

City of Corunna
Regular Council Meeting
Monday, December 20, 1999

Present: Billis, Bayless, Bendall, Dumond, Hornus, Ockerman, Runyan.

Absent: None.

Guests: Lisa Hitchcock, City Manager; Bill Kimble, Capital Consultants; Tim Crawford, Superintendent of Public Works; Bob & Virginia Lutz; Judy Horton; Gary Schooley, Director of Parks and Recreation; Officer Kevin Clark, Police Department; Bill Striggow; Millie Taute; Dan Kribs; Keith & Diane Johnson; Gene & Shirley Sanderson; Jackie Leone, The Argus Press; Clark Long; Stephanie Wuttke, The Independent; David Stechschulte; Frank Svrcek; Bernard Yott; Bob Buschman; Shirley Schooley; Steve Corey; Shelly Hickey; Bob Hoschner; Terry Baker; Dick Sanderson; Arnold Dunchock; Kyle Bedtelyon; Don Runyon; and other concerned citizens.

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

MINUTES OF THE PREVIOUS REGULAR MEETING: Hornus moved, Ockerman seconded to approve the minutes of the previous regular meeting as presented by changing Discussion on Unapproved Streets to Discussion on Unimproved Streets on page five and to change the word unapproved to unimproved near the end of the sentence in the same paragraph, which is also on page five.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Bendall.

No: None.

Motion CARRIED

AGENDA APPROVAL: Dumond moved, Hornus seconded to approve the agenda as presented with the addition of Item No. 10) Consider Resignation and Appointment to the Parks and Recreation Commission, Item No. 11) Discuss COPS Grant, and Item No. 12) Discuss New Wall in City Council Chambers.

Roll call vote:

Yes: Bayless, Runyan, Bendall, Ockerman, Dumond, Hornus.

No: None.

Motion CARRIED

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

Roll call vote:

Yes: Runyan, Ockerman, Bayless, Hornus, Bendall, Dumond.

No: None.

Motion CARRIED

7:15 P.M. PUBLIC HEARING TO CONSIDER THE VACATING OF AN ALLEY IN THE 300 BLOCK BORDERED BY WEST OLIVER STREET, BACHUS STREET, WEST WILLIAMS STREET AND MIZNER STREET:

Bendall moved, Dumond seconded to leave the regular session and go into a public hearing to consider the vacating of an alley in the 300 block bordered by West Oliver Street, Bachus Street, West Williams Street and Mizner Street.

Roll call vote:

Yes: Bendall, Bayless, Runyan, Dumond, Hornus, Ockerman.

No: None.

Motion CARRIED Time was 7:15 p.m.

Shelly Hickey, 302 W. Williams Street, stated the planning commission did not have the information from the city attorney when they made their recommendation. She further stated the commission members were not familiar with the alley location. The alley has been grass covered for 40 years. She also stated the planning commission was concerned with emergency vehicles being allowed access to the alley. An emergency vehicle cannot get down the alley now because of the grass. Ms. Hickey advised the residents, who abut the alley, signed a petition to close the alley because they do not want traffic to go down the alley. Keith Johnson, 211 Hastings Street, asked what the difference was between vacating and closing an alley. Ms. Hitchcock advised there is no difference. Mr. Johnson asked if the city would be given a utility easement. Councilperson Bendall advised yes. She further advised emergency vehicles could get down the alley by driving over the grass if they needed to. Councilperson Hornus asked if vehicles go through the alley now. Ms. Hickey advised occasionally. Steve Corey stated he believed there was a difference between closing and vacating an alley. He further stated the alley could be closed which would prevent people from using it. If an alley is vacated, the property is divided between the property owners who abut it. Ms. Hickey stated the property owners do not want the property. They do not want vehicles to be able to drive down the alley. Councilperson Bendall advised the proposed alley closing resolution does contain an easement for utilities and for emergency vehicles. Councilperson Dumond asked how the city could prevent cars from driving through the alley. Ms. Hitchcock advised a sign would be placed at each end of the alley. Councilperson Runyan asked if a sign could be placed without closing the alley. Ms. Hitchcock advised no. Councilperson Bendall advised she would not be in favor of placing a sign without obtaining a legal opinion. She further advised the proposed resolution addresses a lot of the planning commission concerns. Mayor Billis asked Councilperson Bendall to read the proposed resolution, which she did. Councilperson Runyan read the concerns the city attorney had in the letter dated November 16, 1999. Councilperson Runyan asked who would be liable if a fence or rock garden had to be removed in order to get to the utilities. Mayor Billis advised the property owner would be responsible. Councilperson Ockerman stated it was not council's intention to disrupt the neighborhood. He further stated the alley became an issue because someone had placed or parked something in the alley. The intention is to keep things out of the alley in case there is an emergency. Steve Corey stated he disagreed with the answer given earlier about what the difference was between closing and vacating an alley. He further stated it was his understanding that if an alley is closed the property owners would not own the property, but if it is vacated, then the property owners would own it. Ms. Hickey asked where Ms. Hitchcock received her information. Ms. Hitchcock advised she received her information from the city attorney.

Councilperson Ockerman suggested getting another opinion from another attorney. Ms. Hitchcock asked if something in writing from Mr. Burlingame would be sufficient. Councilperson Ockerman stated yes. Councilperson Bayless stated he believed closing and vacating an alley would be the same thing. He further stated he did not believe signage could be placed without closing the alley. Mayor Billis stated council is trying to find out if the city can simply close the alley without vacating it. Councilperson Runyan stated he understood the property owner's concerns and then read the planning commission's concerns. Councilperson Ockerman stated not everyone is right all of the time. He proposed tabling the issue until a better definition is obtained by the city attorney. Councilperson Hornus stated he liked the idea of posting signs. Gary Schooley asked if council was prepared to close all of the other alleys in the city. Don Runyon suggested placing a sign on both ends of the alley that states the alley is closed and is for emergency vehicles only. Councilperson Hornus stated the city need to check to see if it is legal. Councilperson Bayless stated he was concerned a precedent would be set. Mayor Billis stated his argument would be viable if the city was vacating the alley because there might be a need in the future for the property. Councilperson Bendall asked if a public hearing would be held when the issue comes back to council. Ms. Hitchcock advised no. Councilperson Dumond asked if the issue could be placed on the next agenda if no action is taken. Ms. Hitchcock advised yes. Bayless moved, Dumond seconded to leave the public hearing and return to regular session.

Roll call vote:

Yes: Dumond, Hornus, Ockerman, Bendall, Runyan, Bayless.

No: None.

Motion CARRIED Time was 7:45 p.m.

7:30 P.M. PUBLIC HEARING TO HEAR PUBLIC COMMENT ON THE PROPOSED

DOWNTOWN STREETScape: Bayless moved, Dumond seconded to leave the regular session and go into the public hearing to hear public comment on the proposed downtown streetscape.

Roll call vote:

Yes: Dumond, Hornus, Ockerman, Bendall, Runyan, Bayless.

No: None.

Motion CARRIED Time was 7:45 p.m.

Dave Stechschulte asked council for consideration on his sidewalk assessment. He advised he placed new sidewalks three years ago and would be paying for them again. Mayor Billis asked Mr. Stechschulte if he had a proposal for council to consider. Mr. Stechschulte suggested subtracting the percentage of the sidewalk, which has already been used, and he would pay the difference. He stated he has 178 feet of sidewalk in front of the Town Tub that will be tore up and replaced, but he does not want to be double-dipped. He further stated he has no problem with the assessment on the new car wash. Councilperson Bendall asked if the issue had been discussed with Ms. Hitchcock prior to the meeting. Ms. Hitchcock advised yes, but no figures were discussed. Councilperson Bendall stated it appeared that Mr. Stechschulte wanted to subtract what has been paid from the assessed amount. Ms. Hitchcock advised the costs would be prorated based on the life expectancy of the sidewalk. Councilperson Bendall stated the proposal sounded like an acceptable solution. Ms. Hitchcock stated council should set some guidelines and recommended not going back more than five years in cases where

the assessment should be prorated. Mayor Billis asked Mr. Stechschulte if the prorated timeframe would be acceptable. Mr. Stechschulte advised yes. Councilperson Ockerman asked what the width of the sidewalk was when it was replaced. Mr. Stechschulte advised five feet. Councilperson Ockerman asked what the width of the sidewalk would be now. Mr. Kimble advised seven feet. Councilperson Bendall asked how the assessor would assess the sidewalks. Ms. Hitchcock advised she would explain to the assessor what council's intent was. Councilperson Bendall asked if the assessment total would change and if the rates would be different. Ms. Hitchcock advised council needs to direct the assessor on how to assess those properties that should be prorated. Councilperson Bendall asked if Ms. Hitchcock recommended five years. Ms. Hitchcock advised that was something council needed to decide. Councilperson Bendall asked if three years would cover everyone. Ms. Hitchcock advised yes. Councilperson Runyan asked who else would qualify for a reduction. Ms. Hitchcock advised Old Kent Bank. Councilperson Runyan asked if the property behind the library would qualify. Ms. Hitchcock advised no. Councilperson Ockerman suggested going with three years.

Bill Striggow asked what has been decided about Mack Street. Ms. Hitchcock directed him to look at the maps on the council wall. Steve Corey stated he was concerned with making Mack Street a one-way street. He asked why it was made a one-way street and who made the decision. Ms. Hitchcock advised the planning commission and the downtown development authority met in April of 1998 to discuss the streetscape. This group of people walked the area and looked at the angle of the bridge and how cars are parked in front of the post office. They felt this area was a hazard. Mr. Corey asked if there were any accident statistics used to back up the decision. Ms. Hitchcock advised no, these people made the decision by their observations. Mr. Corey asked if this group of people were engineers. Ms. Hitchcock advised no, they are members of the planning commission and the downtown development authority. Mr. Corey stated these people made a decision to make Mack Street a one-way street. Ms. Hitchcock advised no, they asked for recommendations in order to look at the different options. The options available are to leave the street as it is, to make it one-way or to make it a parkway, which would be one-way in from Brady Street and would only be used for parking with no entry onto Shiawassee Street at all. Mr. Corey asked if the one-way street would be permanent. Ms. Hitchcock advised no, it is a permanent design the can go back to two-way traffic. Mr. Corey asked why it would not be made permanent. Ms. Hitchcock advised that was a decision that council has to make. Mayor Billis stated it was his understanding that the downtown development authority had made a recommendation to the city council to re-design Mack Street as a two-way street but to try it as a one-way street to see if it will work. Mr. Corey asked if a final decision had been made to make Mack Street a one-way street. Mayor Billis advised no. Councilperson Bayless advised it would only be a test. Councilperson Hornus stated if people object, it would be changed back to a two-way street without the city having to pay additional costs. Mr. Corey asked how the test would be measured to see if it works. Bill Kimble stated traffic counters could be installed at the intersections to determine the amount of wait time. Mayor Billis stated a decision was made to set perimeters to make a determination whether the test was successful or not. Mr. Corey stated he was opposed to the change on Mack Street. He asked if part of the funding would come from the water fund. Ms. Hitchcock advised only for the water main replacement. She further advised the water fund monies could only be used on water projects. Mr. Corey asked if the remaining

expenses not covered by federal funding would be taken from the general fund and the capital improvement fund. Ms. Hitchcock advised yes. Bill Kimble stated the city council and the downtown development authority asked for a design to make Mack Street a one-way street. He explained the several designs that were presented for consideration. Bill Striggow asked when the temporary one-way street would be placed. Mr. Kimble suggested painting the street now to see if the design will work. Faye Lutz stated she resides in the second block of Mack Street and she would have to turn onto Brady Street and go to Corunna Avenue in order to get to Shiawassee Street. Judy Horton stated it is difficult to get onto Shiawassee Street from Mack Street because of the traffic. She further stated local people would get use to the change. Councilperson Dumond asked if the city wants to wait for an accident to happen before something is done. Don Runyon stated there has to be ten to fifteen accidents at a corner before a stop sign is placed.

Robert Hoschner advised the sidewalk in front of his business was replaced in 1972 and there is nothing wrong with them. He further advised the \$2,500 he will be assessed for two lights and a few bricks would be better spent on security. Mr. Hoschner stated he was concerned with the vandalism that might happen and did not see where he will get any benefit for his \$2,500. He further stated he was opposed to putting traffic onto Brady Street and Corunna Avenue. He also stated a police officer use to walk the streets and check the doors to the businesses in town, but he could not recall the last time an officer checked his doors. Mayor Billis stated the downtown development authority members are business owners. They took into consideration what the people want, and they do not think for themselves. He further stated a lot of thought and consideration went into the design process. He also stated there are many streets and sidewalks that need to be repaired in the city. Dave Stechschulte advised the downtown development authority did not have enough information to make Mack Street a permanent one-way street. Tim Crawford stated it will cost the city \$5,000 to \$6,000 dollars in signage and striping to make Mack Street a temporary one-way street. Mrs. Lutz stated she has lived in the city for 52 ½ years and would have to change her driving habits. Mr. Corey agreed with Mrs. Lutz and stated it appeared that the majority of the audience was against the change. Mr. Corey advised the City of Lansing is doing away with most of their one-way streets. Councilperson Runyan asked why the city would have to hire someone to stripe the street when the city has a striping machine. Mayor Billis advised no one has been hired to stripe the street. Councilperson Dumond stated it was a bad time to mark the streets and then try to keep them clear. Councilperson Ockerman stated many months were spent in making the decision. He further stated nothing is perfect, but the streetscape is coming. He also stated the city council is not trying to make people unhappy; they are trying to improve the community. Keith Johnson stated it appeared the public was not informed before a decision was made. He further stated it looks like the city is at a point where the city cannot back down. Don Runyon stated it appeared that council had already made up their minds. Councilperson Ockerman stated that was not fair and if that was correct, council would not have asked for a preliminary study. He further stated council is trying to do what is best for the city. Mr. Hoschner stated it does not make sense to allow traffic to turn east onto Mack Street. He suggested placing no left turn signs instead. Mr. Kimble explained his company was requested by the city council and the downtown development authority to provide options for Mack Street, which was as Ms. Hitchcock stated earlier. He further explained that a traffic study was done on the bridge last month. Mrs. Lutz stated she has witnessed many semi trucks turn onto Mack Street because they

do not see the posted no truck sign until they have already made the turn. She asked if semi trucks would be allowed to come down Mack Street. Ms. Hitchcock advised yes, but only down to Brady Street. Mr. Kimble stated signage would be placed according to the Michigan Department of Transportation standards. Mr. Corey asked why semi trucks would be allowed down the street. Mr. Kimble advised Sandies Sugar Shack has delivery trucks that need access to the alley behind the business. Mayor Billis stated there are too many unanswered variables to design Mack Street as a one-way street, but a decision has to be made. Councilperson Ockerman stated he did not care if Mack Street was one-way or two-way, but he wants what will be best for the city. Bendall moved, Dumond seconded to leave the public hearing and return to the regular session.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Bendall.

No: None.

Motion CARRIED Time was 9:08 p.m.

Bayless moved, Bendall seconded to approve the profiles, plans, specifications, assessment district and detailed estimates of cost, and direct the assessor to prepare a special assessment roll in accordance with the council's determination, and report it to council for confirmation, to approve the two-way street design which allows parallel parking, and to give credit to anyone who has replaced a sidewalk within the last three years.

Roll call vote:

Yes: Bendall, Bayless, Runyan, Dumond, Hornus, Ockerman.

No: None.

Motion CARRIED

CALL TO THE AUDIENCE: Dick Sanderson asked if the police officers walk the streets at night. Ms. Hitchcock advised yes. Dave Stechschulte advised he has received notes on his business door that stated his door was checked. Ms. Hitchcock advised both night shifts check the business doors unless they are sent out on another complaint. Mayor Billis asked Gene Sanderson if the ditch across the street from his home had been taken care of. Mr. Sanderson advised yes.

Bayless moved, Ockerman seconded to suspend the Robert's Rules of Order.

Roll call vote:

Yes: Bayless, Runyan, Bendall, Ockerman, Dumond, Hornus.

No: None.

Motion CARRIED

Bayless moved, Hornus seconded to lay on the table items 1, 4, 5, 6, 7, 8, 9,10 and 11 for discussion.

Roll call vote:

Yes: Runyan, Ockerman, Bayless, Hornus, Bendall, Dumond.

No: None.

Motion CARRIED

RESOLUTION TO CONSIDER APPOINTMENT OF SHIRLEY SANDERSON TO THE

PARKS & RECREATION COMMISSION, TERM TO EXPIRE DECEMBER 31, 2001:

Hornus moved, Bendall seconded to appoint Shirley Sanderson to the Parks and Recreation Commission, term to expire December 31, 2001.

Roll call vote:

Yes: Hornus, Bendall, Dumond, Bayless, Ockerman, Runyan.

No: None.

Motion CARRIED

CONSIDER RESIGNATION AND APPOINTMENT TO PARKS AND RECREATION

COMMISSION: Dumond moved, Ockerman seconded to accept the resignation of Deborah Bendall from the Parks and Recreation Commission and to appoint Albert Bayless to the Parks and Recreation Commission as council representative.

Roll call vote:

Yes: Bendall, Bayless, Runyan, Dumond, Hornus, Ockerman.

No: None.

Motion CARRIED

RESOLUTION TO SET WEDDING FEES: Runyan moved, Ockerman seconded to set the fee for a marriage solemnized by the mayor of the City of Corunna pursuant to the provisions of Public Act 211 of 1972 at \$30.00, which shall be collected by the mayor at the time of said solemnization and remitted to the city treasurer for deposit into the General Fund of the City of Corunna.

Roll call vote:

Yes: Dumond, Hornus, Ockerman, Bendall, Runyan, Bayless.

No: None.

Motion CARRIED

RESOLUTION TO SET PUBLIC HEARING FOR JANUARY 3, 2000 AT 7:15 P.M. TO CONSIDER ORDINANCE 2000-01 AMENDING SECTION 2-32 MAXIMUM YEARLY COMPENSATION, SUB-SECTIONS (a) AND (b) THEREOF, OF ARTICLE II COUNCIL, OF CHAPTER 2, ADMINISTRATION:

Bendall moved, Hornus seconded to set a public hearing for January 3, 2000 at 7:15 p.m. to consider Ordinance 2000-01 amending Section 2-32 Maximum Yearly Compensation, Sub-sections (a) and (b) thereof, of Article II Council, of Chapter 2, Administration.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Bendall.

No: No.

Motion CARRIED

RESOLUTION TO CONSIDER BRIDGE ENGINEERING CONTRACT: Bendall moved, Dumond seconded to accept the bridge engineering contract as presented by Capital Consultants in the amount of \$58,000.

Roll call vote:

Yes: Bayless, Bendall, Ockerman, Dumond, Hornus.

No: Runyan.

Motion CARRIED

COPS GRANT: Bendall moved, Hornus seconded to accept the COPS grant as

presented.

Roll call vote:

Yes: Bayless, Hornus, Bendall, Dumond.

No: Runyan, Ockerman.

Motion CARRIED

Ockerman moved, Runyan seconded to send the COPS grant to the city attorney to see if it is legal.

Roll call vote:

Yes: Hornus, Bendall, Dumond, Bayless, Ockerman, Runyan.

No: None.

Motion CARRIED

DISCUSSION ON ALLOWING ALCOHOL IN COMMUNITY CENTER: Ockerman moved, Dumond seconded to not bring the issue of allowing alcohol in the community center back to council for discussion in the future.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Bendall.

No: None.

Motion CARRIED

ADJOURN:

Roll call vote:

Yes: Bayless, Runyan, Bendall, Ockerman, Dumond, Hornus.

No: None.

Motion CARRIED Time was 11:00 p.m.

DR. JAMES BILLIS, MAYOR

LINDA M. LECUREUX, DEPUTY CLERK