, I'll second that but I'm not sure totally what the implications of it are.

Hyne: To approve the contract, Attorney Toskey, it's a seven page contract...

Toskey: It's a seven page contract, they lead you through the phases of their search recruitment, the interview process, they promise to you not that they will find for you the best candidate, but qualified candidates for you to select and choose at page five which one you desire, we do not presume to choose the best candidate for the position, this is completely at the discretion of the hiring authority, you. And they set out their time frame as Alan has referred to, it is an eleven week, twelve week goal to refer acceptable applicants by that twelve week period. They are requiring a 10% search fee, oh I saw it a minute ago, how was it worded?

Moody: Page 7.

Zichi: Page 7.

Toskey: Yeah, you are agreeing to pay up to a will not exceed 10% of the posted salary range midpoint for the fee for this service. In the event they do not find an applicant acceptable or who does not accept an offer, they will repeat the service at no charge with the exception they will bill for their actual advertising costs.

Hyne: Okay, alright.

VanAllsburg: So how does the three month motion fit into that thing.

Toskey: That's the time frame, it's the target time frame.

VanAllsburg: Which is encouraging.

Toskey: Yeah.

VanAllsburg: So it's not locking them into something?

Toskey: No they do not claim to be magicians, they are not necessarily going to beam up an acceptable applicant for you.

Siciliano: They can do it in 60-90 days though.

Hyne: Okay, we have a motion and support, any further discussion? We'll do a roll call please.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Zichi: Yes.

Hyne: Okay, motion carries thank you.

Motion by **Moody**, second by **VanAllsburg**, to state that the goal is to get a City Manager in place within three months and to include in the Michigan Municipal League contract has provided and supplied in the packet. Yes: Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

10d. Water Rates:

Hyne: Without further discussion we'll go on to water rates, 10d. Do we have any comments from Council on this?

Moody: Yes. I'd like to mention that Scott and I are on the committee to talk about the water rates, we weren't able to other than a little before the meeting to talk about it. I know Scott and I were thinking to table it until we get the new interim in.

VanAllsburg: Yeah, I was thinking we should discuss this with the interim or the alternatively waiting for the permanent City Manager, to get their opinion on it.

Hyne: Okay, is that a motion?

VanAllsburg: Yeah, I want to move to table the water rates and discuss it with the, well we might as well discuss it with Tim, so we'll say discuss it with the Interim Manager.

Moody: I'd support that.

Hyne: Motion and support. Any discussion? Yes.

Siciliano: I have one question, I just want to make sure, as I'm sure got it earlier was Mr. Eiffert's question; I do remember the previous City Manager specifically saying they intended to put the water lines in before the street was done so if there's any way you can get to the bottom of it.

Dolley: I've got it down to check with Gary.

Siciliano: And I realize, but if you happen to get an answer, I just want to make sure that we are, so.

Dolley: I've got it down to talk to Gary in the morning.

Siciliano: I assume you probably did, I just want to make sure. Thank you.

Hyne: Okay, we have a motion and support, any further discussion? Let's do a roll call.

Moody: Just one point, I think the water rates issue is an important one and I hate to keep pushing it back because of the time frame I think it makes sense. We got a new guy coming in and we do have some policies in place that gives some latitudes to people, I think Mr. Dolley talked about that last meeting, the people who need, but I think it's an important issue, it needs to be addressed so, I'd like to, if we table it, maybe a friendly amendment maybe put down the next meeting, that's too soon...

Hyne: We'll just leave it open then. Okay, yes?

Siciliano: I know that when we were talking maybe it was during the workshop before, I can't remember it, but there was some sentiment suggested that maybe we need just a worksession to just sit and talk about water rates so maybe after speaking with the Interim Manager, you guys on the committee can advise us on a few things we need to, if we can just do it on an agenda or...

Moody: Or a work session.

Hyne: Okay, we have a motion and support. Yes.

Zichi: Quick comment, I agree this is very important, we need to be dealing with it, we do it every year in terms of our budget as part of it we set our rates. You can't do it in a vacuum; we have to do in the same time we talk about the budget and the water rates otherwise your setting up the water system to fail. We've got deferred maintenance at this point we were supposed to be upgrading lines on Fuller Street two years ago that we didn't, we had it in the budget, we didn't do it because of concerns about the cost of it, I mean we figure out, I mean one of the options is to not raise costs in the water system and to not do any work on the water system and wait for it to fail. I don't consider that, as you can tell by the way I worded it, a really good way to manage the system but that's what had been done in the past and now we need to get off the dime on this. It needs to be done.

Hyne: Yeah, I would just like to follow up on that though that in our budget we did provide aggressively for infrastructure improvements including improvements to our water system and that was addressed so I want to be clear on that that it's not something that we're choosing not to recognize that it is being addressed.
Councilmember Moody.

Moody: I agree with Councilman Zichi you know about putting it together, only problem is I think this agenda we intended it to only focus on payment issues.

VanAllsburg: Yeah, water rates is...

Hyne: Yeah, okay, can someone make a motion to recognize Mr. Stiffler?

Siciliano: So moved.

Hyne: Support?

Moody: Support.

Hyne: All in favor?

Council: Aye.

Hyne: There you go.

Motion by **Siciliano**, second by **Moody**, to allow Brian Stiffler to speak. **Motion passed by voice vote.**

Brian Stiffler: Brian Stiffler 130 East Grand River, the water rates in town are very high, I mean we have pipes back when Abraham Lincoln was president. We've been paying payments on a mortgage that was principal only, I'm sorry interest only, no principal, and we just went through that last year, now we're doing it again. Some people I mean I have a business so it's quite a bit more than some people with a toilet and a shower but some people can't make those payments and I don't think that you know the City doesn't realize how expensive the water really is. I agree with the quality has to be better, I agree with Zichi on some of these pipes that have you know need to be fixed that haven't been fixed. They need to be done, but people can't afford higher water rates right now, so something's got to be done and so it's very important.

Hyne: Thank you. I think most of us, Councilmember Moody and Councilmember VanAllsburg, are actually meeting to review our payment structure, our late fees, because there are more and more people struggling with the economy, it's become an issue. Councilmember Moody and I met with a resident, with the former City Manager and I also on occasions, to offer some assistance to families. Yes.

Stiffler: Are we at least not making interest only payments?

Hyne: Yes.

Stiffler: I know you were working on that and I didn't know...

Hyne: Yes, thank you.

Zichi: That was corrected in 2001. That was changed in 2001 it's not something, I mean we've been paying on the principal since 2001 since that bond was refunded.

Stiffler: Oh.

Siciliano: ?????

Zichi: There's 12 years of payments that were interest only.

Hyne: Okay, does that help?

Stiffler: That was it.

Hyne: Okay, great. Alright okay, any other Council members? Okay let's can we just do a voice vote? All in favor?

Zichi: A motion to table is that what this is?

Hyne: Yes.

Zichi: Okay.

Hyne: Would you like it read?

Zichi: No.

Hyne: Okay, alright. All in favor aye?

Council: Aye.

Hyne: Opposed?

Zichi: No.

Hyne: Okay, motion carries, one dissenting.

Motion by **VanAllsburg**, second by **Moody**, to table the water rates issue until they can meet with the Interim City Manager. **Motion passed by voice vote with Zichi voting no.**

10e. Street Light Installation Agreement:

Hyne: Okay, next we have Street Light Installation Agreement under 10e.

Dolley: Council put that on hold until this week to have me go out and take a look at the intersection and get a better grasp of what type of light was going in and where it was going to be located. If you drive out west of town you'll see that there are cobra heads that are bolted to wood poles. That's the type of light fixture it will be. There is a wood pole on the west side of Churchill Downs. It is the closest one and it's approximately 12 feet from Grand River and 15 feet from Churchill Downs. I talked to the gentleman that is on here, or our contact person and he said that yes, in fact it was cobra head and I questioned the all the lines that are on that particular pole and he said they don't have a problem and that it would be a 12 foot light at that intersection.

Hyne: Okay, thank you very much. Is there any discussion by Council? Entertain a motion.

Pratt: I'd move that we approve the proposal for the street lighting installation agreement.

Hyne: For Churchill Downs.

Pratt: For Churchill Downs and Grand River proposed on February 9th 2009 by DTE Energy.

Hyne: Or we should say...

Siciliano: We should include the dollars.

Hyne: Should we also reference the standard agreement?

Pratt: Per the agreement that was submitted to us.

Hyne: There's a standard agreement for municipal street lighting. Could you reference that also Councilmember?

Pratt: Sure, per the standard agreement with the City.

Hyne: Okay, is there support?

Pratt: For the municipal street lighting.

Hyne: Support?

Moody: Support.

Hyne: Okay, any further discussion?

Siciliano: Did we get the dollar figure in there?

VanAllsburg: \$48

Siciliano: I realize that's not a lot but. I want to make sure it's specific to make sure we have the actual dollar amount in the motion.

Hyne: Yes.

Pratt: One of the things that brought this to light was the request of the NIESA employees as well as residents on Churchill Downs, so I think that's one of the reasons we're standing up to do this.

Hyne: Yeah, it's important at that intersection.

Pratt: Well it is it's dark.

Hyne: Public safety at an intersection where there's a residential community so. Alright let's do, yes sir?

Zichi: I guess I agree that we do need to do something in order to better highlight that intersection but I guess I'm coming at this from somebody that has a little more knowledge than your average layman. One 250 watt bulb is going to create such a bright spot and such dark shadows that I don't think it's really going to address the concerns. It would be far better to have two 100 watt bulbs so that you could light both sides of that street. Yeah, we need lights, but Detroit Edison never suggests lower wattage light bulbs when they can sell more electricity. It will probably double the costs of this for the City, to put in two fixtures and we're talking a \$100, but I really believe that that would be a better option given the structure that I've see with the way light plans work and I'm not sure why they're recommending 250 watts, I mean Alan did they explain that?

Dolley: No, I didn't ask. I asked what this proposal was for and that's what he said.

Hyne: Okay. Councilmember?

Pratt: Okay, and you're recommending 2- 125 foot, one on Grand River, one on Churchill, is that what you're saying?

Zichi: No, on opposite sides of Churchill so that it's lighting the intersection.

Pratt: Yeah, and the pole's there, are we going to have to...

Zichi: Yeah, there are already poles there, exactly, on both sides.

Dolley: Correct, there's another pole on the east side approximately 12 feet from Grand River and about 25 feet from Churchill Downs.

Pratt: I would have no problem with that.

VanAllsburg: I think we should do what he's saying.

Hyne: Well I think what, I mean you're talking about an intersection where there's a fire station. You're talking about an intersection that has a residential community. DTE is aware of this, they're our regional manager for energy. I guess I would want to know from someone who deals with this on a daily basis I guess, I mean I'm not saying that that would not be valid but I would like to hear from them if that's the case before we proceed with putting something permanent in there to make sure that it meets the needs of the emergency response and of the residences.

Zichi: I agree.

Hyne: Councilmember Moody.

Moody: I was thinking maybe we could appoint you as the one man committee you know and talk to NIESA and DTE and bring the information back to the City Council.

Zichi: And my question was to DTE, I want to know why they're recommending this instead of two lights because like I said, one bright light that high up is going to create such glare, that it's going to make it harder to see that intersection instead of easier.

VanAllsburg: But Ken you've run into this before when you were Mayor... Ken's done a lot of, lighting is one of Ken's pet peeves, if Ken has something to say about lighting, he knows what he's talking about so if he's recommending two poles, I would say that we need to have two poles.

Hyne: Well it all depends they are on too, I mean you have to look at that. Some people feel safer, I mean that's a whole nother issue.

Pratt: I withdraw my motion until we get further information.

Hyne: Okay.

Zichi: And I'll be happy to get the information.

Hyne: Okay, without objection from the Council then, is everyone? Councilmember Smith.

Smith: I've spoken with one of the gentleman from NIESA who asked that we consider this strongly and move forward because they really want the light so if we all want Ken to go back and find out about it that's fine as long as you in fact do confer with NIESA.

Zichi: I was going to say I'm going to do my best to consult not only with NIESA but also with DTE but unfortunately my experience with DTE is that it's really hard to get them to return phone calls.

Hyne: Really? I get return phone calls immediately.

Zichi: Depends on who you're talking to. Paul Gantz is very good at phone calls, absolutely, Greg Tchoszewski, I can't even pronounce his last name, I've had a devil of a time getting him to answer phone calls. You're right there are certain people at DTE who return phone calls very easily.

Hyne: Okay, what's the Council's pleasure? Yes.

Michelle Aniol: If the Councilman Zichi would like Mr. Gantz and Greg's e-mails I found that Greg does respond to e-mails very quickly as opposed to phone calls and especially when his manager is cc'd.

Hyne: Yes, that's true.

Zichi: Thank you that would be wonderful.

Moody: Should we move to do that or...

Smith: I would be alright if he got the information and he e-mailed all of us and he e-mailed back to the City Manager, and we respond and if the majority goes one way that they move forward on it before the next meeting. I wouldn't have a problem with that.

Hyne: I don't think we can do that. That's a violation.

Smith: You can't do that?

Dolley: Open Meetings...

VanAllsburg: We could do it and see what happens.

Hyne: I don't think so, I don't think so. No, I don't think so.

Smith: No, but if we only, oh because you can't send it.

Zichi: I can't authorize it.

Hyne: So we would just need a motion to consider it at the next meeting.

Smith: Alright, I was trying to keep it moving.

Zichi: I appreciate that.

Hyne: So do you want to make the motion?

Smith: I thought there was a motion.

Hyne: Is there a motion on the table? No, I didn't think so. To proceed with Councilmember Zichi investigating and getting information from DTE and presenting at our next meeting for consideration.

Smith: Yes, I make that motion.

VanAllsburg: Second.

Hyne: Motion and support, is there any further discussion? All in favor?

Council: Aye.

Hyne: Opposed? Motion carries.

Motion by **Smith**, second by **VanAllsburg**, to have Councilman Zichi get information from DTE on effectiveness of one light fixture at the intersection and have him provide the outcome of the questions to NIESA. **Motion passed by voice vote.**

10f. Proposal for Engineering Services North of Williamston Road Pavement Rehabilitation:

Hyne: Okay, next we have proposals for engineering services north of Williamston Road pavement rehabilitation. This is with regard to the stimulus.

Dolley: Stimulus correct. I'm going to ask Council not to take action on that engineering proposal because as of this time the City has not received a confirmation that we are receiving stimulus monies. There is a lot of communications that have gone out but I have not received anything back at City Hall that says yes you have been awarded.

Hyne: Okay, and I know you had talked about that with Tri-County and also...

Dolley: A lot of stuff was submitted, however, I have not received anything back saying yes we have it and that's nothing against C2AE and Scott DeVries but I don't

see going forward with a engineering proposal until we know we've got those funds secured.

Pratt: I make a motion per recommendation of the City Manager that we table till further information is received.

Hyne: Okay, is there support?

Moddy: Support.

Hyne: Okay, motion and support.

Moody: Do we ask C2AE any questions?

Hyne: Mr. DeVries do you have any comments on this issue?

Scott DeVries: Just real quickly. I know we talked about it earlier today, I've done some tracking and so forth. You've got some time to deal with this issue, you wouldn't to in order to get in to the proper funding and so forth with MDOT so plans will need to be put together sometime so July might be an appropriate time to move forward with the contract.

Hyne: Okay, do we have confirmation though that we're in the process and we're following, I mean I know I just want to make sure we're good on that.

Dolley: Yes, we do not have a May 1st deadline as was put forward in the Tri-County's Planning. We received an e-mail from, I can't think of the guy's name with MDOT now.

Hyne: Mr. Rand?

Dolley: Nope.

Moody: Hamilton?

Dolley: No. Hamilton's Tri-County.

Hyne: He's Tri-County.

Dolley: Anyhow the form has to be submitted and states here is the one that got the information. It has to be submitted by I want to say sometime in September.

Hyne: Okay, who do we confirm with, about the application process if we've been awarded this or not, is there someone we can contact.

Dolley: That's what I don't know. I was going to call Mr. Hamilton at Tri-County and say and ask him how the stimulus monies are going to be awarded.

Hyne: Could we find out? I just want to make sure that we don't miss something.

Dolley: No, the next phase is the MDOT form.

Hyne: Okay, good.

Dolley: At this point you're not missing anything.

Hyne: Okay, so we're confident we're where we need to be?

Dolley: Right.

Hyne: Okay, alright, great.

DeVries: With an Interim City Manager coming in we'd highly encourage you guys to have representation at the CARTS meeting. We've put together some numbers for you on Williamston Road there, Putnam Street, we can get that stuff in there and if it's not in their range of projects, like if there are bigger projects, but you need to get a project in there in case other projects drop out yours can get up there. If you can get projects into the queue basically, so as you move forward you can get help from the state.

Hyne: That's great, okay thank you very much for the information.

Pratt: Steve, can I get one of your updated business cards sometime?

VanAllsburg: It's not Steve, it's Scott.

Pratt: Oh, I'm sorry.

VanAllsburg: I'm a Scott too.

Pratt: Are you, I thought you were Scott one I thought he was Scott two. If I could just get one sometime.

DeVries: Okay.

Hyne: Thank you.

Pratt: I lost the one you gave me before.

Hyne: Is there any other further discussion? Okay, we didn't do a vote yet? Let's do a roll call please.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Hyne: Okay motion carries.

Motion by **Pratt**, second by **Moody**, table the proposal for engineering proposal for engineering services for North Williamston Road until further information is received. Yes: VanAllsburg, Zichi, Hyne, Moody, Pratt, Siciliano, Smith. No: None. **Motion passed.**

10g. Granger Property/Road Construction/Road Dedication:

Hyne: Okay next we have on the agenda 10g. action item Granger property/road construction/road dedication. Alright.

Dolley: We have a meeting with Granger Engineers for the road construction which is the EDA grant. The road dedication which they currently call Loop Road, they want that dedicated and my understanding was, is that Tri-State wants that road to be called Centurion Way and if I understood our Assessor correctly when I talked to him is that road remains Loop Road because that's what's on their plat when it was approved until the City, until the road is dedicated to the City at which time it can be renamed. That was my understanding. Michelle was at the meeting, we are in the process of, Michelle Aniol, and John Gormley representing the TIFA, we've got the checklist for dedication of the road and we're working on that, Granger stated that the extension of Progress Court that ties into Loop Road they're hoping for that road and the utilities are in by the end of September. John Gormley was going to contact Palozzolo's at MC Molds about where the loop was designed to come off from Industrial Park Drive. Correct.

Pratt: But that's not Drew Palazzolo? It is? Okay.

Michelle Aniol: I got a call from John Gormley's office he set up that meeting, he's working with his office and ????

Hyne: Okay.

Zichi: Is that for the Loop or is that for the connector?

Aniol: It's for the connector, Progress Court where it terminates at Industrial Park Drive, there's additional property that needs to be acquired in order to make that road connection geometrically. Correct.

Zichi: Okay.

Hyne: Okay, I have a question because we had talked about this and I assumed that my request would be contained in this agenda item as far as the EDA grant for the infrastructure improvements in the Industrial Park. It was, you stated that you were going to determine whether it was awarded to the City or, I mean my understanding from reading the grant when it came, it said City of Williamston.

Dolley: Correct and that's what I'd found out also.

Hyne: Yeah, the City of Williamston. I guess my question, I have multiple and the main one I guess is the one that we discussed on the phone that I want it as an action item here for the Council to consider since talking with our Attorneys our lead Attorneys I should say, that in addition to Mr. Gormley, the firm of Attorney Toskey is also representing the City on this issue and so as far as legal representation I just thought it would be an opportunity for the Council to review this and if they had any direction as to representation if they had any desire on that issue to make it known, I just thought that the Council should decide and at least be aware of and have the opportunity if they choose to give direction on this issue. So being that it does involve a grant, a City grant, and I just think it's important so, I don't know if any Council members have any comments on that issue. Yes.

Siciliano: I guess I really don't understand what you're asking for. I'm not trying to be...

Hyne: No, no whether we have a choice you know would you choose to have Attorney Gormley represent this grant issue for infrastructure or would you choose to have City Attorneys, Attorney Toskey, yes, do the representation. Yes.

Moody: What is all entailed in this, what would the attorneys be doing?

Hyne: To review the agreement is my understanding because I did speak with Attorney Gormley when we were first awarded the grant and he was not even certain at that point who would be doing the legal work but my understanding is there's a determination according to the agreement that would need to be reviewed to determine the remaining portion, who is responsible for certain amounts of that and that would have to be designated and agreed and it's reviewed with Granger

Construction or Granger. Is that correct? I mean I think that's, that's what I was told by Attorney Gormley.

Aniol: There are parts of the agreement that neither Alan or I were privy to that you had seen before we actually met with Mr. Gormley and Granger last week. I was operating on the TIFA's behalf when we met with Granger and Alan was at the meeting as he had been previously ??????. Attorney Gormley said that he could not and was not representing the City's interests and he recommended that the office of Cohl, Stoker, Toskey, and McGlinchey would need to represent the City and so in the meetings that we hold the City Attorney will be there.

Hyne: I have to say it's somewhat frustrating in a way to have two attorneys within the City engaged in this work, the grant, I mean that's what we need to consider, as far as I'm aware is that grant was awarded to the City. Yes, the agreement, and the infrastructure and improvements are based on that grant but the Council needs to be aware of this and the direction of the Council as a board.

Pratt: I would have no problem with Attorney Toskey handling this and cut Gormley out of it.

Aniol: If I may the agreement as is written identifies the shared costs between the City and EDC and TIFA and Granger and you may not prefer to have Mr. Gormley there but because the EDC/TIFA is part of the agreement, he's going to have to be there because he would have to represent the EDC/TIFA, not the City. Attorney Toskey would represent the City and it behooves the City to continue to work on that because as it stands now the agreement is perceived as a three way split, between that the City will pay, that the EDC/TIFA will pay, and Granger will pay and the real fly in the ointment here is that's the agreement that everybody knows about and the grant was applied for and received under the information that it would reduce everybody's costs, Granger included however there was no written agreement for that, but the TIFA's operating under the information that they're not going to pay anything so there's going to have to be a meeting of the minds.

Hyne: Right and that's my understanding there was an discrepancy there and that's why I would recommend for consideration that the City Attorney's that they be involved and review this and give their recommendation so Council do you have any direction on this?

VanAllsburg: So if we don't, right now if we don't make a motion...

Aniol: They have to be involved.

Hyne: Yeah.

Pratt: We don't need them...

Hyne: You know what I would like to ask everyone to please direct their questions to the Chair. Thank you. Councilmember VanAllsburg, I was just asking that we make a motion and speak through that motion and give authority to our legal team to

address this issue and give recommendation to this Council on that issue. That's what I'm asking. Yes.

Moody: I'll move to make a Cohl, Stoker, Toskey, and McGlinchey the attorneys representing the City in relation to this Granger property road construction, road dedication action item.

Hyne: Okay, is there support?

Pratt: Support.

Hyne: Motion and support, any discussion? Let's do roll call please.

Thompson: Zichi?

Zichi: I'm not sure why but yes.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Hyne: Okay, thank you. My second question is on the naming of that road as Centurian Way, so we're required to wait on naming that?

Dolley: That was my understanding from the Assessor is that it could be renamed once it is dedicated to the City but because they called it Loop Road or Connector Road in their plans that they submitted for approval of the City that's what it was.

Hyne: Okay, Attorney Toskey, is there a legal issue there, is there any reason why we have to wait for them to wait on naming that road.

Toskey: Yes.

Hyne: Okay, I'm just making sure from you. I just want to hear it okay.

VanAllsburg: Can we change it to something more interesting?

Dolley: Tri-State wants it called, they want their address to be 100 Centurion Way, apparently every place they've got a spot that's the road they're on.

VanAllsburg: Okay.

Hyne: Okay, alright well that answers my question.

Pratt: I think it should be Toskey Boulevard.

Hyne: Yes.

Aniol: And I did receive information, Tri-State prefers and I don't know if this is something that's going to become official but they would be known as Centurion Medical Corporation so their parent company has the name Centurion in it and it's very important to them.

Hyne: Okay.

Motion by **Moody**, second by **Pratt**, to have Cohl, Stoker, Toskey, and McGlinchey represent the City on the Granger property/road construction/road dedication issue. Yes: Zichi, Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg. No: None. **Motion passed.**

10h. Training in Open Meetings Act and Parliamentary Procedures:

Hyne: Alright, we'll move onto training in Open Meetings Act and Parliamentary Procedures. We were discussing setting a date, this goes back a long time.

Dolley: It goes back quite a ways and I...

Hyne: I've attempted setting this for a year and a half.

Dolley: Yup, got a hold of it through the e-mails, through the manager e-mail system. Some people are interested, I haven't heard back from other people to the various e-mails that I have sent out requesting information. Bonnie Toskey's office did supply dates on the 17th of April, starting June 9th, 10th, 11th, 12th, 16th, 18th, 25th, July 1st, 2nd, or 3rd.

Moody: Can it be during a City Council meeting?

Hyne: No.

Dolley: This would be training.

Zichi: June and into July?

Dolley: July 1st, 2nd or 3rd.

Hyne: I don't want to do that.

Smith: Are you thinking Friday?

Zichi: Friday is the 4th of July.

Dolley: I think they just gave open dates.

Hyne: What was it June 9th?

Dolley: June 9th, 10th, 11th, 12th ...

Hyne: What day of the week is that?

Zichi: Tuesday.

Hyne: Tuesday? I would think June 9th, the sooner the better, I think we need to do this.

Pratt: Is this the same one you did before over to the Community Center.

Toskey: It can really be whatever you need it to be, we can do an overview of Open Meetings Act, we can go into particular areas of Open Meetings Act, you can gear it or emphasize whatever areas you need.

VanAllsburg: I make a motion to set a Open Meetings Act educational session on June 9th at 7pm, here?

Hyne: How about we do it at the Community Center and include all committees?

VanAllsburg: And I'd like to add in as a side note, I am particularly interested in detailed information on sub-committees in relation to the Open Meetings Act.

Hyne: Okay. Is there support?

Moody: Support.

Hyne: Okay, motion and support. Any discussion? Let's do roll call.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Zichi: Yes.

Hyne: Okay, motion carries. Next we have correspondence received, capital gains and then we have staff reports. Anybody have any comments on the correspondence?

Motion by **VanAllsburg**, second by **Moody**, to hold the Open Meetings Act and Parliamentary Procedures training on June 9th at 7:00 p.m. at the Community Center.
Yes: Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

~~Councilman VanAllsburg commented that he would also like subcommittees addressed at this training.~~

13. Staff Reports

13a. City Manager:

Hyne: Next we have the staff reports. City Manager? You've been reporting all night.

Pratt: Thanks for doing the good job you're doing Alan.

Dolley: There you go. I know when we're done I'll think of what it was. I didn't get anything written down.

Hyne: You gave a great verbal report all evening.

Pratt: Thank you for the job you're doing.

~~No report.~~

13b. City Attorney:

Hyne: Attorney Toskey do you have anything you'd wish to comment?

Toskey: No I do not.

~~No report.~~

13c. Police Chief:

Hyne: Police Chief do you have anything?

Chief Hetfield: I don't have anything.

~~Police statistics for March were submitted for Council review.~~

13d. Building Inspector:

Hyne: Building Inspector... Okay, next we have audience participation

Moody: Doesn't Michelle do that part of something?

Aniol: The building inspector? I do not.

Hyne: I don't have that hat right?

Aniol: No.

~~A report was submitted for Council review.~~

14. Audience Participation:

Hyne: Okay, next we have audience participation, we have this second opportunity to address the Council on any agenda or non-agenda items, you have a maximum of five minutes. The time will be kept by our Deputy Clerk. Anyone wishing to address the Council at this time? Yes ma'am.

Jackie Wheeler: Jackie Wheeler, 512 East Grand River, Dogwash, and also TLC Acres, I just want to comment. First all 501 East Grand River, if anyone has driven by that place in the last five years or not, I am 502 which is directly across the street and I look at that everyday. I really think we need to do something about that. There seems to be an awful lot of activity over there, the Chief of Police knows about this but, I think it needs looked into. There are at least 5 vehicles in that driveway all times of the day. There is more than one family living in that one residence home. You only need to see the front porch to see what I'm talking about. Two of the cars don't even have up to date license plates. There's cars on blocks, and I won't even go into how many dogs they have in their home. At 502 I sit between 3 eyesores on that street, one is next door, one is across the street and the one behind me is kind of cleaning up their act but it doesn't look real well. I don't know what the City Council can do about it but it is my formal complaint. Something needs to be done.

Pratt: Are you talking in regards to the grooming place?

Jackie Wheeler: I am talking...

Pratt: The dog grooming place?

Jackie Wheeler: Yeah.

Pratt: So you got Citgo on the other side of you?

Jackie Wheeler: Yes, which is vacant. Which has issues, there are still people coming in there all day and getting out of their cars you know ?????. The building doesn't look good. The prior City Council that okay'd that building, you can go down and look at that building as to what really got put in there. It was not built to building codes how it was built, it looks terrible. I sat here and listened to all that going on. Why they set that building the way they did, they decided in five minutes. One person just decided that it was 10 foot too far in one direction and the whole City Council agreed with that. It had no reason, no rhyme, no reason, no police, fire, any of those things. It was just one person that approved it like that. And then you look at that, they didn't use workmanship at all, just go down and look at that place.

Pratt: I know one thing, was the landscaping done properly, because they were supposed to put a bunch of trees and landscaping in there to...

Jackie Wheeler: That did not happen. Actually they basically came over to our place as we were tearing out our trees that the neighbors didn't like, that were approximately 15 foot tall blue spruce pine trees and they asked us if they could have them because they weren't going to do ?????. That's my first complaint. They also park their vehicles across the sidewalk which is definitely a violation and I think there needs to be something done. We will allow our parking lot to be used for surveillance, so 502 is always available if someone wants to sit there, so you can certainly see what's going on there. Something else I want to talk about, Jan Lazar, I really want to bring it up, I think it was really disgusting what happened to this City Council and this City 6 or 7 years ago when they hired her as an intern to be on a short term and it ended up being 32 months is what I have, that she was here and over \$360,000 I think when you get the real breakdown. If a very brilliant man wants to come here and put up with what ?????. I also still think that anybody from this Chamber that would put something in an editorial degrading this town shouldn't be here because our little City ?????. I was thoroughly disgusted. I think there are better ways of getting your point across without going ?????. I was not in favor of Jan Lazar and I am certainly not in favor of doing it again. I think this three months idea is wonderful. I think that this guy, I did my own research on this guy, I do have a few connections so I can get some backgrounds on some people that sometimes come to me, through my own personal avenues, and I think he's brilliant. Do I think he could handle this job of finding us an intern without MML, I really think he's bright enough to do it. My five minutes is up, that's okay.

Hyne: Okay, thank you so much. Okay, anyone else wishing to address the Council at this time? Yes sir.

Ben Stiffler: Ben Stiffler, 133 East Middle Street, I actually got a copy of this guys resume that was mailed to me and this guy seriously, and I know you've all seen it, this guy's well qualified, this guy's more qualified I think than up here right now I mean as far as, I saw his credentials. When you've got four pages of different things he's done and things he's accomplished. I don't think, I really don't think that you know if there's nothing this guy can't do okay. I read it and I kept thinking god you know this guy did this, this guy did this and it was, there was no lapse in between. He really spent a lot of time in what he did and accomplished a lot. I didn't do the research as far as calling around or whatever but I'm in support as far as the, you know the other part that I wanted to talk, well I wanted to talk about a few things, the one though, I love this restaurant, my water bill is between \$500 to \$600 a month and, every two months, and it takes a lot of burgers to make \$500 to \$600 a month on one building. I'm just telling you, you're going to push and this goes to whoever's on the committee, whoever looked at that, not just the small little ma and pa restaurants, we're talking anybody who wants to come in here, you're going to push him out with the one utility that the City controls. That's plain and simple. You know you're talking Red Cedar, you're talking about a lot of water being used by other businesses that are very unfortunate but the other thing I wanted to say that a few years ago, a year or so ago, a tornado ripped through this town and everybody supported it and rebuilt this whole town okay. So when things happen that just happened with the City Manager and the town is devastated, it's not four or five, it takes everybody in this community, everybody on the City Council, to come together. I guess the biggest thing is is after the tornado, it's young kids that didn't break into business, or burn down the town and we're trying to rebuild this, what's left and trying to get some of the grants that Michelle talked about. If we're going to go after them, let's not talk about the negative, you know I guess the biggest thing is work together. We're a team. If we're going to do it, we're going to do it, you know there's smaller communities that struggle and I don't think that we're there, I mean we're above Webberville, or Bell Oak. We're above that we're Okemos, East Lansing. Let's just move on I mean, we're either together or we don't. You know I guess that's it. I just wanted to say... And Ken this is just not directed towards you I just want you to know that, it's directed towards anybody that wants to write anything negative. If you don't like where you're at or don't like what you're doing it's very unhelpful. That's it, that's all I want to say.

Pratt: Thank Ben.

Hyne: Okay, anyone else? Yes.

Brooke Locke: 1145 W. Grand River, I do agree that you know ??????. I think we've heard over and over again tonight, you guys have said it yourself and I've said it for weeks, and weeks, and weeks, and weeks, that we need to work together, we need to move forward and it's amazing to me when you look at all we've went through in our community and you look at what's going on in our community, look at our schools. They're doing service projects and we're teaching our kids to work together and to do incredible things and we struggle with that here at this level and

it amazes me when I think about it as I sat here all night long thinking that, our students are at a level that City, they should be watching us as leaders, are really outperforming us in the job of working together, doing things that are really impressive and that says a lot for our school system, it says a lot for our community but we just really need to start working together and moving forward. You know the thing last, our last meeting with the MML having 14 resumes on it, well I'm not an idiot and we all know I research my stuff and I called MML myself and there were 5 and that came from the receptionist at MML so you can shake your head all you want. It was there and she said there are other names listed, but resumes, there are five and that is what she said to me. So I guess what I'm trying to say is that there are those of us who are going to believe anything we're told and there's those of us who are going to go out and research. I happen to be probably one of the few that will go out and research because I want to know the facts, because I operate on facts. So I just really want us all to know, and that's not a slam. I just think we all need to start you know research when we hear things and then we need to take it you know like we heard from everybody else, find out the facts and then make our decisions from there and not necessarily, criticizing you know. Ken brought up a point that he thought there were 14, I wanted to verify because I heard that there was 6 I heard there was 8, I heard there was 5, I wanted to verify so I went and found out all the information for myself because that's just the kind of person that I am. But I just want to take what we heard tonight to heart. I hope we mean what we say tonight and we're going to move forward, this is a great opportunity to move forward, I do have a lot of faith in the process the way we are going. I'm glad we are using MML, I have a lot of faith in them, they always provide great services. They always provide great training and I enjoy what they do for us so leaving that aside, I just want to remind everybody that this weekend on a positive note, we are going to do a First Fridays for the Chamber. It will be the ArtWalk in Williamston, we do have 27 artists. They will be in the different buildings throughout both May 1st and 2nd so I hope you all take your time to come back and rediscover our dynamic businesses that we have in the community and show your support for them and also visit the artists that we have so.

Hyne: Thank you. Anyone else wishing to address the Council?

Ben Stiffler: I just want to say one last thing by the way. And I know I don't have much time, but Alan everybody I've talked to you know everybody's positive. I know you're working two jobs seriously but, more people than you even know.

Brooke Locke: Good job.

Hyne: Thank you for sharing that, it was very nice. Okay, anyone else wishing to address the Council?

~~Jackie Wheeler, 502 E. Grand River Avenue, commented that 501 E. Grand River Avenue is disgusting with five vehicles there at all times of the day, and too many dogs. There are three eyesores around her building. One is the Citgo station, one is the building behind her and the other is the house across the street. She gave permission to the Police Department to sit in her lot and observe the activities going on. She stated that the Jan~~

~~Lazar issue was disgusting with what happened in the City. Ms. Wheeler stated that a Chamber member should not be degrading the town.~~

~~Ben Stiffler commented that he has seen a copy of the Interim City Manager's resume and believes he is well qualified. He stated that his water bill at his restaurant is \$500-\$600 every two months and believes the high cost of water will push people out. He commented that after the tornado the community supported each other and rebuilt the town and it takes everyone to work together. He stated that Williamston is above other communities and his statements are directed towards everyone.~~

~~Brooke Locke commented that the City needs to work together and move forward. He feels that the students are outperforming the City in working together. He checked on the MML website to find out how many Interim City Manager's resumes there were and found there were only five. He announced that the First Friday event will be an ArtWalk on May 4st and 2nd.~~

~~Ben Stiffler commented that Alan Dolley has done a good job as Acting City Manager.~~

~~Brooke Locke also commented that Alan Dolley has done a good job.~~

15. Council Member Comments:

Hyne: Okay, we will move on to Councilmember comments. Councilmember Pratt.

Pratt: Thank you. I have three things. I have been receiving several for about the last month, I talked with the former City Manager about this, I did some research, people leaving their trash containers out. Our ordinance says you can't put out before 1:00 the day before, have to have it removed by say 9:00 the following morning, less than 24 hours okay. There are some right out there that's sitting there week in and week out and I contacted an officer and he said that's true that's the ordinance but we don't enforce it. I think that should be enforced. I don't think people should have to watch everybody's trash being blown all over their neighborhood because they're too lazy or whatever to bring their trash can in. I think that should be addressed seriously and taken care of. Also I've been in contact with the former City Manager, she does not agree with me, I think that when the City did the bridge work they tore out signs down there. The signs read no parking except Saturdays, Sundays, and Holidays. So if you go down through there on a Saturday or a Sunday and they got something going on in the park, places are packed on top of each other. There's no reason why they can't park on the streets, if somebody's got a problem with it come on down and we'll walk around on a Saturday or Sunday. There's not that much traffic that's going to cause that as a problem. I think those signs should be reinstalled, former City Manager doesn't agree with me. That's too bad, I don't think that should be a reason why they take those signs and put them back up. And number three again I had talked to the previous City Manager to replace the trash bin out in front of where the old library was. There's a pad there and everything. Now I've walked my dog around this town everyday when I get back to here, I've got a whole trash, a whole bag full of trash. I got to walk over here to City Hall and dump it in order to go back to the park. It's nonsense. There's a reason why that can can't be put back out there. That's all I got to say.

Hyne: Okay, Councilmember VanAllsburg.

VanAllsburg: Yeah, I just wanted to comment that our theater is continuing to make excellent entertainment in town. The next play is called Flyover USA. This is the male equivalent of the one they did before was about women, this one's about men in the Midwest and they solicited stories from men in the Midwest and they accumulate them together into sort of a play. The female version was a musical, what I've heard is that the men that are in this can't sing good enough to make a musical but it will be well worth your time so I would encourage you to go see it so. Thank you.

Hyne: Okay, Councilmember Siciliano.

Siciliano: I had an opportunity to represent the City at the Eagle ceremony for Austin Donahoe last weekend. I think I talk about Scout's every week, but I would just mention that he's one I don't really know personally at all and sitting and listening to the ceremony he was above and beyond what he let us see and he really deserved it. So I would congratulate him and his family.

Hyne: Very nice, thank you. Councilmember Zichi.

Zichi: I guess two things, Brooke I will e-mail you the URL so that you can count for yourself. There are at least 8 that have full resumes, 13 of the 14 have some additional information.

Brooke Locke: That's not what I heard.

Zichi: Well then they're wrong. I'll e-mail you the URL.

Brooke Locke: Okay, do that.

Zichi: The other issue that I just wanted to bring up is that, I'm going to be out of town this weekend and unfortunately so I can't do the First Friday thing because my niece is getting married in Florida. So I'll be there.

Hyne: Okay, Councilmember Smith.

Smith: I do have one thing that I think we need to discuss and I failed to get it on the agenda, I forgot about it until just a few minutes ago but last I knew the laptop that was the City Manager's was locked somewhere?

Dolley: No, I've been using it. Yes, I'm sorry, I needed it, so it's being used. I talked to the IT people and they said whatever is there, there's a carbon, is on the server.

Smith: I have nothing else.

Hyne: Okay, Councilmember Moody.

Moody: Yeah, I was just looking at my notes. One thing I don't know what you can do about you know, but maybe we should have the City Manager check into that because it's an audience participation, is there something we can do to, I mean I know it's not an agenda item but you know I want to at least bring that up and maybe you can look into some of her concerns.

Steve Eyke: I did chat with her about it. There are small children out there across the street so maybe that might be an issue of greater concern you know if there's children involved.

Hyne: Well we can just actually.

Dolley: Well you've got the Police Chief sitting right there, I'm sure he'll look into what's going on.

Hetfield: I have that written down.

Hyne: Okay, alright.

Moody: I just didn't want it to, I hate to see someone come with all these things and then...but I know it's audience participation. Then I did go to, I went to a conference last week and I think it was a rural small town conference, I know Traci's gone sometimes and I think Michelle was planning to but she didn't but you might have gone in the past. It was really good and there's a lot of information that I'll actually try to condense and bring it to the City and I'll give it to Michelle and the Chamber too. There's a lot of information about how to you know access stimulus grant money and about the different contact people. It was, I met our community assistant specialist. We have specialist with ??? and she said she's met with you before. Yeah, she was really nice and actually she can help with the grant writing apparently they were telling us at the thing. It might be someone to talk to. I know sometimes it's you know difficult to do this. We can chat with her. Also an MML Representative, Mary Charles, she was really helpful but anytime we have questions, call her you know whatever you know so. There's a lot of resources out there. They guy who does Capital Gains actually I met him. He's Brad Garmin who works at the Michigan Environmental Council actually does a Capital Gains articles so I thought that was interesting. He always looking for, he wants inspiring kind of articles so if good things are happening, not that he's desperate. He wants people to send stuff. So you can forward stuff on to him and you know it's good for the City. He was talking all about it, and he was excited about the little stuff that he gets from Williamston. So the more the merrier for him. I guess we talked about what's attractive in the City, or good for the City and one of the things he pointed out was family oriented festivals and we do a lot of that and they talk about how it's great for the City and great for a lot of people and I just want to say you know kudos for our Chamber and whoever else is working on these festivals and you know apparently they were pushing this idea. They had a couple websites on this; recovery.gov and grants.gov and apparently the state's hiring a bunch of college students to sit down and just monitor all these websites and go through them and I was thinking as maybe an action item for next time maybe we should hire like a student or something to help the City find what resources are out there because sometimes it's

hard for any one of us to do that and you know, the state's doing it, just getting people to sit down and go through the website so this recovery.gov, grants.gov, and some other ones, kind of just call out information that might fit with our City and then bring it to us. That's an idea for, it's cheaper probably. An intern or something, that's not a bad idea. I got a lot of stuff here but I just want to say that there's a lot of good stuff, actually one person brought up the technical stuff for our City to do and maybe the Chamber, a lot of things that are good for getting out City of Williamston stuff to public and apparently you can do zip code targeted ads for little money on google like the good thing, you know. So you know all kinds of, she's a small business owner, so I'll bring that to you guys. Suffice to say I thought it was really worthwhile.

Hyne: Great, great. Okay, I guess my comments would be again, Brooke talking about the ArtWalk and the First Fridays. They're always great, family oriented, whether you have a family or whether you're single. I mean they're just great fun and a good time to be together and I would also like to extend thanks to Alan on behalf of the entire Council for all his hard work and stepping up. We moved to appoint him to that position without his knowledge so I just have to say that he graciously agreed to do that position and we all appreciate it very much and then also would like to also reiterate the very positive things that we do have occurring in this City. The partnerships that are being formed on local, county and state levels, that are tremendous benefits to this community and all the hard work that's going, you know in front and behind the scenes by residents and elected officials and by business owners. It's great to see a community that they really do pull together and work very well together and so I just want to say thank you for everyone that really chooses to move forward and really reflect on the wonderful aspects of this community so. Just important, we can always talk about examples but it's like I tell my kids, be the example. So I just want to say thank you to everyone.

~~Councilman Pratt commented that he has received calls regarding residential trash containers being left out for the entire week. He stated that there is a policy of when the trash containers can be left out and he would like the City to enforce the policy. He spoke with the former City Manager regarding the no parking signs except for the weekends being removed during the construction and believes they should be reinstalled on North Putnam Street. He would also like to see the trash can replaced at the old library site.~~

~~Councilman VanAllsburg commented that FlyOver USA will be starting at the Williamston Theater soon.~~

~~Councilman Siciliano commented that he attended the Eagle Scout ceremony for Austin Donohoe and congratulated the Scout and his parents.~~

~~Councilman Zichi commented that there were fourteen names listed for Interim City Manager and he will e-mail Brooke Locke the link. He added that he will be out of town this weekend due to a wedding and will not be able to attend the ArtWalk.~~

~~Councilman Moody commented that he wants the Police Chief to follow up on the complaints from Jackie Wheeler. He added that he went to the Rural Small Town~~

~~Development Conference and will share the information he received. He thought the idea to hire an intern to look for grants was good.~~

~~Mayor Hyne encouraged everyone to attend the ArtWalk and thanked Alan Dolley for the work he has done. She reiterated that partnerships are important in a community.~~

16. Closed Session- Property Purchases:

Hyne: So without further ado, I guess I will entertain a motion to go into closed session.

Pratt: I make a motion that at 10:25 we take a five minute break and go into closed session for the purpose of closed session.

Hyne: Property purchases.

Pratt: Yeah, property purchases.

Siciliano: I'll second that.

Hyne: There's a motion and support.

Zichi: At 10:35.

Pratt: What did I say?

Zichi: You said 10:25.

Pratt: Oh I'm sorry.

Hyne: Let's do roll call please. Excuse me.

VanAllsburg: Purchases.

Thompson: Siciliano?

Siciliano: Yes.

Thompson: Smith?

Smith: Yes.

Thompson: VanAllsburg?

VanAllsburg: Yes.

Thompson: Zichi?

Zichi: Yes.

Thompson: Hyne?

Hyne: Yes.

Thompson: Moody?

Moody: Yes.

Thompson: Pratt?

Pratt: Yes.

Hyne: Okay, motion passes. We'll take a five minute recess.

Motion by **Pratt**, second by **Siciliano**, to take a five minute recess at 10:35 and go into closed session to discuss the property purchases. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

Council recessed at 10:35 p.m.

Closed Session started at 10:45 p.m.

Motion by **Pratt**, second by **Zichi**, to return to open session. **Motion passed by voice vote.**

Closed Session ended at 11:04 p.m.

Action on Closed Session:

Motion by **Siciliano**, second by **Zichi**, to direct Community Development Director, City Attorney, and the realtor to return correspondence to the realtor of the 109/115 building based on discussions in closed session. Yes: Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

17. Adjournment:

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

Meeting Adjourned at 11:05 p.m.

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

Michelle A. Hyne, Mayor

Date Approved: _____