

**REGULAR MEETING
MINUTES**

SEPTEMBER 15, 2008

THE REGULAR MEETING OF THE RICHMOND CITY COUNCIL WAS CALLED TO ORDER AT 7:00 P.M., ON MONDAY, SEPTEMBER 15, 2008, BY MAYOR RIX.

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

ROLL CALL

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

Absent: Schultz

Others: City Manager Moore, City Clerk Stagl

Visitors: Andrew Benoit from the Voice, City Engineer Ken Kingsley, DPS Director Fejedelem; City Planner Troy Jeschke, Al Bryant, Jenny Cedarstrom and Kris Ray from Plante & Moran, Karen Street residents: Jason and Denise Szymanski; Rick Tasny; Mitch Samolej, Bryan Lebow

Motion by **Yaroch**, seconded by **Yelencich**, to excuse Councilor Schultz from tonight's meeting, due to illness.

All yeas

Motion passes

APPROVAL OF MINUTES

Motion by **Yaroch**, seconded by **Olson**, to approve the minutes of the September 2, 2008, regular meeting, as presented

All yeas

Motion passes

AUDIENCE PARTICIPATION (non-agenda items)

None received.

ADOPTION OF AGENDA

Motion by **Yaroch**, seconded by **Yelencich**, to adopt the Agenda as amended:

Remove Item #4 – Consideration of Special Event Permit Request/Richmond Volleyball/Use of Macomb Orchard Trail for Community Walk/Run

Add new Item #4 – Consideration of Closing M19/Homecoming Parade Request/Richmond High School

All yeas

Motion passes

CONSENT AGENDA

- a) Receive and File DPW Activity Report for August 2008
- b) Receive and File Clerk's Department Activity Report for August 2008
- c) Receive and File Parks and Recreation Activity Report for August 2008
- d) Receive and File Investment CD Report for August 2008
- e) Receive and File Treasury and Money Market Report for August 2008
- f) Receive and File Library Activity Report for August 2008
- g) Receive and File Water Well Report for August 2008
- h) Receive and File Bulk Water Sales Report for August 2008
- i) Receive and File Richmond Police Bulletins dated August 25th through September 7th, 2008
- j) Receive and File Police Department Statistics for August 2008
- k) Receive and File Code Violations Report for August 2008
- l) Receive and File Fire Department Incident Log for August 2008
- m) Receive and File Richmond-Lenox Report for September 2008
- n) Approval of City Manager's Vacation Days Request
- o) Receive and File May 12, 2008, Library Board Meeting Minutes
- p) Receive and File City Planners Activity Report for August 2008
- q) Receive and File Revenue and Expense Report for August 2008
- r) Receive and File 2008 Code Enforcement Report by Street Name
- s) Approval of September 11, 2008, Schedule of Bills in the amount of \$ 611,578.51

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

All yeas

Motion passes

PUBLIC HEARING

None scheduled.

ITEMS FOR CONSIDERATION

1. Consideration of Drainage Issues/Karen Street

City Manager Moore informed Council that several property owners on the west side of Karen Street north of Pierce have made complaints about standing water in the backyards. The homes that experienced the most water are those that back up to a large vacant parcel. The property owners are claiming that the City's approval of the Orchard Meadows Subdivision has caused their drainage problems.

Normally, drainage issues in resident's backyard on private property are the responsibility of the owner to address or to request that the city address them and special assess the residents. Since the residents are claiming that the problem is caused by an action of the City, the Manager has requested that Ken Kingsley review the situation. The Manager and City Engineer met with two residents in July to walk the property and get a better idea of what is occurring.

Ken Kingsley has taken some elevation shots and has provided a letter outlining three potential solutions.

At this point, the administration needs to look a little further into the issue before making a recommendation on who should fund this and what solutions should be selected.

Motion by **Yaroch**, seconded by **Misteravich**, to direct administration to continue to pursue options to be presented to Council at the October 6, 2008, City Council Meeting.

Discussion on motion:

The following Karen Street residents spoke on this issue:

Jason Szymanski, 70465 Karen – Between the homes, on his sidewalk and road there is substantial water – there is always standing water in his backyard – this was never an issue prior to the development of Orchard Meadows Subdivision – there is nowhere for the water to go – some home owners in Orchard Meadows have created landscape berms which have created part of the problem – because of the amount of dirt needed to create the berms, it has redirected the water flow.

Rich Tasny, 70479 Karen – presented Council with picture from the weekend rain event, showing the flooding that occurs. Orchard Meadows Subdivision is at a much higher elevation.

Mitch Samolej, 70493 Karen – He moved onto Karen Street in 1971 – the flooding has gotten a lot worse since Orchard Meadows has been developed. In the spring the flood water had reached into his garage.

Art Speed, 70507 Karen – He moved onto Karen Street in 1999 –the flooding has gotten much worse since Orchard Meadows Subdivision has been developed.

Bryan Lebow, 70451 Karen – The water now comes up to his garage. This was not the situation when he moved onto Karen Street in 1971.

No further comments were received.

Vote on motion:

All yeas

Motion passes

2. Presentation of Fiscal Year 2007-2008 City Audit

Jenny Cedarstrom distributed to Council the power point audit presentation. She informed Council that the City has again received an unqualified opinion, which is the highest rating that can be achieved.

The audit was summarized as followed:

- Decrease of \$97,000 in revenues
- Property tax revenue was up by \$135,000, mainly due to inflationary increases.

- Expenditures decreased by \$160,000. The City general fund budgets for significant transfers to other funds: Recreation, Fire Department and Street Improvement.
- Expenditures came in at \$600,000 under the budgeted amount.

- The undesignated fund balance is equivalent to about four months of expenditures, which is a healthy fund balance, but any significant expenditure can deplete this fund balance.

- Both the water and sewer funds are at a break even point with not much cushion
- Both funds have adequate working capital

Rix commended the City Administration for doing a great job.

Motion by **Yaroch**, seconded by **Yelencich**, to receive and file the City of Richmond June 30, 2008 financial Report with Supplemental Information from Plante & Moran, LLP.

Discussion on motion:

Yaroch commented on the positive interaction he witnessed between the City Treasurer and City Auditors.

Vote on motion:

All yeas

Motion passes

3. Consideration of Special Event Permit Request/Richmond Area Chamber of Commerce/Treats in the Street

Motion by **Olson**, seconded by **Reindel**, to approve the Special Event Permit requested by the Richmond Area Chamber of Commerce for the utilization of the municipal parking lot from Noon to 8:00 p.m., on Friday, October 31, 2008.

All yeas

Motion passes

4. Consideration of Closing M-19 to Conduct the Annual Homecoming Parade

Motion by **Misteravich**, seconded by **Yaroch**, to approve the request from the Richmond High School to conduct the annual Homecoming Parade and direct the City Clerk to apply to MDOT for permission to close M19 from 5:00 to 6:00 p.m. on Friday, October 3, 2008, to conduct the annual homecoming parade.

All yeas

Motion passes

5. Consideration of Community Master Plan

City Manager Moore informed Council that the Master Plan was being presented to Council pursuant to the Municipal Planning Act (Public Act 285 of 1931) and the Michigan Unified Planning Act (Public Act 33 of 2008). In accordance with these acts, a Master Plan must be forwarded to the Council for their review once the Planning Commission has worked on revisions to the plan. At the August 14, 2008 Planning Commission meeting, they tentatively approved their initial revision and authorized city staff to forward the Master Plan to the City Council. Once the plan is reviewed by Council it will be sent back to the Planning Commission, and will be distributed to the adjacent units of government for their public review period. Once a 763 day review period has lapsed, a public hearing for the Planning Commission will be scheduled for final review and adoption.

Council was in Agreement with the Master Plan as presented by the Planning Commission and directed the Administration to forward the plan back to the Planning Commission.

6. Consideration of Bid Award/Pavement Parking

Motion by **Reindel**, seconded by **Misteravich**, to award Pavement Marking Contract 2008-PM-1 to P.K. Contracting.

All yeas

Motion passes

Motion by **Yelencich**, seconded by **Olson**, to authorize Change Order No. 1 in the amount of \$1,147.47 to Contract 2008-PM-1 for a total cost of \$5,485.56 for the 31-Mile Road pavement markings, with the expense charged to line item 203-474-818.000, Contractual Services; Traffic Services: Local Street Fund.

All yeas

Motion passes

Motion by **Olson**, seconded by **Misteravich**, to authorize Change Order No. 2 in the amount of \$8,678.56 to Contract 2008-PM-1 for Division Road pavement markings, with the expense charged to line item 202-474-818.000, Contractual Services; Traffic Services: Major Street Fund.

All yeas

Motion passes

CITY MANAGER'S COMMENTS

- Waste Management has prepared a postcard that will be going to all city residents regarding the change in the City's trash collection day.
- Classic car parade and Good Old Days opening ceremonies are on cable.
- The new tank and interceptor worked fine during the recent rain event – we did not experience any water back-ups.

COUNCIL COMMENTS

Misteravich – thanked Waste Management for their presentation at the last Council meeting - he has received only positive comments from residents regarding the change in the trash collection day.

- Wished the High School good luck in their Homecoming game
- Enjoyed the Good Old Days Festival.

Reindel – Thanked the Good Old Days Festival Committee for all the work they do to make the festival enjoyable.

Yaroch – Congratulations to the WWTP staff for the new system that worked great during the recent rain event.

- Commented on the great Good Old Days Festival
- Thanked the residents who were inconvenienced during the Good Old Days Festival.

Rix – It was a very well attended and successful Good Old Days Festival. Thanked all of the sponsors.

- Reminder of upcoming calendar events.
9/17 – EDC at 7:00 pm
9/22 – TIFA at 7:00 pm

9/23 – Parks and Recreation at 7:15 pm

9/24 – Pizza and Parks at the Community Center from 6 – 8 pm – this is an opportunity to receive community comments on what residents would like to have offered in Recreation.

10/3 – Homecoming Parade at 5:00 pm

10/6 – Council Meeting at 7:00 pm

10/7 – First Tuesday trash collection

10/5 – 10/12 – Fire Prevention Week – Open House on 10/5 at 8:00 am

10/9 – Planning Commission at 7:30 pm

DPS Director Fejedelem – Hydrant flushing will be performed the last week of September.

- The week of 10/6 the water tower will be drained and inspected.

CLOSED SESSION

None scheduled.

OTHER BUSINESS

None.

ADJOURNMENT

Motion by **Yelencich**, seconded by **Reindel**, to adjourn the regular meeting at 8:14 p.m.

All yeas

Motion passes

Respectfully submitted:

Karen M. Stagl
City Clerk