

City of Corunna  
Regular Council Meeting  
Monday, June 15, 1998

Present: Dumond, Greiger, Ockerman, Reid, Williams.

Absent: Bendall.

Guests: Lisa Hitchcock, City Manager; Tom Svrcek, Director of Public Works; Judy Horton; Jackie Leone, The Argus Press; Bill Striggow; Chief Mark Hetfield, Police Department; Al Fowler; Chief Jeff Hetfield, Fire Department; Roger Rathbun; Mr. & Mrs. Loren Hetfield; Dick Burlingame, City Attorney; Nina Hall; Larry Runyan; Arnie Dunchock; Bill Otto; Larry Friess; Bill Lulham III; Dennis Aschenbrenner; Marlene Fick; Doug Albrandt; and other concerned citizens.

The meeting was called to order in the City Council Chambers by Mayor Weaver at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Williams moved, Reid seconded to approve the June 1, 1998 Regular Council Minutes as printed.

Roll call vote:

Yes: Greiger, Reid, Ockerman, Dumond, Williams.

No: None.

Motion CARRIED

AGENDA APPROVAL: Dumond moved, Greiger seconded to approve the agenda as presented with the following changes and additions: Change Item No. 6 from Set Public Hearing for July 6, 1998 at 7:15 p.m. to Consider Zoning Ordinance Amendment to Consider Adoption of Zoning Ordinance Amendment as Recommended by the Planning Commission; add Item No. 7) Consider Refurbishment of the Chevrolet Caprice Police Cruiser, and Item No. 8) Closed Session – Labor Negotiations.

Roll call vote:

Yes: Williams, Dumond, Greiger, Ockerman, Reid.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Reid moved, Dumond seconded to approve the vendor disbursements as presented.

Roll call vote:

Yes: Ockerman, Dumond, Williams, Reid, Greiger.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Marlene Fick, 208 W. Williams St., asked when West Williams Street would be paved. She stated there were no approaches to get into the driveways on the street. Tom Svrcek advised the street should be paved within the next two weeks and the approaches should be done by Friday.

Doug Albrandt, 418 S. Woodworth St., stated he noticed that section (c) in Ordinance No. 98-06 states that burning shall occur not closer than 75 feet of any dwelling and 25 feet away from the public street, which would eliminate burning for 75% of the people in the community. He further stated the meeting held a month ago showed that people want to be able to burn their papers. Mayor Weaver advised that part of the ordinance had been in effect over the last several years. He asked Mr. Albrandt what a reasonable footage would be. Mr. Albrandt stated 75 feet was unreasonable; he suggested asking the fire department what a safe footage would be. Councilperson Dumond advised the first item on the agenda is a public hearing to discuss the burning ordinance, and suggested tabling the discussion until that time. Mayor Weaver agreed with Councilperson Dumond.

Nina Hall, 219 John St., asked what was going to be done with the railroad ties. She stated she has called city hall and decided to bring it to council to see if something could be done. Ms. Hitchcock advised she did contact the railroad and apologized to Mrs. Hall for not contacting her. Mrs. Hall stated she had to come before council in order to get a response. Ms. Hitchcock apologized again to Mrs. Hall.

Arnold Dunchock, 223 N. Shiawassee, presented council with a written report on the progress he has made on his property located at 119 E. Mack St.

Al Fowler, 706 N. Shiawassee, stated Councilperson Bendall had asked what the City of Owosso budgets for their ambulance service. The ambulance service and fire department were listed together in the budget, but the ambulance service was about 20% of the budget. Mr. Fowler advised he spoke with Ms. Hitchcock regarding the water rates, and he was told the only way the rates could be lowered would be to reduce the budget. He further advised he went to Chesaning today and checked on their police department. Chesaning contracts their police department out of Saginaw and their budget was less than Corunna's budget. Mr. Fowler stated Corunna could save money from this department. He further stated the city spends \$40 dollars a week for someone's car allowance and it should be included in wages. He also stated Mr. Svrcek drives a pickup truck that is furnished by the city, and it is driven back and forth to his home three to four times a day. This pickup truck should be included in his wages.

Dennis Achenbrenner, 535 Park Lane, asked if there were any plans to do anything about King Street from Comstock Street to Dutcher Street. The road is too narrow and is barely passable for two vehicles. Ms. Hitchcock advised that area was the next project to be scheduled, but the city was waiting to find out about funding from the state and it would depend on when the funding becomes available. The project would include King Street from the schools to Kingsley Street, up Kingsley Street to McArthur Street, and McArthur Street to Comstock Street. Mr. Achenbrenner advised the project would miss half of the problem. Roger Rathbun advised there was a lot more traffic now on King Street that a person can get to M-71. Mr. Achenbrenner advised the area was a safety issue. Mayor Weaver stated the area would be taken under consideration.

7:15 P.M. PUBLIC HEARING AND ADOPTION OF ORDINANCE 98-03 BURNING

ORDINANCE AMENDMENT: Dumond moved, Greiger seconded to leave regular session and go into public hearing for adoption of Ordinance 98-03 Burning Ordinance Amendment.

Roll call vote:

Yes: Dumond, Williams, Ockerman, Reid, Greiger.

No: None.

Motion CARRIED Time was 7:15 p.m.

Mayor Weaver read the primary changes to the burning ordinance amendment.

Councilperson Greiger asked Chief Mark Hetfield if criminal charges would apply to fires spreading out of control in addition to the penalty imposed by the fire department. Chief Hetfield advised yes. Councilperson Ockerman asked if the city was changing the fine from \$50 to \$500. Mayor Weaver advised yes. Councilperson Reid advised the fine would be in addition to the fire run fee. Councilperson Ockerman asked why the fine was so much. Chief Jeff Hetfield advised in July of 1995, the City of Corunna and Caledonia Township got together and started charging a fire run fee, which is \$500. He explained the fee structure and advised the \$500 fine being added to the ordinance would result in a person getting a \$500 fine from the city and a \$500 fire run fee from the fire department. He further advised the fire run fees collected are put into a Capital Truck Acquisition Fund that would be used to purchase a new fire truck. Bill Striggow stated maybe the city should not get involved because if the Fire Board decides to change their fee, the city would have to change their fee also. Larry Friess stated it was not fair that he could only burn papers on Tuesdays, Thursdays, and Saturdays from 8:00 a.m. to 8:00 p.m. when a person who has a campfire could burn 24 hours a day. Larry Runyan stated he spoke with Councilperson Bendall after the last meeting; he was told that the ordinance would go into effect twenty days after it was adopted and published. He asked if that was correct. Ms. Hitchcock advised the ordinance would go into effect upon publication. Chief Mark Hetfield advised the fire department has their own ordinance. Councilperson Dumond stated the fire department is billing residents \$500 per call through their ordinance; now the city wants to bill a person \$500 too. Ms. Hitchcock advised anything the fire board does has to come before city council for adoption. They cannot adopt an ordinance for the City of Corunna. Councilperson Dumond stated maybe the city did not need Section II, Sec. 42-74 (a) since the fire department's ordinance makes the city's ordinance unnecessary. He suggested deleting Section II, Sec. 42-74 from the ordinance. Chief Hetfield read the fire department ordinance. Larry Runyan stated he had a question about processed wood. He asked if processed wood was lumber bought from a lumberyard or if it was treated wood like wolmanized wood. Chief Jeff Hetfield advised processed wood was anything that was taken from a tree. It would include wood pallets, furniture, lumber used for building a house or treated lumber used for building decks. Nina Hall asked if the residents could call the police department if someone was burning on a non-burn day. Mayor Weaver advised yes. Ms. Hall stated she was tired of people burning horse manure. Richard Dvorak stated he had lived in Corunna for 12 years and asked if the city was a campground that had to have campfires burning any time of the night. He further stated he has never seen a campfire in the city. Councilperson Greiger stated she did not believe the city should allow campfires 24-hours a day, but she did see the point about burning papers. Councilperson Williams asked Dick Burlingame what it would cost the city if someone gets cited for burning and what the judge would do. Chief Hetfield advised Mr. Burlingame that several questions came up since the recent storm about people not being allowed to burn wood seven days a

week, but a person with a campfire could burn whenever they wanted to. Dick Burlingame advised he agreed with Councilperson Greiger. A 24-hour campfire would be subject to abuse and needed to be reigned in. He stated in a storm situation, it would also be subject to abuse. Councilperson Dumond stated he could never have a campfire if he left for work at 3:00 p.m. and gets home early in the morning. Mr. Burlingame stated there could be someone else in the family who could burn. Councilperson Dumond stated he was not referring to himself; he used that as an example. Mr. Burlingame stated the reason for the 8:00 a.m. to 8:00 p.m. burning hours was the stench. Mayor Weaver explained a campfire would be in a controlled small-containerized situation and the open burning would be much larger and would be controlled three days a week from 8:00 a.m. to 8:00 p.m. Larry Runyan asked if there were ordinances already in effect to take care of the abuse. Chief Hetfield stated it depended on the abuse. He further stated the whole issue began because one person came to council with a problem about his fire pit and now every citizen in town would be penalized. He also stated he personally does not want smoke coming through his window when he is sleeping. Mr. Dvorak asked why a person could not get a permit if they wanted to have a campfire beyond 8:00 p.m. Greiger moved, Dumond seconded to leave the public hearing and return to regular session.

Roll call vote:

Yes: Reid, Ockerman, Greiger, Williams, Dumond.

No: None.

Motion CARRIED Time was 7:45 p.m.

Councilperson Greiger stated she would never vote yes to allow 24-hour burning; it would be a nuisance. She further stated she would hate to see the police department take ten minutes out of their regular schedule because the city adopted this ordinance. Mayor Weaver asked council to make a motion or to modify the ordinance. Ockerman moved, Dumond seconded to adopt Ordinance No. 98-03 Burning Ordinance Amendment as amended by striking Section II. from the amendment.

Roll call vote:

Yes: Dumond, Ockerman.

No: Greiger, Reid, Williams.

Motion DENIED

Greiger moved, Reid seconded to adopt Ordinance No. 98-03 Burning Ordinance Amendment as amended by omitting Section II and amending Section III. (8) to read "Recreational fires (campfires) shall be allowed from 8:00 a.m. to midnight in accordance with the remainder of the ordinance." Ms. Hitchcock asked if the intent of the motion was to allow a campfire everyday. Councilperson Greiger advised yes.

Roll call vote:

Yes: Greiger, Reid, Williams.

No: Ockerman, Dumond.

Motion DENIED

Councilperson Greiger asked to have Ordinance No. 98-03 brought back to the next meeting. Ms. Hitchcock stated it was her understanding that council wanted Section II deleted and asked if there was any additional information council needed. Councilperson

Greiger asked Chief Jeff Hetfield for his recommendation. Chief Hetfield stated he would like to see a midnight or 2:00 a.m. time limit but not seven days a week. Councilperson Greiger asked Chief Hetfield what days he would recommend. Chief Hetfield stated he would like to see campfires restricted to Friday, Saturday, and Sunday. Councilperson Williams stated he could not believe how long this issue had gone on and on. He further stated when the burning issue came up, comments were made about the smoke, stench, etc. and now council wants to allow burning 24 hours per day seven days a week. He also stated council has been advised by legal counsel, the police chief and the fire chief that this was not a good road to travel. Williams moved, Greiger seconded to adopt Ordinance No. 98-03 Burning Ordinance Amendment as amended by deleting Section II and amending Section III. (8) to read "Recreational fires (campfires) shall be allowed from 8:00 a.m. to 1:00 a.m. in accordance with the remainder of the ordinance."

Roll call vote:

Yes: Williams, Dumond, Greiger, Ockerman, Reid.

No: None.

Motion CARRIED

#### 7:30 P.M. PUBLIC HEARING AND ADOPTION OF ORDINANCE 98-06 REFUSE

ORDINANCE AMENDMENT: Greiger moved, Reid seconded to leave regular session and go into public hearing for adoption of Ordinance 98-06 Refuse Ordinance Amendment.

Roll call vote:

Yes: Ockerman, Dumond, Williams, Reid, Greiger.

No: None.

Motion CARRIED Time was 8:00 p.m.

Doug Albrandt advised Section I. Sec. 62-2 (c) would make it impossible to put a burning barrel anywhere on a lot. He further advised there was a safety issue to consider and there should be a reasonable distance. The way the ordinance reads now, everyone would be out of business. Councilperson Ockerman asked if Owosso's burning distance was 25 feet. Mayor Weaver advised yes. Councilperson Greiger asked Chief Hetfield what a safe burning distance would be. Chief Hetfield stated it would depend on the size of the fire and what was being burned. Mr. Friess asked what about the people who want to burn their leaves 25 feet from their house. Councilperson Greiger asked Chief Hetfield for his recommendation. Councilperson Dumond asked if 25 feet would be a safe distance. Chief Hetfield stated luckily the city has not had any problems with trash fires, but 25 feet would be safe. Chief Mark Hetfield read the rubbish definition out of the city code book. Mr. Friess asked if the city was going to stipulate that a cover be placed on a burning barrel. Ms. Hitchcock stated she believed that the ordinance addressed the issue. Mayor Weaver stated it was his understanding that council wanted to reconsider the 75 feet burning distance from a dwelling or business place. Roger Rathbun stated 25 feet was reasonable, and people should not burn when it is windy or unsafe. He further stated the city council could not provide common sense; they could only provide a policy to go by. Reid moved, Williams seconded to leave the public hearing and return to regular session.

Roll call vote:

Yes: Dumond, Williams, Ockerman, Reid, Greiger.

No: None.

Motion CARRIED Time was 8:15 p.m.

Dumond moved, Ockerman seconded to adopt Ordinance No. 98-06 Refuse Ordinance Amendment as amended by changing the footage in Section I. Sec. 62-2 (c) from 75 feet to 25 feet.

Roll call vote:

Yes: Reid, Ockerman, Williams, Dumond.

No: Greiger.

Motion CARRIED

CONSIDER REQUEST FROM FOURTH OF JULY PARADE COMMITTEE: Ms. Hitchcock explained the request was a standard procedure with the Fourth of July Committee.

Ockerman moved, Greiger seconded to approve the request from the Fourth of July Parade Committee.

Roll call vote:

Yes: Greiger, Reid, Dumond, Williams, Ockerman.

No: None.

Motion CARRIED

CONSIDER APPOINTMENT OF COUNCILPERSON OCKERMAN TO FIRE BOARD TO REPLACE FRANK DVORAK: Williams moved, Dumond seconded to appoint

Councilperson Ockerman to the Fire Board to replace Frank Dvorak.

Roll call vote:

Yes: Greiger, Reid, Ockerman, Dumond, Williams.

No: None.

Motion CARRIED

CONSIDER PERMIT TO MID-SHIAWASSEE INITIATIVE/TEAM 21 TO DISCHARGE FIREWORKS IN MCCURDY PARK ON JULY 4, 1998 (WITH JULY 5, 1998 BEING

THE ALTERNATE DATE): Ms. Hitchcock advised, in the past the city did the actual fireworks and since the Mid-Shiawassee Initiative/Team 21 took on the responsibility, it would be appropriate for council to give them a permit. Williams moved, Reid seconded to grant a permit to the Mid-Shiawassee Initiative/Team 21 to discharge fireworks in McCurdy Park on July 4, 1998 (with July 5, 1998 being the alternate date).

Roll call vote:

Yes: Williams, Dumond, Greiger, Ockerman, Reid.

No: None.

Motion CARRIED

Williams left at 8:28 p.m.

CONSIDER ADOPTION OF ORDINANCE NO. 98-02 ZONING ORDINANCE AMENDMENT:

Dumond moved, Reid seconded to accept the recommendation from the Planning Commission and adopt Ordinance No. 98-02 Zoning Ordinance Amendment.

Councilperson Reid asked if there was anything different than what council adopted previously. Ms. Hitchcock advised the footages were changed back to what the original ordinance had in place. Apparently, there was a study done, and if the city changed the footages to make the ordinance more restrictive, there was more of a possibility of a lawsuit

because the city could not give adequate space for those establishments. She further advised there has to be a certain amount of property available for a certain use.

Roll call vote:

Yes: Ockerman, Dumond, Reid, Greiger.

No: None.

Motion CARRIED

CONSIDER REFURBISHMENT OF THE CHEVROLET CAPRICE POLICE CRUISER:

Dumond moved, Greiger seconded to accept the bid from Conely Engines, Inc. in the amount of \$11,500 to refurbish the Chevrolet Caprice Police Cruiser. Ms. Hitchcock advised the monies do come out of the Motor Pool Fund and not the police department budget. Councilperson Reid asked why Shaheen's bid was not recommended since they would pick up the car, do a five hour inspection, and then give a firm bid. Chief Hetfield advised Shaheen could not get to the car for about thirty days and Conely Engines, Inc. could pick up the car tomorrow. He further advised he spoke to other departments who have used both companies and many of those departments would not go back to Shaheen. These departments got a firm bid and Shaheen would call once a week stating they needed this or that. Councilperson Ockerman asked how much a new car would cost. Mayor Weaver advised \$22,000 to \$23,000. Councilperson Ockerman asked how many miles were on the cruiser. Chief Hetfield advised the Caprice was a 1994 and had 101,000 miles on it; instead of purchasing a new car the city would get another two years out of the Caprice for half the price. Councilperson Ockerman asked if the Caprice was burning oil, and if the work was not being done because the car had 100,000 miles on it. Tom Svrcek advised no, the car needs the work. Councilperson Ockerman asked how many miles the police department puts on a car in a year. Chief Hetfield advised approximately 45,000 miles, and the refurbished car would have a 50,000 mile or a one-year warranty.

Roll call vote:

Yes: Dumond, Ockerman, Reid, Greiger.

No: None.

Motion CARRIED

CLOSED SESSION – LABOR NEGOTIATIONS: Reid moved, Greiger seconded to leave regular session and go into closed session for labor negotiations.

Roll call vote:

Yes: Reid, Ockerman, Greiger, Dumond.

No: None.

Motion CARRIED Time was 8:41 p.m.

Greiger moved, Dumond seconded to leave the closed session and return to regular session.

Roll call vote:

Yes: Greiger, Reid, Dumond, Ockerman.

No: None.

Motion CARRIED Time was 9:15 p.m.

No action took place during closed session.

PRE-COUNCIL: Mayor Weaver stated he was told by friends in Owosso that the burning issue was being forced upon them just as Corunna has had to do. He further stated the City of Corunna's ordinance states a fire has to be 75 feet from any dwelling, and the City of Owosso's ordinance states a fire has to be within 25 feet from any dwelling. He also advised he was told 25 feet seems to work very well. Mayor Weaver suggested to council that they might want to reconsider the distance. Councilperson Ockerman agreed that 25 feet made more sense to him than 75 feet did.

Mayor Weaver advised agenda Item No. 6 did not need a public hearing since the Planning Commission already had a public hearing on it.

Ms. Hitchcock advised the tree trimming company contacted city hall the day after the last meeting. At that time, the city was told the company would be in the city the following week, but they have not been seen. She further advised due to the recent storm, the county contacted Asplundh Tree Service, and they have been in the city trimming and removing trees that were marked. She also advised the Zonta Club raised \$106,000 dollars and spent \$93,000 dollars on the playscape project.

Mayor Weaver thanked the Department of Public Works for their hard work in cleaning up the city due to the recent storm.

COUNCIL COMMENTS: Councilperson Ockerman stated he had questions on the Softball Commission audit and budget. The Softball Commission was given money by the city, and they are to provide a budget for council to approve. He further stated the commission's budget was \$30,000 and they spent \$35,000. Under the State of Michigan's rules, they could not do that. He also stated they could not spend money without receipts, and there were a lot of receipts that were not accountable. Ms. Hitchcock stated she did not have a chance to talk with Gary Schooley. She further stated some of the missing receipts occurred between the time Larry Frank passed away, and before Gary Schooley took over. She also stated Gary went through Larry Frank's records, but he did not find a lot of the paperwork. Gary Schooley is very particular about invoices and makes sure he has copies of them. Councilperson Ockerman stated budget amendments approved by the Softball Commission has to be in their minutes. Councilperson Reid stated the Softball Commission talked about that at the last meeting, but they only meet four times a year. Mayor Weaver asked Ms. Hitchcock and Gary Schooley to look into the situation and to report back to council. Ms. Hitchcock stated she would look into the situation. Councilperson Ockerman stated he was disturbed that Miscellaneous Funds were ten percent of the total budget, and it was exceeded and unaccountable. He further stated the umpires were over budget, and asked if the over budget amount was in the commission's minutes.

Councilperson Greiger asked how "she" felt about the Zonta Club raising \$106,000 after "she" came to council asking for a donation. Ms. Hitchcock stated she was told by the person in charge of the financing that she was never given any information that the playscape project was short of money, and the Zonta Club never felt they would not meet their goal. Ms. Hitchcock further stated she has heard several times that the city treated them very poorly, and she was going to make a copy of the tape and make sure it gets to the people that were saying the city treated them badly so that they could hear what was said.

Councilperson Greiger stated she was very much opposed to having jet skis on the narrow area of the river especially since there are young water fowl in the area. Councilperson Reid stated he was more concerned with the kids leaning over the railing to watch the jet skis. Councilperson Greiger stated maybe the new laws would help the situation.

Councilperson Ockerman stated he spoke with Ms. Hitchcock about the Revenue and Expenditure Report since he could not make heads or tails out of it. He further stated he spent hours reviewing the report, and he was concerned that the amended budget was not included in the report. He also stated he understood the problem was in the software. Ms. Hitchcock stated no, the budget is amended once a year. Councilperson Ockerman stated he had a problem with that, and if that was the case the report was useless. Mayor Weaver stated there may be expenditures that show 75 percent right now, but some of the line items are paid once a year and it evens itself out. Councilperson Ockerman stated he was told the budget could be amended every month. Ms. Hitchcock stated no, she said quarterly. She further stated if you look at the report, there are very few funds that are over 75 percent. Councilperson Ockerman cited a couple of examples. Mayor Weaver asked if the budget was automatically amended when council makes a motion to spend money for an item that was not budgeted. Ms. Hitchcock advised no, council should make a motion to spend the money and to amend the budget accordingly. Mayor Weaver stated Ms. Hitchcock spends a lot of time on the budget, and suggested she spend more time working with Councilperson Ockerman on it. Councilperson Ockerman stated the report was not any good unless it was accurate. Ms. Hitchcock stated the budget has to be amended before the auditors come in. She further stated what was being done was not illegal, but the report could be amended quarterly. Councilperson Dumond stated there should be a procedure that states the budget will be amended at the time an entry is made. Ms. Hitchcock advised there has been a software problem where some of the entries do not show up. Mayor Weaver asked what could be done with the software or computer people to get accurate information. Ms. Long advised she has spent many hours on the phone trying to correct the problem and they cannot find anything wrong. Mayor Weaver suggested changing the software the city was using. Ms. Hitchcock advised it has been looked into, but there are very few programs that have all of the modules that the city needs. She further advised she planned to contact the User Group within the current software company to see if there was a way to come up with another software company or hire a programmer and develop a new program. Ms. Hitchcock advised the city was looking at networking the computers in city hall and the costs were unbelievable.

Councilperson Reid stated he received a complaint about the city's bidding procedure. The person he spoke with was amazed that no one knew what was going on. Mayor Weaver asked what the concern was. Councilperson Reid stated this person told him that no one could tell him what equipment was needed or what was being changed. The city just wanted to be networked, and left it up to the bidders to come up with what was needed. Ms. Hitchcock advised the city went out for bids to have nine stations networked. The bidders were invited to come in to see what the city has and what would be needed. These people were given a tour of city hall, and they were told to bid on what the city needed to have in order to network. She further advised the bids needed to be reviewed by someone who knows something about networking before a decision could be made.

Ms. Hitchcock advised the city had ordered Christmas decorations, and they were under budget.

ADJOURN: Ockerman moved, Reid seconded to adjourn.

Roll call vote:

Yes: Greiger, Reid, Ockerman, Dumond.

No: None.

Motion CARRIED Time was 9:50 p.m.

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AVERY WEAVER, MAYOR

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YVONNE F. LONG, CITY CLERK