

**CITY OF WILLIAMSTON
CITY COUNCIL
JULY 26, 2010
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:12 p.m. in the City Hall Council Chambers by Mayor Pro-tem Michael Moody and the Pledge of Allegiance was recited.

2. Roll Call:

Mayor Pro-tem Michael Moody, Council members Timothy Grossman, Randy Pail, John Pratt, Andy Simmons, and Scott VanAllsburg. Absent: Michelle Hyne.

Also Present:

City Manager Tim Allard, City Clerk Holly Thompson, City Attorney Bonnie Toskey, Police Sergeant Jeff Hull, City Planner Jim Breuckman, City Engineer/Public Work Director Scott DeVries, C2AE Engineer Kevin Feuka, Officer John Pelong, Barb of mc², Prosecuting Attorney Stuart Dunning, Enterprise Reporter Ken Palmer, and citizens Brooke Locke, Karen McGarry, W Harrison Smith, Paul & Dawn Marie Joseph, Rob Wood, Michael Maloney, Julie Conley, Curt Zeleski, John Bisard, Teri Nelson, Terri Campbell, Earl Wolf, Penny Davis, and other members of the public.

Motion by **VanAllsburg**, second by **Pail**, to excuse Hyne. **Motion passed by voice vote.**

4. Approval of Agenda:

Motion by **VanAllsburg**, second by **Pratt**, to approve the agenda as presented. **Motion passed by voice vote.**

5. Audience Participation:

Karen McGarry, 3169 & 3173 N. Williamston Road, stated that she has concerns about the Williamston Road Phase II project and just found out about the project on May 25th when engineers were in front of her business looking at blue prints for the project. The plan is to widen the road which would put it 10' feet closer to her business and take out two trees. Ms. McGarry explained that she owns a historic home and this would negatively affect it. She also has a problem with the Council wanting to approve this project without looking into it better and feels this would have a negative impact on the gateway to the community.

Penny Davis, 1009 Foxborough Dr., agreed with Ms. McGarry wanting to maintain the historic value of the property. Safety should also be a concern with this project. There would be no buffer between traffic and the pedestrians. She does not see any added value in this project and grants are always available. She believes Council should hold off on this project until it can be thought out properly.

Dawn Marie Joseph stated that she is on the Senior Board and stated the senior center has no hot water. Hot water is a requirement and should be fixed immediately.

Brooke Locke stated that the City needs to update people on the 109/115 E. Grand River project. Many rumors are going around and this is an important project for the downtown.

Paul Joseph stated that he is running for district court judge and asked people to vote for him. The

new portion of Gracie's place will be opening sometime in August.

6. Presentation of Certificate of Appreciation to Mr. Michael Maloney, and recognition of Officer John Pelong and Reserve Officer Kim Parviainen:

Mayor Pro-tem and Sergeant Hull presented Mr. Michael Maloney a certificate of appreciation for his efforts to capture vandalism to the bandshell on video. Officer Pelong stated that it is important for people to take part in neighborhood watch programs and report any crimes going on or anything suspicious.

7. Presentation of Certificate of Appreciation to First Baptist Church Fireworks Display:

Mayor Pro-tem Moody presented a certificate of appreciation to the First Baptist Church for putting on a fireworks display for Independence Day.

8. Ingham County Prosecutor Stuart J. Dunnings Presentation Regarding Medical Marijuana:

Stuart Dunnings stated that the medical marijuana law has become a problem for most municipalities. The law is confusing with many gaps and unanswered questions. He has not had a chance to review the Williamston proposal but believes there are three options; do nothing, pass a ban, or try to regulate it. He recommended that the City pass a moratorium until more information can be found. As a side note the County is starting a program for law enforcement officers to be trained to identify people under the influence of drugs.

9. Council Minutes of July 12, 2010:

Motion by **VanAllsburg**, second by **Pail**, to approve the Council minutes of July 12, 2010 as presented. **Motion passed by voice vote.**

10. Accounts Payable:

The accounts payable totaled \$140,503.89 with reference #'s 58338-58378.

Motion by **VanAllsburg**, second by **Pail**, to approve the accounts payable as presented, reference #'s 58338-58378. Yes: Moody, Pail, Pratt, Simmons, VanAllsburg, Grossman. No: None. **Motion passed.**

11. Action Items

11a. Recommendation to approve MDOT contract securing grant for the N. Williamston Road- Phase II project:

Motion by **Pratt**, second by **Simmons**, to follow the recommendation to approve the MDOT contract securing the grant for the North Williamston Road Phase II project as presented.

Motion by **Pratt**, second by **Simmons**, to call for the vote. Yes: Moody, Pail, Pratt, Simmons. No: VanAllsburg, Grossman. **Motion passed.**

Vote on the original motion: Yes: Moody, Pail, Pratt, Simmons. No: VanAllsburg, Grossman. **Motion passed.**

11b. Resolution authorizing Mayor and City Clerk to sign above referenced MDOT contract as required by MDOT:

Motion by **Pratt**, second by **Simmons**, to approve the resolution authorizing the Mayor and Clerk to sign the above referenced MDOT contract for the Williamston Road Phase II project. Yes: Pail,

Pratt, Simmons, Moody. No: VanAllsburg, Grossman. **Motion passed.**

Motion by **Pail**, second by **Grossman**, to have the City Manager explore any design changes that could be made to the project short of the risk of losing the MDOT grant. Yes: Pail, Pratt, Simmons, VanAllsburg, Grossman, Moody. No: None. **Motion passed.**

11c. Resolution to approve water and sewer rate adjustments:

Motion by **Grossman**, second by **Simmons**, to approve the resolution authorizing the adjustments to the water and sewer rates as presented. Yes: Pratt, Simmons, VanAllsburg, Grossman, Moody, Pail. No: None. **Motion passed.**

11d. 1st Reading of Ordinance Banning Exhaust Discharge; Exhaust Brakes:

Motion by **Pratt**, second by **Grossman**, to allow John Bisard to speak. **Motion passed by voice vote.**

John Bisard asked the Council to consider exclusion of emergency vehicles due to their weight when filled with water.

Motion by **Pratt**, second by **Grossman**, to approve the first reading of the ordinance banning exhaust discharge; exhaust brakes as presented with additional information being forthcoming for exclusion of emergency vehicles. Yes: Simmons, VanAllsburg, Grossman, Moody, Pail, Pratt. No: None. **Motion passed.**

11e. National Night Out:

Motion by **Pratt**, second by **Pail**, to approve the transfer of general fund money to the Police Department budget to accommodate purchases for the National Night Out for an amount not to exceed \$1035. Yes: VanAllsburg, Grossman, Moody, Pail, Pratt, Simmons. No: None. **Motion passed.**

11f. MDOT Category A Grant- Action requested: direct Community Development to move forward on this grant if desired:

Motion by **Pail**, second by **Pratt**, to have Director McPhail move forward with the letter of intent for the MDOT Category A grant with the costs coming back to the City Council for further review. **Motion passed by voice vote.**

Council recommended that surrounding businesses and residents be notified of the project as soon as possible.

12. Discussion Items

12a. Medical Marijuana Recommendation:

Council directed Planner Breuckman to prepare language for a moratorium to consider at the next Council meeting.

12b. Red Cedar Recreation Association:

An RCRA volunteer stated that the schools are no longer funding or accepting liability for the RCRA program. They are asking the City to consider accepting this responsibility to keep the program going.

The Council asked that the Parks Commission set up a committee to meet with the RCRA to make

a recommendation back to Council on how to proceed with this issue.

14. Staff Reports

14a. City Manager:

Manager Allard reported that the R&R Fence issue has been completed with the City paying out the remainder of the money owed. \$40,000 has been spent on the 109 building project shoring up the north wall and removing the addition. Mr. Allard showed the Council and public a preliminary façade and floor plan drawing of the building. He will be attending the Manager Association meeting from Tuesday through Friday of this week.

14b. City Attorney:

No report.

14c. Community Development:

A written report was submitted to Council for review.

14d. City Engineer/Public Works Director:

A written report was submitted for Council review.

15. Audience Participation:

W Harrison Smith commented that the signs did not come down very fast after the CSX construction on South Putnam Street.

16. Council Member Comments:

Councilman Grossman thanked everyone for attending the Council meetings and speaking up.

Mayor Pro-tem Moody agreed with Councilman Grossman and stated that it is nice to have everyone express their views and he would like to see as much public participation as possible.

17. Adjournment:

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

***Meeting Adjourned at 10:05 p.m.**

Respectfully Submitted by: _____

Holly M. Thompson, City Clerk

Michael Moody, Mayor Pro-tem

Date Approved: _____