

**CITY OF WILLIAMSTON
CITY COUNCIL
MAY 26, 2009
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:15 p.m. in the City Hall Council Chambers by Mayor Michelle Hyne and the Pledge of Allegiance was recited.

3. Roll Call:

Mayor Michelle Hyne, Mayor Pro-tem Michael Moody, Council members John Pratt, Carmen Siciliano, Traci Smith, and Scott VanAllsburg. Absent: Ken Zichi (arrived at 8:50 p.m.).

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

Also Present:

Interim City Manager Timothy Allard, City Clerk Holly Thompson, City Attorney Bonnie Toskey, Police Officer Andrew Belanger, Community Development Director Michelle Aniol, C2AE Engineer Scott DeVries, JFM Productions, *Enterprise* Reporter Brad Ritter, MML Representative Bill Richards, citizens Larry Wittrup, Pete Porciello, Jackie Wheeler, Brooke Locke, Larry Stafford, Paul and Dawn Marie Joseph, and other members of the public.

4. Approval of Agenda:

On the agenda remove item 8. Accounts Payable, and add items 9e. MML Liability and Property Pool, 9f. Historic Preservation Direction for Committee, and 10e. City Manager Search.

Motion by **Pratt**, second by **Siciliano**, to approve the agenda as amended. **Motion passed by voice vote.**

5. Audience Participation:

Larry Wittrup, 414 S. Circle St., commented that the park project needs to be started this year. He is concerned that the parking lot project has not been started yet and this fiscal year is running out for funding the project. He also has concerns that his street was also supposed to be fixed in this fiscal year and has not been addressed at all.

Manager Allard responded that he is obtaining bids for the resurfacing of the parking lot and will call Mr. Wittrup and update him as he progresses. He informed Mr. Wittrup that the City just received notice that the grant funds have become available. He will also contact him regarding the improvements on his street.

Larry Wittrup commented that the City has only 18 months to spend the grant money and he is concerned that nothing has been started.

Manager Allard commented that he is hoping to spread the project over multiple fiscal years.

Dawn Marie Joseph commented that Gracie's Place was approved in October to get a liquor license and they still have not received it because they are waiting for a letter from City Council.

Director Aniol commented that she has followed up with the Liquor Control Commission she was told that the City was approved for four liquor licenses and that there was a letter sent out, but the letter was not received until it was faxed over by her request on May 18th.

Manager Allard commented that he and Director Aniol will follow up on the issue. He reported that the Police Chief has completed his investigation and believes the Liquor Control Commission has to do their part to issue the license.

Paul Joseph commented that he is also involved in the liquor license issue. A resolution needs to be sent approving Gracie's Place Liquor License above all others along with the minutes to the Liquor Control Commission. He added that he doesn't believe that people should have to pay any fees for use of the bandshell in the beginning and there should not be any rules until the use of the bandshell is established.

Jackie Wheeler, Chamber Member, and owner of 502 E. Grand River, thanked the Council for the improvements that are taking place in her neighborhood. She added that the bandshell was built with donated money and believed that the costs should be lowered for local people because the current costs are exorbitant. She wants to make sure the bandshell is being used.

Councilman Pratt advised her to attend the Parks and Recreation Commission meeting to give them her input.

Brooke Locke thanked the City Manager and DPW for their quick response to the Deer Creek Apartment issues. He added that there will be a Lighthouse Community Church Golf Scramble at the Wheatfield Golf Course. On the Liquor License issue he feels that there have continually been excuses, no follow through, the Joseph's have done most of the leg work, and if changes need to be made in staffing or consultants, then the City should do it. He is tired of the excuses and feels that Williamston is ready to blossom and they need to move forward.

Pete Porciello commented that he helped raise the money for the bandshell and feels betrayed that there are any fees or rules for its use. He offered to serve on a committee to help manage the bandshell. He believes no one will want to use the bandshell because of the high fees.

Motion by **Pratt**, second by **Moody**, to allow Larry Wittrup to speak. **Motion passed by voice vote.**

Larry Wittrup commented that the Parks Commission received copies of other bandshell permits and forms from the mid-michigan area used them to create their permits and forms. He feels the Commission kept the fees low to promote the park. He asked who would be paying to maintain the bandshell when it needs maintenance. He used the island as an example of a project that was done with no plan for maintenance. The Commission received no feedback from the residents or business owners during the process.

6. Presentation by Mr. Bill Richards, MML City Manager Search Facilitator:

Bill Richards, Executive Search Facilitator with the MML commented that the Council will need to hold a profiling session and identify a job description, job analysis, advertising strategy, and a soft deadline. He commented that he prefers a comprehensive background investigation rather than reference checks. A date will need to be published for interviews. A week before the interviews packets of information will be provided along with employment questions and evaluation forms. The City Council will need to make a decision after the last interview is conducted at which point a conditional offer of employment can be made.

7. Council Minutes of April 27, 2009 & May 11, 2009:

Motion by **Siciliano**, second by **VanAllsburg**, to approve the April 27, 2009 and May 11, 2009 regular Council minutes as presented. **Motion passed by voice vote.**

8. Action Items

8a. Request of Mr. Tony Conley of Metro DJ's & Entertainment to approve application for use of McCormick Park:

-Zichi arrived at 8:50 p.m.

Motion by **VanAllsburg**, second by **Moody**, to approve the application from Tony Conley for use of McCormick Park and Bandshell for the Music Festival with the stipulations of the applicant is responsible for his own trash pickup and removal, if the trash is not picked up by 1pm the following day, DPW will remove the trash and bill the applicant accordingly, the promoter will cover any police costs, and the City will determine if more police protection will be needed, the City is only providing the electrical that is currently available, and if generators are used they can only be clean diesel generators, the approval is for the entire length requested but will be reviewed at the regular Council meeting of July 13th, any outstanding costs owed will need to be paid by the next event, reasonable and adequate restrooms will be provided by the applicant, the stipulations set out by the Parks & Recreation Commission must be met which are: the bandshell policy, clarification of various regulations, insurance amount of \$1,000,000 including the language that the public liability insurance with a minimum combined single limit of personal injury and property damage liability coverage (\$1,000,000) with the City being additionally insured, electricity needs and bathrooms are addressed, and that the approval is continuous pending no serious issues, and the Council has the ability to revoke the use of the park & bandshell based on health, safety, morals, and welfare at any time. Yes: Pratt, Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody. No: None. **Motion passed.**

8b. Request of Ms. Teri Montgomery representing the Kiwanis Club to approve application for use of McCormick Park, restricted to the playground general area:

Motion by **Pratt**, second by **Siciliano**, to table the request from Ms. Montgomery until the next meeting pending City Manager review with the applicant. Yes: Siciliano, Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt. No: None. **Motion passed.**

8c. Recommendation to award engineering services contract for Progress Court construction project in the I-96 Industrial Park:

Motion by **Moody**, second by **Pratt**, to adopt the recommendation of the City to award engineering services of the Progress Court project in the I-96 Industrial Park to Wolverine Engineering in the amount of \$57,746, and have the Attorney work with the drafts of the contract provided by Wolverine and the EDA to protect the interests of the City as deemed appropriate. Yes: Smith, VanAllsburg, Zichi, Hyne, Moody, Pratt, Siciliano. No: None. **Motion passed.**

8d. Recommendation to approve Purchase Agreement with the TIFA Board concerning the CSX Railroad property:

Motion by **Pratt**, second by **Siciliano**, to allow Pete Porciello to speak. **Motion passed by voice vote.**

Pete Porciello gave more details of the purchase agreement.

Motion by **Smith**, second by **Moody**, to approve the purchase agreement with the TIFA Board concerning the CSX Railroad property as presented per the letter from Attorney John Gormley dated May 25, 2009. Yes: VanAllsburg, Zichi, Hyne, Moody, Pratt, Siciliano, Smith. No: None. **Motion passed.**

8e. MML Liability and Property Pool Proof of Loss Statement:

Motion by **Moody**, second by **Pratt**, to table till the next meeting when the Manager can confirm the annex building previous discussions, and confirm the fringe and salaries are included in the claim. Yes: Zichi, Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg. No: None. **Motion passed.**

8f. Historic Preservation Direction for Committee:

Motion by **Siciliano**, second by **Zichi**, to have Director Aniol provide information to the committee and schedule a meeting to review the viability of all options. Yes: Hyne, Moody, Pratt, Siciliano, Smith, VanAllsburg, Zichi. No: None. **Motion passed.**

9. Discussion Items

9a. City Audit Discussion:

Manager Allard reported that he looked into the prospect of having a private firm conduct the City's audit and found that the City still has two years left on their three year contract with the State to conduct the audits. He added that after the contract is up the City should look into an outside auditing firm.

9b. Update on McCormick Park Improvements:

Manager Allard reported that the notice he received states that legislation has been adopted and funds for the McCormick Park improvements should be available soon.

9c. Ice House Discussion:

Director Aniol will see if NIESA is still okay with the Boy Scouts using the old fire hall for the haunted house and will report back at the next meeting.

Pete Porciello reported that there are several safety concerns involved with the use of the ice house for the haunted house.

Manager Allard questioned the condition of the old fire station.

9d. Update regarding pending Williamston Road federal stimulus grant:

A written update was received from Treasurer Dolley regarding the American Recovery and Reinvestment Act of 2009 (ARRA) Funding.

Manager Allard stated that the City will need to wait to hear from the state regarding the funding. He met with Tom Oliver of Webberville

9e. City Manager Selection Process:

Councilman VanAllsburg reported that Interim Manager Allard is interested in the permanent City Manager position. He wondered if the Council could still get out of the contract with MML for City Manager search services.

Manager Allard commented that after Bill Richards spoke to the Council he heard that the Council may not be locked into the agreement. He stated that he originally was only interested in the position on an interim basis, but now feels that he would like to be considered for the permanent City Manager position. He believes he would be able to get an apartment during the week and would strive to be involved in the community.

Councilman Pratt commented that he supports Mr. Allard for the permanent position.

Councilman Zichi questioned if this is the reason why the position has not been posted and why everyone else on the Council knew but him.

Manager Allard commented that he had not thought about putting it on the City website and he is not sure why MML has not listed it on their website.

Motion by **Pratt**, second by **VanAllsburg**, to amend the agenda to discuss the City Manager position with Mr. Tim Allard as an action item.

Motion by **Pratt**, second by **VanAllsburg**, to call for the vote. Yes: VanAllsburg, Zichi, Hyne, Moody, Pratt. No: Siciliano, Smith. **Motion passed.**

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

11. Staff Reports

11a. City Manager:

C2AE had been taken off as representative of Williamston for the CARTS meeting by the former City Manager. He has asked them to begin to represent the City again at the CARTS meetings. Mr. Allard is trying to make sure the City does not miss out on any grant opportunities and is working hard at looking into these grants and/or loans. He reported that there is a break in a clay pipe that goes to the Waste Water Treatment Plant and is around 60 years old. He is going to further evaluate the pipe that is under the river. It is not broken, but is corroded. The auger pump will need to be replaced within the next 2-4 years.

Scott DeVries commented that he believes the line at the bottom of the river is exposed.

Manager Allard is also looking into refinancing bonds.

11b. City Attorney:

No report.

11c. Treasurer:

A budget printout for April was submitted for Council review.

12. Audience Participation:

None.

13. Council Member Comments:

Councilman Zichi commented that he was late to the meeting because he was at his daughter's last band concert. He also mentioned the Boys and Girls Track Team's success.

Councilmember Smith commented that she would also like to congratulate the track teams and enjoyed the parade.

Councilman Pratt commented that it was a nice Memorial Day parade and added that there was a huge turnout. He also thanked the church for providing speaker equipment.

Councilman VanAllsburg encouraged Council to attend the Zoning Ordinance rewrite workshops. He is proud of the efforts the previous Council made and believes they did a good job.

Councilman Siciliano also reminded everyone of the Zoning Ordinance rewrite workshop.

Councilman Moody apologized to Councilman VanAllsburg if he implied that the former Council did not do a good job. He was trying to convey that it's not the Council's fault but a former City Manager problem. He is excited about the opportunities with hiring the interim City Manager as the full time City Manager.

Mayor Hyne congratulated the track teams, and the Memorial Day service was very moving and well attended. She appreciated the church providing the P.A. system. She held a community coffee time and appreciated the people that attended.

. Adjournment:

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

***Meeting Adjourned at 11:35 p.m.**

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

Michelle A. Hyne, Mayor

Date Approved: _____