

**CITY OF WILLIAMSTON
CITY COUNCIL
AUGUST 9, 2010
REGULAR MEETING MINUTES**

1. Call To Order:

The meeting was called to order at 7:07 p.m. in the City Hall Council Chambers by Mayor Michelle Van Wert and the Pledge of Allegiance was recited.

2. Roll Call:

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

Also Present:

City Manager Tim Allard, City Clerk Holly Thompson, City Attorney Dave Stoker, Police Chief Bob Young, City Engineer/Public Work Director Scott DeVries, Barb of mc², Enterprise Reporter Ken Palmer, and citizens Brooke Locke, Karen Joy McGarry, W Harrison Smith, Terri Campbell, Larry Stafford, Tim Grant, Maureen Kennedy, Mark Leonard, Todd Carlisle, William Schall, and other members of the public.

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

4. Approval of Agenda:

Move item 11c. N Williamston – Phase II roadway to item 9b.

Motion by **VanAllsburg**, second by **Simmons**, to approve the agenda as amended. **Motion passed by voice vote.**

5. Audience Participation:

Tim Grant, 3407 Douglas Rd., urged the Council to go forward with the construction on Williamston Road. He stated that he believes ambulances transporting patients do not use Williamston Road due to its disrepair.

Mark Leonard stated that he received a letter from the City regarding replacement of his sidewalk. He believes that the attorney has reviewed the letter and found it had no merit. He stated that they searched online for the ordinance regarding sidewalks and found nothing. He walked down his street and was able to find 28 other instances where the sidewalk was in similar or worse shape than his own. Mr. Leonard stated that he was given the run around at City Hall and the Clerk was adversarial when informing him that Mr. DeVries was in a meeting. He believes his sidewalk is in perfect shape and understands that the City must respond to public safety issues. He stated that he will file and seek an injunctive relief on this issue.

Maureen Kennedy asked what ordinance is being cited in the letter they received. She did not appreciate receiving it on Saturday when City offices are closed. She does not like to hear the attorney laughing at her letter. She has been dealing with a property line issue with her neighbors since she moved to Williamston and knows they are the people that have made the sidewalk complaints against her. She stated that 2 years ago she approached the City Council regarding a flood light that the neighbors were shining in her window and was told by a City Councilmember that she should get a bigger flood light and shine it in their window. They have installed surveillance cameras at their home because of all the problems they've had with their neighbors.

Mayor Hyne recommended they set up a meeting with the City Manager to discuss their issue.

6. Council Minutes of July 26, 2010:

Motion by **Moody**, second by **Simmons**, to approve the Council minutes of July 26, 2010 as presented. **Motion passed by voice vote.**

7. Accounts Payable:

The accounts payable totaled \$70,619.92 with reference #'s 58379-58434.

Motion by **VanAllsburg**, second by **Pail**, to approve the accounts payable as presented, reference #'s 58379-58434. Yes: Simmons, VanAllsburg, Grossman, Van Wert, Moody, Pail. No: None.

Motion passed.

8. Action Items

8a. Purchase of scraper for DPW snow removal operations:

Motion by **Moody**, second by **Pail**, to approve the purchase of an underbody scraper in the amount of \$12,500 from Shults Equipment for the 2006 DPW truck as presented. Yes: Simmons, VanAllsburg, Grossman, Van Wert, Moody, Pail. No: None. **Motion passed.**

8b. 2nd Reading of Ordinance Banning Exhaust Discharge: Exhaust Brakes:

Motion by **Moody**, second by **Grossman**, to table the second reading of the ordinance banning exhaust discharge; exhaust brakes until the next meeting while City staff looks into the ordinance prohibiting idling vehicles. **Motion passed by voice vote.**

9. Discussion Items

9a. Consideration of Medical Marijuana Moratorium:

Council discussed the idea of imposing a moratorium and what the moratorium would prohibit. The Council wanted to be sure that people that need to use medical marijuana are still able to do so under this moratorium.

The Attorney assured the Council that would not be an issue.

Motion by **Pail**, second by **Grossman**, to recognize Brooke Locke. **Motion passed by voice vote.**

Brooke Locke pointed out that the Zoning Ordinance allows for home occupations of up to two people without a permit.

Larry Stafford stated that this should not be allowed in residential areas.

The moratorium will be on the next Council agenda as an action item.

9b. N Williamston – Phase II Roadway:

Manager Allard reported that MDOT is waiting for SHPO's decision on the N. Williamston Road Phase II project. SHPO and the City will be working together to get any issues resolved. The funds for the project have been obligated, but they have not been received. The money would still be obligated for the project through next spring should it be delayed. SHPO will be looking into the impact of the project on neighboring historical homes. Any design modifications would have to be

paid for by the City and would not be grant eligible. The City is hoping to get a response from SHPO by August 20th.

Councilman VanAllsburg was concerned with trees being saved if possible.

Mayor Hyne stated that Roger Marks of C2AE commented that there was no way to build the road there without taking out those two trees.

Motion by **Grossman**, second by **VanAllsburg**, to recognize Karen McGarry. **Motion passed by voice vote.**

Karen McGarry stated that communication is very important. She had an arborist come out to her house to evaluate the trees. Ms. McGarry added that there are other considerations besides the trees and stated that considerations were made with the RiverHouse Inn project.

Mayor Van Wert responded that the RiverHouse Inn issue did not involve a \$375,000 grant and only involved the driveway. She stated that the emergency response has issues with not using the road because of the disrepair. The City needs to look at all issues including the safety, and quality of life for everyone. The Mayor stated she is pleased SHPO is working with the City.

11. Staff Reports

11a. City Manager:

-Mayor Van Wert left at 8:49 p.m.

Manager Allard reported that Council should be able to take action on the Red Cedar River Crossing at the next regular meeting with the construction still being completed this year. A bond anticipation note will provide the funding and will be rolled into the bond. The City is looking into heating the concession facility in McCormick Park in the winter in case the building would be used in the colder months. There is an Eagle Scout looking to rebuild the structure over the water fountains. The wood sculptures have been finished with some of them having been painted. The City will be cutting the sculptures off and moving them temporarily during construction. The sculptures will be attached to concrete pads after park construction is completed. A environmental assessment has been approved by Ingham County to be done at the community center with a grant. The City looked into two other companies for the hot water heater at the community center and did not receive favorable bids. The City is looking into buying a hot water heater from MI Supply and installing it themselves. A letter was received from a citizen regarding concerns of the cleanliness and disrepair of the community center. He will be looking into these concerns.

11b. City Attorney:

No report.

11c. City Engineer/Public Works Director:

Scott DeVries reported that the letters regarding sidewalk issues are standard forms and need to be updated. He stated that there are a lot of sidewalk issues throughout the City that need to be addressed.

11d. Police Chief:

Chief Young thanked everyone for their support during the National Night Out. They are looking into putting recording cameras in the police cruisers. He is currently working on putting a crimedar

system on the City website to identify crimes in the areas.

Councilman Grossman asked if there needs to be an ordinance against people driving up the sledding hill and also questioned whether the graffiti at the pedestrian bridge was taken care of.

12. Audience Participation:

Mayor Pro-tem Moody called for public comment at this time and there was none.

13. Council Member Comments:

Councilman Simmons expressed condolences to the family of Darrin Hiatt.

Councilman VanAllsburg encouraged everyone to see Five Course Love at the Williamston Theatre.

17. Adjournment:

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

***Meeting Adjourned at 9:10 p.m.**

Respectfully Submitted by: _____

Holly M. Thompson, City Clerk

Michelle A. Van Wert, Mayor

Date Approved: _____