

**REGULAR MEETING  
MINUTES**

**AUGUST 17, 2009**

**THE REGULAR MEETING OF THE RICHMOND CITY COUNCIL WAS CALLED TO ORDER AT 7:00 P.M., ON MONDAY, AUGUST 17, 2009, BY MAYOR RIX.**

Council members and the audience present stood for the Pledge and Invocation.

**ROLL CALL**

Present: Misteravich, Olson, Reindel, Rix, Schultz, Yaroch, Yelencich

Absent: None

Others: City Manager Moore, City Clerk Stagl

Visitors: Recreation Director VanKirk, DPS Director Fejedelem, John Paul Rea, Jaime Greene, Miss Good Old Days Jodi Zyla and First runner up Katherine Szczerbinski, Paul Fejedelem, Lenore Warn, Lola Gordon, Michelle Spencer, Andrew Benoit from the Voice

**APPROVAL OF MINUTES**

Motion by **Yaroch**, seconded by **Yelencich**, to approve the minutes of the August 3, 2009, regular meeting, as presented.

All yeas

**Motion passes**

**AUDIENCE PARTICIPATION (non-agenda items)**

Jodie Zyla, the 2009 Miss Richmond and Katherine Szczerbinski, First Runner Up introduced themselves to Council.

**ADOPTION OF AGENDA**

Motion by **Yaroch**, seconded **Olson**, to adopt the Agenda as presented.

All yeas

**Motion passes**

## **CONSENT AGENDA**

- a) Receive and File DPW Activity Report for July 2009
- b) Receive and File City Clerk's Activity Report for July 2009
- c) Receive and File City Planners Activity Report for July 2009
- d) Receive and File Treasury and Money Market Report for July 2009
- e) Receive and File Investment CD Report for July 2009
- f) Receive and File Administrative Assistant's Activity Report for July 2009
- g) Receive and File Parks and Recreation Activity Report for July 2009
- h) Receive and File Library Activity Report for July 2009
- i) Receive and File Water Well Report for July 2009
- j) Receive and File Bulk Water Sales Report for July 2009
- k) Receive and File Richmond Police Bulletins dated July 20<sup>th</sup> through August 2<sup>nd</sup>, 2009
- l) Receive and File Police Department Statistics for July 2009
- m) Receive and File Police Department Code Violations Status Report for July 2009
- n) Receive and File July 28, 2009, Recreation Board Meeting Minutes
- o) Receive and File EMS Community Newsletter for August 2009
- p) Receive and File Revenue and Expense Report for July 2009
- q) Approval of City Manager's vacation request
- r) Approval of August 13, 2009, Schedule of Bills in the amount of \$ 564,532.29

Motion by **Yaroch**, seconded by **Schultz**, to adopt the Consent Agenda as presented.

All yeas

**Motion passes**

## **PUBLIC HEARING**

None scheduled.

## **ITEMS FOR CONSIDERATION**

### **1. Consideration of Good Old Days Resolutions**

Motion by **Schultz**, seconded by **Yelencich**, to adopt Resolution No. 2009-16, which directs the City Clerk to submit an application, on behalf of the Good Old Days Festival Committee, to MDOT, for permission to close M-19, to conduct the Grand Parade and Children's Parade in conjunction with the 46<sup>th</sup> annual Good Old Days Festival.

All yeas

**Motion passes**

Motion by **Olson**, seconded by **Yelencich**, to adopt Resolution No. 2009-17, which directs the City Clerk to submit an application, on behalf of the Good Old Days Festival Committee, to MDOT, for permission to close M-19 to conduct the Outhouse Race on Friday, September 11, 2009, in conjunction with the 46<sup>th</sup> annual Good Old Days Festival.

All yeas

**Motion passes**

Motion by **Reindel**, seconded by **Yelencich**, to adopt Resolution No. 2009-18, which approves the request to conduct the Fireworks Display on Saturday, September 12, 2009, in conjunction with the 46<sup>th</sup> annual Good Old Days Festival.

All yeas

**Motion passes**

Motion by **Yelencich**, seconded by **Misteravich**, to adopt Resolution No. 2009-19, which approves the request from the Good Old Days Festival Committee to hang the banners, close certain streets and the City parking lots in conjunction with the 46<sup>th</sup> annual Good Old Days Festival.

All yeas

**Motion passes**

**2. Consideration of Adopting Final Assessment Roll/Karen Street Drainage**

Motion by **Olson**, seconded by **Misteravich**, to adopt the final special assessment roll for the Karen Street Drainage Improvement Project.

All yeas

**Motion passes**

**3. Consideration of Park Rules**

Council had received a copy of the Park Rules and Regulations that had been approved by the Recreation Board at their April 28, 2009 meeting. Manager Moore outlined the changes as follows:

Rule 17, Park Road and Grounds – Prohibition of metal detectors and/or diggers on park grounds.

Rule 18, Golf – newly added rule prohibiting the playing golf in any park area or festival grounds.

Rule 22, Skateboards, bikes and scooters – skateboards, bikes, and self propelled scooters are not permitted on patio areas, benches, pavilions or structures other than those located in the Richmond Skate Park.

Rule 23, adding language stating that it would be considered trespassing for anyone to enter into aquatic areas outside of the designated season and/or operation hours.

Rule 13, Alcohol on park property – changed to state that beer/wine would be allowed in the pavilion and horse shoe pit area only if a permit has been granted by the Recreation Department, otherwise alcohol in the park and any public place is not allowed.

Rule 14, Beer/Wine Permit – new rules created to serve as the guideline when determining who will be granted a permit and the procedures that will take place once a permit is issued.

**Discussion on motion:**

Olson – heard from several residents who were against allowing beer and wine in the park. Residents were concerned because there were typically numerous kids in the park – the area where alcohol will be allowed is too closely located to the tot lot area and the children.

City Manager Moore informed Council that this issue had been published in the Voice and residents have had an opportunity to appear at this meeting and voice their support or objections. The majority of comments the Manager has received have been in support of allowing alcohol in the park with a permit. No calls or emails were received due to the article

Rix stated that he did receive one comment from a resident opposed to allowing alcohol in the park. Rix informed Council that currently, even though alcohol is not allowed in the park, people do consume alcohol in the park in conjunction with family events – this has never been problem. With the new proposed rule, individuals renting the pavilion will be required to apply for a permit to allow alcohol, and the police department will be informed so that better enforcement of the regulations can take place.

Discussion on whether the alcohol permit fee should be higher so that people would take more responsibility when consuming alcohol.

Schultz and Misteravich had no issues with allowing alcohol in the park with a permit.

Yaroch appreciated that the Voice had written an article on this issue prior to tonight's meeting to allow residents an opportunity to appear before Council tonight to voice their opinions.

Reindel stated that he was happy to see the new set of park rules and regulations and appreciated all of the time the Recreation Board spent on developing this new set of rules.

Jaime Greene, 35624 Woodside Drive – spoke against the new rule which will allow alcohol in the park with a permit. Concerns noted were (1) the additional city liability; (2) safety of the children – the area where alcohol will be allowed is very close to the tot lot and (3) current rules allow alcohol with an approved special event – now rule 14 will allow children to be exposed to alcohol on any given day – questioned if Beebe Park was a family park or an adult park.

Michelle Spencer, 36574 Orchard Lane – spoke against the new rule. Her concern was with people drinking and driving in the park which could increase the number of car/pedestrian accidents in the park.

Yaroch – questioned if the tot lot equipment could be moved to another location in the park. Manager Moore informed Council that this could be easily done if this was Council's desire.

Recreation Director VanKirk informed Council that the Recreation Board has been discussing the purchase of new equipment for the park. She stated that she would not be in favor of relocating the tot lot equipment – the young kids who utilize the tot equipment are supervised by adults. She also informed Council that she did not feel that the number of rentals of the pavilion would increase – the same families rent the pavilion each year.

Yaroch stated that he would be supporting the motion – if there is public outcry this decision could always be revisited.

Olson stated that she was in agreement with all of the proposed park rules and regulation with the exception of rule #14, which will allow alcohol with a permit – she will not be supporting the motion.

**Vote on motion:**

Six yeas (Misteravich, Reindel, Rix, Schultz, Yaroch, Yelencich)

One nay (Olson)

**Motion passes**

**4. Review and Comments on Gratiot Avenue Corridor Plan**

John Paul Rea from Macomb County informed Council that over the past year they have worked very closely with the City Manager and City Planner to design a plan that was specifically for the City of Richmond. Asking that Council approve the draft plan and open up the 42 day review period.

Motion by **Yaroch**, seconded by **Schultz**, to approve the Draft Main Street and Gratiot Avenue Corridor Plan.

All yeas

**Motion passes**

**CITY MANAGER COMMENTS**

- Distributed information to Council from Utility Service Company on the water tower maintenance. Discussion on the water tower being down for a period pf 6-8 weeks to perform the maintenance. DPS Director Fejedelem stated that this should not be an issue unless there is high water usage in the case of a fire. DPW and Fire have made arrangements to deal with this.

**COUNCIL COMMENTS**

Yaroch – Commented on the nice grand opening for the Farmer’s Market – heard many nice compliments from the business owners regarding the City staff.

Reindel – Commented on the Fire Departments successful training burn on Saturday.

Rix – reminder of upcoming calendar events:

- 8/19 – EDC CANCELLED
- 8/24 – TIFA may be cancelled
- 8/25 – Parks and Recreation CANCELLED
- 9/5 – Library closed
- 9/7 – City Hall and Library Closed – the City pool closes
- 9/8 – Council meeting at 7:00 p.m.
- 9/10 – 9/13 – Richmond Area Good Old Days Festival.

**CLOSED SESSION**

None.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Motion by **Schultz**, seconded by **Reindel**, to adjourn the regular meeting at 8:03.

All yeas

**Motion passes**

Respectfully submitted:

Karen M. Stagl  
City Clerk