

REGULAR MEETING  
Litchfield City Council - City Council Room  
August 18, 2015 - 6:30 PM

Mayor Ed Smith called the meeting to order at 6:30 PM.

Roll Call: Present – Mayor Edwin Smith, Councilpersons Jessica Bills, Rick Siebert, Dan Efstathiou and Don Bannick.

Absent – Brenda Thomas and OR Smith

Also Present – City Manager- Douglas Terry, Clerk-Susan Ballinger, Chief- Dan Roberts, Treasurer, Jill Howard, Deputy Clerk/Admin. Asst. – Lauren Skelly, DPW Superintendent-Tony Langhann, Brett Smith and Andy Reynolds, Mike Warner-Index and Andy Barrant-HDN.

**Consent Agenda** – Councilman Siebert moved to approve the consent agenda as presented, seconded by Councilman Efstathiou. Motion Carried.

**Call to the Public** – None

**Sewer Credit Request –Craig Pahl** – After a brief discussion amongst board members; Councilman, Bannick moved to allow a sewer credit in the amount of \$164.76, seconded by Councilman, Siebert. Motion Carried.

**Resolution 2015-12-Moratorium on Certain medical marijuana facilities, Permits, approvals and certificates-** Councilman Siebert moved to approve Resolution 2015-12, seconded by Councilwoman, Bills. Motion Carried

**Approval of Regions 2 proposal for assisting with preparation of a new City of Litchfield’s Master Plan** – Councilman, Bannick moved to approve the proposal from Region II for assisting with a new Master Plan and not to exceed an amount of \$6,000.00, seconded by Councilman, Siebert. Motion Carried.

**Land Division request form Litchfield Community School to Litchfield City/playground expansion** – Councilman Bannick moved to approve the lot split of parcel 3019-040-001-522 for the playground expansion as presented, seconded by Councilwoman, Bills. Motion Carried

**Contract Renewal – Lake Litchfield Agreement – Carr Brothers** – Manager, Terry gave explanation to the board of the amended agreement with Carr Brothers regarding Lake Litchfield which is located by the industrial park. It’s a piece of property the Carr Brothers have excavated for gravel in the past. In April, Carr Brothers wanted to renew the agreement incase Proposal 1 was passed, however, the proposal did not pass, but discussion happening are still going on in Lansing and legislators’ are still trying to come up with a formula for municipalities to rebuild roads. Manager, Terry pointed out the there is an increase of what Carr Brother’s will pay to the city per yard to dig, store, and process gravel in the area known as “Lake Litchfield”. Councilman, Bannick moved to renew the contract between the Carr Brothers and Litchfield and authorize the Mayor and Clerk to sign, seconded by Councilman, Siebert. Motion Carried.

**Discuss Elementary property – Re-zoning** – Manager, Terry informed the board that the elementary school property is contiguous with the new playground, pool area and the high school. Manger, Terry reminded the board of the past history of the school regarding consultants and cost renovations. Recently, we have found that some of these old school buildings are being refurbished for senior citizens housing and/or low to moderate income housing. The city is currently working with MSHDA “Michigan State Housing Development Authority” which will help refurbish the building for housing. As such, the elementary has an opportunity to be brought back to life. The developer has requested the city to be ready to move with this project and as the board is aware all property divisions must be approved by them and since the school property is currently one contiguous piece we are looking at a lot split for the elementary building property. We have a surveyor coming into to create a new

property description of the elementary building including where the portables set and we have spoke with the city attorney regarding this matter. What the administration is currently seeking from the board is approval to send this rezoning request to the planning commission board for review to rezone the elementary property to R-2. Once the planning commission has completed their review they then forward their recommendation back to the city council for final approval. Our city attorney felt very comfortable in the rezoning of this property from its current status as R-1 single family dwelling to be R-2 which is multifamily residential. We questioned the attorney about spot zoning and his answer was definitely not because we are not changing the neighborhood, physical features of the property. Manager, Terry stated that this is probably the last possible shot for something to be done constructively and positive to the elementary building. Mayor, Smith stated that the developer is very excited about the project and is very ready to get started on this project. The current market study that is being done will be the decision maker on whether the developer moves forward with this project or not. The developer already has his architect working on drawings for the project.

Councilman, Bannick motioned to send the recommendation to the planning commission to study the rezoning of the elementary school property area, seconded by Councilman Siebert. Motion Carried.

**Bills for Approval** – Councilman Bannick moved to approve the bills in the amount of \$129,054.80 and apply to the proper accounts, seconded by Councilman Siebert. Motion Carried.

**Police Report** – Councilman Bannick moved to accept the police report as presented and place on file, seconded by Councilman Efstathiou. Motion Carried.

**Public Works Report** – Councilman Siebert moved to accept the public works report as presented and place on file, seconded by Councilman Smith. Motion Carried.

**Treasurers Update** – Treasurer, Howard presented a preliminary report for the 2014-2015 fiscal year audit and explained that the numbers that they are looking at now will change as things are received in. Treasurer, Howard will continue working on closing the books over the next few weeks.

**City Manager's Update** – Manager, Terry explained the board that he went over budget on the basketball/tennis courts project for an amount of \$770.00. The reason is because of more materials that were placed on the fence line to help with the problem of animals digging under the fence and a limestone mix was added to help compact it which will also help with fence sagging at the bottom. We have not done any striped it yet; I'm still looking into that, what I'm asking council to do is amend the approved contract amount and increase it to \$46, 150.00. Councilman, Bannick moved to amend the approved contract amount of \$45,380 to increase it to \$46,150.00, seconded by Councilman, Efstathiou. 1 Nay vote Councilman, Siebert. Motion Carried.

Manager, Terry informed the board of projects and work that is being done within the administration office.

**Correspondence** –

**Committee Reports** –

**Councilman Concerns-** Councilman, Bannick asked for a consensus from the board to have Manager, Terry speak to our attorney regarding any legal matters to making it a requirement that anyone with school age children that would like to be elected to served on the Litchfield City Council must have their children attend Litchfield Community Schools. Mayor, Smith stated then a single person with no children couldn't run for a council seat. Councilman, Bannick stated no they could run because they don't have children. He is asking that if the candidate has children a requirement for them would be that their children would have to attend Litchfield Schools. The board was in consensus of having Manager, Terry talk with the attorney regarding this matter of requiring candidates for city council that have school aged children attend Litchfield Schools.

Councilman, Siebert stated that people have been flying drones around town taking pictures and that is something the board might want to consider taking a look at a possibly creating an ordinance for this to help with personal space issues.

Council, Siebert stated that residents are pleased with the basketball courts and residents would like to see more craft vendors for the festival. Clerk, Ballinger stated that our festival competes with surrounding festivals, fairs and MIS weekend, so there isn't a lot we can do to increase our vendors they will go where they think they will make the most money.

Mayor, Smith reported that the golf course has had what he feels is a serious investor looking at the golf course. The investors have visited twice and one investor even brought her chef in to look at the course. Mayor, Smith stated he can't say for sure but hopefully these investors will follow through and purchase the golf course.

**Adjournment** – Councilman, Bannick moved to adjourn at 7:30 p.m., seconded by Councilwoman Bills. Motion Carried.

