

APPROVED 06/01/2020
REGULAR MEETING
MINUTES

MAY 18, 2020

THE MEETING WAS HELD VIRTUALLY.

THE REGULAR MEETING OF THE RICHMOND CITY COUNCIL WAS CALLED TO ORDER AT 7:00 P.M., ON MONDAY, MAY 18, 2020, BY MAYOR RIX; WHO ALSO GAVE THE INVOCATION.

ROLL CALL

Present: Allen, Greene, LaFore, Misteravich, Reindel, Rix, Warn

Absent: None

Others: City Manager Moore

Visitors: DPS Director Goetzinger, Jason Brendt, Jill and Pat Micallef

APPROVAL OF MINUTES

Motion by **Warn**, seconded by **Greene**, to approve the minutes of the May 4, 2020, Regular Meeting, as amended:

Item #2, first para. under discussion on motion, add the following: Rix, commented on the new Item G....

All yeas

Motion passes

Motion by **Warn**, seconded by **Greene**, to approve the minutes of the May 6, 2020 Budget Workshop, as presented.

All yeas

Motion passes

AUDIENCE PARTICIPATION (Agenda and Non-Agenda Items)

None.

ADOPTION OF AGENDA

Motion by **Warn**, seconded by **Greene**, to adopt the agenda as presented.

All yeas

Motion passes

CONSENT AGENDA

- a) Receive and File DPW Activity Report for April 2020
- b) Receive and File City Clerk's Activity Report for April 2020
- c) Receive and File City Planner's Activity Report for April 2020
- d) Receive and File Treasury and Money Market Report for April 2020
- e) Receive and File Cable TV Activity Report for April 2020
- f) Receive and File Code Enforcement Activity Report for April 2020
- g) Receive and File Library Activity Report for April 2020
- h) Receive and File Police Department Statistics for April 2020
- i) Receive and File Offense Count Report for April 2020
- j) Receive and File Traffic Accident Report for April 2020
- k) Receive and File Call Flow Report for April 2020
- l) Receive and File Burn Permit Report April 2020
- m) Receive and File Revenue and Expense Report for April 2020
- n) Approval of Schedule of Bills dated May 21, 2020, in the amount of \$ 129,767.00

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

All yeas

Motion passes

PUBLIC HEARING

None.

ITEMS FOR CONSIDERATION

1. Consideration of the Request to keep Chickens/Pat and Jill Micallef/70153 Arbor Court

City Manager Moore informed Council that the applicant was requesting approval to keep three (3) egg-laying chickens on their property located at 70153 Arbor Court within Orchard Meadows Subdivision. The property is on the south side of the cul-de-sac of Arbor Court. The properties to the north, south, east and west are developed with single family residences. The subject property is a double lot that is 0.73 acres in area.

The applicant is proposing a small 4' by 10' chicken coop on the west side toward the rear edge of the house. The locating is near the center of the property.

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Notices were mailed to the surrounding properties informing them of the request and allowing for their comments.

The following letters have been received by the City by the time of tonight's meeting:

Email from Jason and Tracy Berndt, 35579 Orchard Lane – not oppose to this request because of the size of the lot, but the City could open itself up to future litigation if other request are refused. They would like to see this request denied.

Letter from Jack and Jody Smith, 70199 Arbor Court – in support of the request to keep three (3) chickens.

Email from Mr. and Mrs. Louis Trautman, 70153 Arbor Court – Opposed to the request and request that the City deny the request.

Jill Micallef informed Council that she spoke with neighbors next door to her property – none of them had a problem with her having the chickens.

Motion by **Allen**, seconded by **Reindel**, to approve the petition from Pat and Jill Micallef to keep up to 3 Chicken Hens on the property, subject to the following conditions:

1. The three (3) chickens allowed will be female Chicken Hens. No roosters shall be allowed.
2. The applicant is granted a one (1) year trial period, at the end of which the applicant will need to come back before Council for approval to keep the chickens.
3. The applicant shall be limited to an approximately 4' by 10' coop similar in style to what is pictured in the background photos.

Discussion on motion:

Greene – She was in support of property rights, but the City's ordinance states there are no farm animals in the City. She was not in favor of approving chickens or ducks within the City. Eggs are available from several places in the adjacent township. The way Council currently addresses requests for chickens and ducks puts neighbor against neighbor. She would like to see Council look at the ordinance again and make some changes.

Misteravich – The requests that have come before Council in the past have been approved. Council has not had too many requests to keep fowl. He has not heard of any problems with those applicants who have received approval from Council. He does not have a problem with approving this request for one-year.

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Reindel – Did not see a problems with approving this request.

LaFore – Council had previously approved chickens for a property on Richwood Lane – after the one-year time period, there were no problems raised. Don't see a problem with approving this request.

Jason Berndt, 35579 Orchard Lane (also sent an email) – He had no issue with this request since the property was a double lot. He did question if the City was setting a precedence. Would the City have to approve all future requests?

Mayor Rix explained that the City's ordinance requires that all requests for chickens or ducks comes before Council for review and approval. Council reviews the specifics for each request and votes accordingly. If Council would receive numerous complaints about a specific request, Council could deny that request.

Greene stated that she will be voting 'no' on this request and has votes 'no' on all past requests because she did not believe farm animals belonged in the City.

Vote on motion:

Six yeas (Allen, LaFore, Misteravich, Reindel, Rix, Warn)

One nay (Greene)

Motion passes

2. Consideration of WWTP Automatic Transfer Switch

Motion by **Greene**, seconded by **Allen**, to authorize the expense of \$3,936.00 for the installation of a City Supplied Automatic Transfer Switch by AC DC Electrical with expenses charged to the appropriate line items in the WWTP Equipment Replacement Fund.

All yeas

Motion passes

3. Consideration of WWTP Grit Building Door Replacement

Motion by **Reindel**, seconded by **Warn**, to authorize the expense of \$11,000.00 to Gamalski Building for the WWTP Grit Building Door Replacement with expenses charged to the appropriate line item in the Sanitary Sewer Fund.

All yeas

Motion passes

4. Consideration of WWTP Drying Bed Driveway Improvement

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Motion by **LaFore**, seconded by **Warn**, to authorize the expense of \$5,100 to Bertossi Bulldozing for the WWTP Driveway Improvements with expenses charged to the appropriate line item in the Local Street fund and Sanitary Sewer Fund.

All yeas

Motion passes

MISCELLANEOUS MATTERS FROM THE CITY MANAGER

- Thanked the DPW for getting the senior banners on the banner poles – a total of 110 banners were installed for the 2020 graduating seniors
- Reminded Council that there will be a budget workshop on Wednesday, May 27th at 6:00 pm. The packets will be distributed to Council at the May 20th budget workshop.

COUNCIL COMMENTS

Greene – Commented on the high rate of speed cars travel on Pound Road – the City may have to patrol this road more frequently.

Rix – Commented that the portable radar trailer was now located on Monroe Street and it has made a huge difference in the speed of the traffic on Monroe. The City may want to consider permanent radar signs on certain streets within the City.

- Commented on the continued stay-at-home order and businesses. He was hoping the Governor was planning on opening businesses in more areas in addition to the Upper Peninsula and northern Michigan. The City businesses need to open before it's too late.

CLOSED SESSION

None.

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OTHER BUSINESS

None.

ADJOURNMENT

Motion by **Misteravich**, seconded by **Greene**, to adjourn the Regular Council Meeting at 7:43 p.m.

All yeas

Motion passes

Respectfully submitted:
Karen Stagl
City Clerk