

City of Corunna
Regular Council Meeting
Monday, January 5, 2004

Present: Corey, Johnson, Lantis, Mehigh, Runyan, Sanderson, Wagner.

Absent: None.

Guests: Joe Sawyer, City Manager; Merilee Lawson, Assessor/Planner; Janet Washburn, Parks and Recreation Director; Judy Horton; Shirley Sanderson; Jackie Leone, The Argus Press; Sgt. Kevin Clark, Police Department; and other concerned citizens.

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

MINUTES OF THE PREVIOUS REGULAR MEETING: Johnson moved, Wagner seconded to approve the previous regular meeting minutes dated December 15, 2003 as presented.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Lantis, Mehigh.

No: None.

Motion CARRIED

AGENDA APPROVAL: Wagner moved, Johnson seconded to approve the agenda as presented.

Roll call vote:

Yes: Lantis, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

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

Roll call vote:

Yes: Runyan, Wagner, Lantis, Sanderson, Mehigh, Johnson.

No: None.

Motion CARRIED

CITY MANAGER'S REPORT: Wagner moved, Johnson seconded to amend the agenda by adding Item No. 10) Discussion on MML Educational Programs.

Roll call vote:

Yes: Lantis, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Judy Horton thanked the council for their work on the float.

CITY MANAGER'S REPORT: Joe Sawyer stated Jonie Mitts from the Corunna Post Prom Committee wants to know if the council would be willing to work with them on the city's new policy of not waiving fees at all. He asked if council wanted to stick to the letter of the policy of no waiving of fees because he knows council is trying very hard not to open Pandora's box or if council would like to review the policy for Corunna School sponsored events. Mayor Corey stated he worked on the post prom for a while, and while he felt the council should stick to the policy, the post prom is part of the community. The post prom is in conjunction with the school system and it keeps the kids from going to private parties. He further stated the post prom party ensures that the kids are not out drinking or coming in drunk and this is also a safety issue for the city. Councilperson Johnson asked if the city council could ask the post prom committee for a donation to the D.A.R.E. program for waiving the fee. Mayor Corey advised anything is up for discussion. Councilperson Johnson stated she agreed with Mayor Corey that the post prom is a good thing, but she would like to see some type of monetary donation made. Councilperson Sanderson stated once the city council starts waiving fees, things would snow ball. Councilperson Mehigh stated Councilperson Sanderson is right, but on the other hand, he felt council would like to help the post prom committee. Maybe the post prom committee would be willing to work off the rental fee. Councilperson Mehigh further stated he did not want to see Pandora's box opened. Councilperson Lantis asked if the people pay for using the commercial building during Halloween. Mayor Corey advised the Odyssey of the Mind gives the city a certain percentage of the gross. Mr. Sawyer advised the Voyager Encampment uses the grandstand and a pavilion or two, but the city has never charged them for that activity. Mayor Corey stated the city does not charge anyone unless someone wants to reserve something. Councilperson Runyan stated instead of waiving a fee, the city could ask for in-kind services to be done. Mr. Sawyer advised the Boy Scout group has done that before. Ms. Washburn stated this is an issue that the city council will have to deal with. In the past, the Post Prom Committee has gone down to the community center a month ahead of time but there are other rentals in the building during this period of time. She advised Ms. Mitts that the committee would not be allowed to spend three weeks in the building. Ms. Washburn further advised Ms. Mitts assured her that the committee would not be doing as much decorating as it has done in the past. Ms. Washburn advised there are a lot of things that need to be done in the park. Mayor Corey stated council did not have to do anything because there is a policy in place or council could give Mr. Sawyer some direction. Councilperson Johnson stated she would like to try to work something out with the school system. These are Corunna kids and the city want these kids to stick around after they graduate. She further stated she wants the kids to be safe. Mr. Sawyer stated the council would not have to do a policy because there is a scale of options including waiving all fees for the school system. Mayor Corey stated it is important that the city look after its children. Councilperson Johnson stated when a child has to be pulled out of a car after it wraps around a tree, then council might think differently. Councilperson Mehigh stated he would still like to have Mr. Sawyer or Ms. Washburn talk to Ms. Mitts to see what can be worked out then come back to council. Councilperson Runyan stated there might be other organizations in town that might want to do something in the park. Mayor Corey stated the post prom is outside of the school system because the post prom is done by the parents for the kids. He did not think council wanted to make a policy for waiving fees

for the school system for this one specific event. Mr. Sawyer stated he would bring back some more information to the next council meeting. He further stated the Corunna schools do cooperate with the city by allowing the summer youth program to use their ball fields at no expense. He suggested that maybe some type of agreement should be put together that shows there is some compensation occurring so the city is not stepping away from its policy of not charging appropriate fees. Councilperson Lantis asked if the city pays for the maintenance and upkeep of the ball fields. Mr. Sawyer advised a certain amount. The school mows the fields, but not to the standards that the city would like the fields to be at for the ball games and the city pays for porta johns.

Mr. Sawyer reviewed the upcoming MML Educational Programs with council. He stated if anyone was interested in attending the January meeting, then something should be added to the agenda to get it approved. Mayor Corey stated if council wanted to attend the meeting, the agenda could be amended to add this item for discussion. Councilperson Johnson stated she would like to attend the advanced program. Mayor Corey asked council if they wanted to amend the agenda to discuss this issue. Councilperson Lantis stated she would like to pay for the meeting herself. Mayor Corey advised no, this is part of the city so the city will pay for the meeting. He asked Councilperson Wagner if he wanted to amend his motion that approved the agenda by adding Discussion on MML Training Conferences to the agenda and Councilperson Johnson if she would second the amended agenda. Wagner moved, Johnson seconded to amend the agenda by adding Item No. 10) Discussion on MML Educational Programs.

Roll call vote:

Yes: Lantis, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CONSIDER APPOINTMENT OF CHERYL HANNAH TO THE DOWNTOWN

DEVELOPMENT AUTHORITY: Johnson moved, Runyan seconded to appoint Cheryl Hannah to the Corunna Downtown Development Authority to serve at the pleasure of the council for a term to begin upon the taking of the oath of office and continuing until December 31, 2007 or until a successor is appointed.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Lantis, Wagner, Runyan.

No: None.

Motion CARRIED

CONSIDER APPOINTMENT OF STEVEN MIROS TO THE DOWNTOWN

DEVELOPMENT AUTHORITY: Lantis moved, Mehigh seconded to appoint Steven Miros to the Corunna Downtown Development Authority to serve at the pleasure of the council for a term to begin upon the taking of the oath of office and continuing until December 31, 2007 or until a successor is appointed.

Roll call vote:

Yes: Mehigh, Lantis, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

CONSIDER NAMING OF THE DBM/KENCO/KATZ/KVYN/STRAWSINE BUILDING: Mr.

Sawyer advised as he was preparing lease agreements and getting bids, he found he was trying to figure out what to call the building and he thought it was time to name the building. Councilperson Johnson stated she likes the Corunna Industrial Complex. Mayor Corey stated he thought the Corunna Industrial Association was a good name so the building could be called the CIA building. Councilperson Mehigh stated he was looking at the last three names and suggested calling the building the KKK building. Mayor Corey stated he did not think that would be politically correct. Councilperson Sanderson stated he would like to see the building named the Fern Strawsine Memorial Building. Mayor Corey stated he thought Strawsine was good but would hate to attach the word memorial to the building. Councilperson Sanderson suggested the Strawsine Building. Mr. Sawyer stated the building has been known as the Strawsine building for the majority of time. Councilperson Mehigh agreed with Councilperson Sanderson that a lot of people know the building as the old Strawsine building. Sanderson moved, Runyan seconded to designate the gift of the building, which is the DBM/Kenco/Katz/KVYN/Strawsine Building, as the Strawsine Industrial Complex.

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehigh, Runyan, Lantis.

No: None.

Motion CARRIED

CONSIDER WAREHOUSE LEASE AGREEMENT WITH DAVIS CARTAGE COMPANY IN THE STRAWSINE INDUSTRIAL COMPLEX: Mr.

Sawyer advised the hard copy of the lease that was passed out at the meeting was an accumulation of Mr. Burlingame's comments as well as a merger of the Davis Cartage Lease and City Lease and some other fine tuning. The lease agreement in front of council is for a one-year term, \$2.75 per square foot for 52,000 square feet and the tenant will pay \$20,000 towards any improvements. He further advised after all expenses are subtracted, the city should receive about a \$76,000 net. He also advised a six-month lease would raise \$78,000 at \$3.00 per square foot and the city would ask for \$10,000 toward improvements, which would be for the wall. Once all of the expenses are subtracted, this would leave the city with a negative \$2,000 after six months, but if Davis Cartage stays in the building for another six months, the city would receive another \$78,000 in rental income. Councilperson Mehigh stated he did not think the council should take any action tonight and advised it would be better for Mr. Sawyer to come up with the best deal he can get the city and then have a special meeting. Mr. Sawyer advised the lease in front of council was an exceptional deal for the city and he saw no reason not to approve the lease as written. The ball will then be in Davis Cartage's court on whether or not they want to accept the lease. Mr. Sawyer asked if the city council would be willing to offer an alternative six-month lease. Councilperson Runyan asked if it would be possible for council to accept the rental agreement and give Mr. Sawyer authority to negotiate an amended agreement as he feels necessary. Mr. Sawyer advised he would not recommend doing that because if Davis Cartage tries to get him to a point that he is uncomfortable with or he does not agree with, then he could lose the city \$150,000, which would put him into a position where he would have to make any deal to avoid losing the deal.

Councilperson Sanderson asked if there had been any discussion about the damage to the blacktop road leading back to the loading docks. Mr. Sawyer advised no. Councilperson Sanderson stated if the black top is not any good, there would not be too much black top left after six months. Johnson moved, Wagner seconded to approve the proposed lease with Davis Cartage Company as presented.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Lantis, Mehigh.

No: None.

Motion CARRIED

CONSIDER ELECTRICAL PROPOSALS FOR THE STRAWSINE INDUSTRIAL

COMPLEX: Wagner moved, Johnson seconded to award the electrical proposal for the Strawsine Industrial Complex to Ludington Electric in the amount of \$3,375 to be paid for from the Industrial Development Contractual Services Line Item.

Roll call vote:

Yes: Lantis, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

CONSIDER PROPOSALS FOR LEASE IMPROVEMENTS IN THE STRAWSINE

INDUSTRIAL COMPLEX: Mr. Sawyer stated this agenda item lumps together the improvements as per the last page of Exhibit A of the lease agreement. He recommended that any action be contingent upon the signing of the lease agreement with Davis Cartage. Wagner moved, Johnson seconded to approve the improvements to the Strawsine Industrial Complex as per Exhibit A to the Lease Agreement between the City of Corunna and Davis Cartage Company in an amount not to exceed \$40,000 and authorize the city manager to obtain bids and execute the improvements contingent upon the signing of the lease agreement with Davis Cartage Company.

Roll call vote:

Yes: Runyan, Wagner, Lantis, Sanderson, Mehigh, Johnson.

No: None.

Motion CARRIED

CONSIDER MDOT RESOLUTION FOR "INDIVIDUAL PERMIT FOR USE OF STATE

TRUNKLINE RIGHT-OF-WAY": Runyan moved, Wagner seconded to approve the MDOT resolution for "Individual Permit for Use of State Trunkline Right-Of-Way" to be authorized by the city clerk.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Lantis, Wagner, Runyan.

No: None.

Motion CARRIED

CONSIDER APPROVAL OF CORUNNA AREA AMBULANCE AGREEMENT:

Councilperson Sanderson asked if Caledonia Township had ever given the city the true number of what the township pays the ambulance service. Ms. Lawson advised no. Councilperson Mehigh advised the township board representatives were to ask their

government for \$25 for every 10 people. Councilperson Sanderson has how the city would know if the township does this or not. Councilperson Mehigh advised the township would have to turn in a statement to the ambulance service. Councilperson Johnson asked if the proposal was written up and agreed to by all board members or was the proposal something the ambulance service manager did himself. Councilperson Mehigh advised the agreement was agreed to by the ambulance board and then sent to the governments. Mayor Corey asked if there was a different set of by-laws. Councilperson Mehigh advised yes. Mayor Corey asked if all of the by-laws have been resolved and approved by the governments. Councilperson Mehigh advised yes. Mayor Corey stated one of the issues that came up in the past is how the township determines the amount it sends to the ambulance service. The city knows how it comes up with its figures, but there is no verification as to how Caledonia Charter Township comes up with their figures because the township does not assess a per household fee. Councilperson Mehigh advised the township takes money out of their general fund. He further advised Geri Hagadon has assured the ambulance board that the township will get the ambulance board the figures and will call the businesses to get the number of part-time and full-time employees and then pay accordingly. Mayor Corey stated something should be written in the agreement stating how the figures are arrived at so there is no question how the city and townships came up with their figures. Councilperson Mehigh stated the mayor was probably right and maybe this was an area that the ambulance board should have looked at, but the ambulance board took the people by their integrity. Mayor Corey stated a contract would not be needed if the people were 100-percent reasonable and the ambulance contract was the right contract for unreasonable people. He further stated it is better to look at the figures during a new contract and he did appreciate the work and time that was put into the new contract, but these kind of things have been issues in the past and he felt the issues should be addressed. He also stated he was confused because the term of the agreement is three years and can be automatically extended for two more years, but the third paragraph states that the agreement is to be re-negotiated 60 days prior to the date of expiration. Mayor Corey read paragraphs two and three of the agreement and advised it appears that there is no intention of doing a new contract. He further advised he did not understand why the contract is automatically renewable for two years if negotiations are required 60 days before the expiration of the contract. Councilperson Mehigh stated it was his understanding that the contract could be re-negotiated if someone so desired. Mayor Corey advised the agreement states it shall be re-negotiated and does not state it might be re-negotiated. If the ambulance board wants a five-year agreement, then the agreement should state it is a five-year agreement. Councilperson Mehigh stated the intent was to automatically renew the agreement after three years unless someone wanted to reopen the agreement. Mayor Corey advised the agreement states it shall be re-negotiated. Councilperson Mehigh stated maybe the wording is wrong. Ms. Lawson advised she read the agreement differently than Mayor Corey did. Paragraph two states the agreement is a three-year agreement, which can be re-negotiated at the end of the three-year term for two one-year extensions but cannot exceed five years. However, if someone wants to re-negotiate or terminate the agreement during that timeframe, then paragraph three kicks in. Councilperson Mehigh stated if nobody wants to make any changes at the end of three years, then the agreement is automatically renewed, but the agreement has to be re-negotiated at the end of five years.

He further stated the agreement was sent to a lawyer to have it checked over. Councilperson Sanderson stated Meijers and Wal-Mart increase their work force during the summer so their payments will fluctuate somewhat during the year. Councilperson Mehig stated the figures are suppose to be taken during a certain time of the year, but the figures could change from year to year if Meijers has a down year and less employees or a good year and more employees. Ms. Lawson advised there were certain years that Caledonia Charter Township had growth but the ambulance fee did not increase and there was one year that the ambulance fee actually went down. She further advised the township board meets once a year and tries to estimate what they should pay the ambulance service from one year to the next, which is not the same as having the tax roll printed out. The city gets a printed assessment roll that lists every tax parcel in the city. She also advised it is her job as the assessor to tabulate how many houses and rentals there are in the city and to find out how many employees each city business has as of October 1. The agreement states that all employees were to be considered part-time and full-time employees, but it does not state that part-time employees should be counted as a half employee and full-time employees should be counted as a full employee. Ms. Lawson stated this was an area that Caledonia Charter Township was vague with and because the ambulance fee was taken out of the general fund there was nothing that could be used to tabulate an exact count. Councilperson Mehig stated it was extremely hard to get any information from the township. Mayor Corey advised his whole point was to get something put in the agreement that states how the fees are figured. The township might have another way of getting their figures, but this should be a part of the agreement. Ms. Lawson stated there is no way a township board that meets once a year can fully formulate the figures because they do not deal with the numbers. Mr. Sawyer stated on February 22, 2003, the city made recommendations to the agreement that would clarify the issue. He did what the city council wanted him to do after the February 22, 2003 meeting and the proposed agreement before council is not consistent with what council told him to do. He further stated he had to make the recommendation the way he did because the proposed agreement is a clear violation of what council wanted done in February 2003. Councilperson Mehig stated it would be his recommendation not to approve the agreement tonight and to make a list of the things the city wants changed. Mr. Sawyer stated the city was trying to draft a proposal that would not be routinely violated on a monthly basis. Mayor Corey stated the ambulance corporation has not had an annual audit done in the last two or three years. Councilperson Mehig stated that issue would be taken care of this month. Mayor Corey asked if the corporation would be held liable if the contract is not followed. Mr. Sawyer advised a non-profit organization is not required to have an audit done and the only thing requiring the ambulance service to have an audit done is this agreement. There has not been any violation of federal or state laws. He further advised he would get with Mr. Croteau and get this agreement resolved. Johnson moved, Sanderson seconded to send the Corunna Area Ambulance Proposed Agreement back to the ambulance board with the city's recommended changes. Roll call vote:

Yes: Mehig, Lantis, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

CONSIDER DESIGN ENGINEERING PROPOSAL FOR KING STREET

RECONSTRUCTION: Mr. Sawyer stated he did not receive a proposal back yet and explained this construction was the Small Urban Project for 2004, which the city received grant funding for. He further stated this project is a continuation of the King/Kingsley/McArthur Street project that began four years ago. He recommended tabling so this item until the next meeting.

DISCUSSION ON MML EDUCATIONAL PROGRAMS: Mayor Corey advised Councilperson Runyan was planning to attend the conference on March 24. Mayor Corey further advised the conference is a good way to meet state senators and representatives and the workshops held during the day are beneficial. He also advised the core weekender and advanced core weekender are both well worth the money and everyone should have an opportunity to attend one of the programs. Mr. Sawyer advised professional development conference fees were really slashed this year but training was a different issue and he considers the core weekender and advanced core weekender to be a training and educational environment. Councilperson Johnson stated she would forego attending the advanced weekender so Councilperson Lantis could go if she really wants to go. Mayor Corey stated he felt Councilperson Johnson should go as well if the city can afford it because these programs are important. Councilperson Runyan stated when someone attends the core weekender, the person should go to the advanced program. Mayor Corey asked Councilperson Lantis if she would like to attend the core weekender program. Councilperson Lantis advised yes. Wagner moved, Runyan seconded to allow Dawn Johnson to take the Advanced Weekender and Amy Lantis to take the Core Weekender on January 23 and 24 to be paid for out of the City Council Professional Development line item. Councilperson Sanderson asked if council should list these programs as training to make it legal every time one of these things come up. Mayor Corey advised no. Councilperson Runyan stated he attended a seminar and the person speaking advised there were two things that should not be touched during cuts, which are services to the people and employee education. Mr. Sawyer stated the city would not be able to forego education forever because the city will get too far behind.

Roll call vote:

Yes: Wagner, Runyan, Mehigh.

No: Johnson, Sanderson, Lantis.

Mayor: Yes.

Motion CARRIED

CALL TO AUDIENCE: Janet Washburn advised she received a call from the ZCBJ and the only Saturday they have open is December 4, which means that half of the volunteers will be volunteering in the park that night. She asked council if they wanted her to check some place else. Mayor Corey suggested exploring GiGi's and asked council if they wanted Ms. Washburn to check with GiGi's. Council agreed. Councilperson Runyan stated if council would approve alcohol in the community center then the city could hold the Christmas party down there. Councilperson Mehigh asked what the capacity was. Ms. Washburn advised the upstairs would hold 250 people and the downstairs would hold 220 people. Mayor Corey asked what council thought about having the Christmas party

at the community center. He advised some action about allowing alcohol in the community center was needed because council cannot decide to have it down there just because council wants it there. Ms. Washburn stated she believed allowing alcohol in the community center would be the right way to go for other functions, but it would be better not to have alcohol for a city function. Mayor Corey asked council what they wanted to do. Mr. Sawyer stated the date at the ZCJB does not work and advised other alternatives would be explored. Ms. Washburn advised GiGi's pays taxes to the city and it would be best to look at them first.

ROUNDTABLE DISCUSSION: Councilperson Johnson stated everyone is welcome to go through the Ambulance Base Station Two. She further stated Scott Johnson, Brian Johnson, Jay Phillips and Keith Bailey have done a lot of work down there on their own time. She advised Scott Johnson wanted her to mention the article in the paper that stated Owosso Township would be fighting the fires on the north end. She was there when Mr. Johnson spoke with Dick Campbell today and Mr. Campbell informed Mr. Johnson that he read the article and there was nothing wrong with it. She further advised Mr. Campbell did not apologize. Mr. Johnson wants to reassure everyone that this is not true so he asked for a retraction and there should be another article in Tuesday's paper. Mr. Campbell literally laughed in Mr. Johnson's ear because he thought it was funny. She also advised if council had any questions to call Mr. Johnson.

Councilperson Wagner stated he took the detour route last night and had to wait for three lights at M-21 and Gould Street. He suggested asking Owosso to let the left-turn lane go 30 seconds longer to let the traffic flow. He further stated he is sure that Owosso will also be getting complaints. Mr. Sawyer advised the traffic light is horribly timed but this is a state highway light that Owosso does not have too much control over. Mayor Corey stated he was not sure if MDOT is involved with the timing of the lights with this project, but the left turn arrow timing at Shiawassee Street and Corunna Avenue needs to be made longer. He further stated the light at Shiawassee Street and M-21 needs to be readjusted so people on M-21 do not have to sit for a long time when nothing is happening. He felt all four of the traffic lights need to be readjusted. Mr. Sawyer stated he would contact the state traffic engineer and ask him what could be done.

Councilperson Runyan stated someone changed the detour sign at Shiawassee Street and M-21 so the sign points south. He further stated there is a ditch or drain on Walnut Street that goes north to the big ditch and asked Ms. Lawson to check to see if this is a dedicated county drain.

Councilperson Lantis stated she feels it is important for her to go to the conference in January, but explained she voted no because she felt guilty where the money comes from. She is use to the option of paying for classes herself and if there is a way around the city paying for the conference, she would like to pay for it out of her own pocket.

Councilperson Mehig asked if the incentive for Davis Construction to get the bridge done early was dropped. Mr. Sawyer advised he has not heard anything back from Davis

Construction. Councilperson Mehigh advised the ambulance contract meetings are open to the public and invited the mayor, council and city manager to come to the meetings.

Mr. Sawyer stated the right turn lane issue at North Shiawassee Street is still under review. There was a right turn lane engineered at the time of the streetscape, but the right turn lane has to be engineered for a semi truck turning radius because a truck is turning onto a state highway. He further stated in order to create a right turn lane, the turning radius for semi trucks would be six inches from the corner building so there is no way to accomplish the lane without tearing down the building. Corunna Avenue has a 60-foot right-of-way and the minimum requirement for a road right-of-way is 66 feet. He also stated the city could apply for a waiver from the state to design the right turn lane for vehicular traffic only rather than trucks or ask the state to eliminate the center turn lane for eastbound traffic on Corunna Avenue. If the center turn lane was not there, semi trucks might have room to turn right, but according to state standards, the semi trucks cannot come into the center turn lane.

ADJOURN: Wagner moved, Johnson seconded to adjourn.

Roll call vote:

Yes: Lantis, Runyan, Wagner, Johnson, Sanderson.

No: Mehigh.

Motion CARRIED Time was 9:15 p.m.

STEVE COREY, MAYOR

YVONNE F. LONG, CITY CLERK