

## **REGULAR COUNCIL PROCEEDINGS**

### **CITY OF FLAT ROCK, MICHIGAN**

**MONDAY, JANUARY 4, 2016**

The regular meeting of the Flat Rock City Council convened at the Municipal Building on the above date at 7:30 p.m.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL OF COUNCIL MEMBERS:**

PRESENT: Mayor Dropiewski, Council Members: Bergeron, Little, Martin, Thomas, and Wrobel

ALSO PRESENT: City Clerk Meaghan Bachman, Fire Chief Bill Vack, Police Chief John Leacher, Department of Public Service Director Matt Sype, Recreation Director Rodney Wade, Treasurer Brian Marciniak, Economic Development Director Liz Hendley, City Engineer Russ Wittman, Building Director Larry Dishaw, and City Attorney David Grunow

**Resolution 01-04-01**

Motion by Martin  
Supported by Wrobel

RESOLVED, That Flat Rock City Council hereby excuses Council Member Tefend as absent at the regular City Council meeting of January 4, 2016

Motion carried unanimously

**3. APPROVAL OF MINUTES:**

**Resolution 01-04-02**

Motion by Thomas  
Supported by Martin

RESOLVED, to approve the minutes of the regular City Council meeting of December 21, 2015 as presented

Motion carried unanimously

**4. CITIZENS TO BE HEARD:**

None

**5. REPORTS FROM DEPARTMENT HEADS:**

Police Chief John Leacher introduced two new Flat Rock Police Officers, Rickey Nance and Daniel Prokes. Chief Leacher spoke of the two officers and the hiring process. The City Clerk gave the officers their official Oath of Office. Chief Leacher gave the officers the Police Officer Oath of Honor. Officer Nance's girlfriend pinned his badge on his uniform and Officer Prokes's Mother pinned his badge.

Building Director Larry Dishaw gave updates of several projects. The City Hall front porch is making progress. He noted issues have been resolved with the City Hall boiler. The emergency lighting for the Police and Fire Departments were resolved. H noted the women's locker room project is almost complete; the only item pending is the lockers.

City Clerk Meaghan Bachman spoke of the upcoming Presidential Primary on March 8, 2016.

**6. REPORTS FROM COUNCIL MEMBERS:**

Council Member Wally Little thanked all who voted for him. He spoke of items he would like to look into the upcoming year. Some items were, a suggestion box outside, cost of special events, conduct site inspections, plant more trees from escrowed tree funds, would like to know what department heads have done in the past year, would like a free membership at the community center for the employees, he would like to see the city get more grant money.

Council Member Martin welcomed Council Member Little.

Council Member Wrobel welcomed Council Member Little. He asked the DPS Director to look into the cost of parking meters for Huroc Park.

Council Member Thomas congratulated the new Police Officers and Council Member Little.

**7. MAYOR'S COMMENTS:**

Mayor Dropiewski noted due to the change in weather will make it easier to make ice for the ice rink. He noted the DPS will be out soon to start the process.

The Mayor welcomed the new Police Officers and Council Member Little.

Mayor Dropiewski noted the MAPE Clerical Unit has gave up their birthday as a holiday and gained Martin Luther King Jr. Day off (the other units haven't settled their contracts yet), he noted the administrative policy hasn't reflected this change yet. The following motion was made:

**Resolution 01-04-03**

Motion by Dropiewski  
Supported by Thomas

RESOLVED, to amend the administrative employees policy to change the current birthday holiday to Martin Luther King Jr. Day off (a swap of days), to be consistent with the MAPE Clerical Unit.

Motion carried unanimously

**8. UNFINISHED BUSINESS:**

**8-A-2nd Reading of Ordinance - Prohibiting Certain Tethering Practices of Dogs and Penalty**

**Resolution 01-04-04**

Motion by Martin  
Supported by Thomas

RESOLVED, to suspend the 2nd Reading of Ordinance – Prohibiting Certain Tethering Practices of Dogs and Penalty

Motion carried unanimously

**Resolution 01-04-05**

Motion by Martin

Supported by Thomas

Discussion:

Debbie Wilkins, former Flat Rock Ordinance Officer of 9 years, spoke of the ordinance and noted she felt it isn't necessary. Council Member Thomas spoke to her comments, favoring the ordinance;

Patty Odette, volunteer at Chained Inc. spoke in favor of the ordinance;

One of the Directors of Chained Inc., spoke in favor of the ordinance;

Council Member Bergeron spoke regarding the ordinance. He noted issues he mentioned at previous meetings have been resolved;

Council Member Wrobel spoke regarding the ordinance and noted the issues that arose with social media and Council Member Bergeron.

RESOLVED, to adopt the revised Ordinance Prohibiting Certain Tethering Practices of Dogs and Penalty; reads as follows:

AN ORDINANCE TO AMEND CODE OF THE CITY OF FLAT ROCK BY AMENDING CHAPTER 14, ARTICLE II, OF THE CODE BY ADDING SECTIONS 14-8, 14-9, and 14-10, PROHIBITING CERTAIN TETHERING PRACTICES OF DOGS AND PENALTY.  
THE CITY OF FLAT ROCK ORDAINS:

SECTION I. Chapter 14, Article II of the Code of the City of Flat Rock is hereby amended by adding Sections 14-8, 14-9 and 14-10 which Sections shall read as follows:

Section 14-8. Definition of Tethering.

Tethering means the practice of securing a dog to a stationary object by means of a metal chain, rope, strap, leash, coated steel cable, or other means of restraint for keeping the dog restrained. Tethering does not mean walking the dog on a leash, or for temporary grooming, or other professional service.

Section 14-9. Tethering.

It shall be unlawful for a person to:

- (1) Continuously tether a dog for more than three (3) hours per day unless within the reasonable judgment of the enforcement officer a determination is made that the physical welfare of the animal is not seriously endangered.
- (2) Tether a dog on a tether made of anything but a coated steel cable more than ten (10) feet in length;
- (3) Use a tether or any assembly or attachments thereto to tether a dog that shall weigh more than ten percent (10%) of the animal's body weight, or due to weight, inhibit the free movement of the animal within the area tethered; or
- (4) Tether a dog on anything except a buckle-type collar or harness, or tethering on a choke chain or around the dog's neck, or tethered to training collars such as choke or pinch-style collars, or in such a manner as to cause injury, strangulation, or entanglement of the dog on fences, trees, or other man made or natural obstacles; or

- (5) Tether a dog without access to shade when sunlight is likely to cause overheating, or appropriate shelter to provide insulation and protection against cold and dampness when the atmospheric temperature falls below 40 degrees Fahrenheit, or to tether a dog without securing its food and water supply and so that it cannot be tipped over by the tether; or
- (6) Tether a dog in an open area where it can be teased by persons or an open area that does not provide the dog protection from attack by other animals; or
- (7) Tether a dog in an area where bare earth is present and no steps have been taken to prevent the surface from becoming wet and muddy in the event of precipitation.
- (8) Tether a dog less than four (4) months of age.
- (9) Tether more than one (1) dog to a single tether.
- (10) Tether a dog to a stationary object which would allow a dog to come within five (5) feet of any property line.
- (11) Tether a dog without a swivel attached and/or equipped on both ends.

Section 14-10. Penalty.

A person found responsible for violating Section 14-9 shall be deemed responsible for a municipal civil infraction; any person found liable for violating this Section three or more times in a one (1) year time span shall be guilty of a misdemeanor.

SECTION II. That all ordinances or parts of ordinances, Code of the City of Flat Rock, or parts of the Code of the City of Flat Rock, not consistent herewith are hereby repealed.

SECTION III. This ordinance shall be published in the News Herald newspaper as required by Charter, but in no event shall be effective earlier than ten (10) days after enactment.

Motion carried unanimously 6-0

**8-B-2nd Reading of Ordinance – Hours of Operation & Prohibition Where Posted for Activities for the Distribution of Handbills, Peddlers, and Solicitors**

**Resolution 01-04-06**

Motion by Martin  
Supported by Thomas

RESOLVED, to suspend the 2nd Reading of Ordinance – Hours of Operation & Prohibition Where Posted for Activities for the Distribution of Handbills, Peddlers, and Solicitors

Motion carried unanimously

**Resolution 01-04-07**

Motion by Martin  
Supported by Little

RESOLVED, to adopt the Ordinance, Hours of Operation & Prohibition Where Posted for Activities for the Distribution of Handbills, Peddlers, and Solicitors; reads as follows:

ORDINANCE TO AMEND THE CODE OF THE CITY FLAT ROCK BY AMENDING SECTION 6.32 HOURS OF DISTRIBUTION OF HAND BILLS, AND ADDING SECTIONS 22-119 AND 22-146 TO PROVIDE FOR THE HOURS OF OPERATION FOR PEDDLERS AND SOLICITORS; AND BY ADDING SECTIONS 22-119 AND 22-147 PROHIBITING VENDOR AND SOLICITOR ACTIVITIES WHERE POSTED

THE CITY OF FLAT ROCK ORDAINS:

SECTION I. Section 6-32, of Chapter 6 of Article II of the Code of the City of Flat Rock is hereby amended to read as follows:

Section 6-32. Hours of Distribution.

It shall be unlawful for any person to distribute, deposit, place or throw or scatter any handbill before the hour of 9:00 A.M. and after the hour of 6:00 P.M. from October 1st through April 30th or before the hour of 9:00 A.M. and after the hour of 8:00 P.M. from May 1st to September 30th, or at any time on Sundays and the following holidays: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.

SECTION II. Article IV, entitled "Peddlers", of Chapter 22 of the Code of the City of Flat Rock is hereby amended by adding Sections 22-119 and 22-120, which Sections shall read as follows:

Section 22-119. Hours of Operation.

Peddlers shall confine their activities, in residential areas, to the hours of 9:00 A.M. to 6:00 P.M. from October 1st through April 30th, and the hours of 9:00 A.M. to 8:00 P.M. from May 1st through September 30th. Other times may be arranged on prescheduled appointment - only basis with a resident.

Section 22-120. Prohibited Where Properly Posted.

It shall be unlawful to call at any dwelling or other place that displays in a conspicuous position near the entrance thereof, a sign bearing the words "No Peddlers", "No Solicitors", "No Sellers", or words of similar meaning.

SECTION III. Article V of Chapter 22 of the Code of the City of Flat Rock is hereby amended by adding Sections 22-146 and 22-147, which Sections shall read as follows:

Section 22-146. Hours Of Operation.

Solicitors shall confine their activities, in residential areas, to the hours of 9:00 A.M. to 6:00 P.M. from October 1st through April 30th, or the hours of 9:00 AM. to 8:00 P.M. from May 1st through September 30th. Other times may be arranged in prescheduled appointment - only basis with the resident.

Section 22.147. Prohibited Where Properly Posted.

It shall be unlawful to call at any dwelling or other place that displays in a conspicuous position near the entrance thereof, a sign bearing the words "No Peddlers", "No Solicitors", "No Sellers", or words of similar meaning.

SECTION IV. That all ordinances or parts of ordinances, the Code of the City of Flat Rock, or parts of the Code of the City of Flat Rock, not consistent herewith are hereby repealed.

SECTION IV. This Ordinance shall be published in the News Herald Newspaper as required by Charter, but in no event shall be effective earlier than ten (10) days after enactment.

Motion carried 5-1 with Bergeron voting no

9. **NEW BUSINESS**

**Item 9-A-Mayoral Appointments**

Note: The Mayor can make the motion for Department Head appointments but unable to vote on any of them for the first 30 days. If an appointee doesn't receive 4 positive votes, the employee will stay in their position until they are reappointed or replaced.

**Resolution 1-04-08**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to reappoint William Vack, Fire Chief & Civil Defense Director as recommended by the Mayor

Motion carried 4-1 with Little voting no

Mayor Dropiewski abstained

**Resolution 1-04-09**

Motion by Dropiewski  
Supported by Thomas

RESOLVED, to reappoint Mark Hammond, Assistant Fire Chief as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-10**

Motion by Dropiewski  
Supported by Bergeron

RESOLVED, to reappoint John Leacher, Police Chief as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-11**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to appoint Matthew Sype as DPS Director and Street Administrator as recommended by the Mayor

Motion failed 3-2 with Wrobel and Little voting no

Mayor Dropiewski abstained

**Resolution 1-04-12**

Motion by Dropiewski  
Supported by Wrobel

RESOLVED, to reappoint Meaghan Bachman, City Clerk as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-13**

Motion by Dropiewski  
Supported by Bergeron

RESOLVED, to reappoint Larry Dishaw, Building and Safety Director as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-14**

Motion by Dropiewski  
Supported by Thomas

RESOLVED, to reappoint Brian Marciniak as City Treasurer and City Fiscal Officer as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-15**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to reappoint Liz Hendley, Economic Development Director as recommended by the Mayor

Motion failed 3-2 with Wrobel and Little voting no

Mayor Dropiewski abstained

**Resolution 1-04-16**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to reappoint Rodney Wade as Recreation Director and Senior Citizen Advisor as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-17**

Motion by Dropiewski  
Supported by Bergeron

RESOLVED, to reappoint Frederick Morgan, City Assessor as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-18**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to reappoint David Grunow, City Attorney as recommended by the Mayor

Motion carried unanimously 5-0

Mayor Dropiewski abstained

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**COUNCIL COMMITTEE AND CONSULTANT APPOINTMENTS**

**Resolution 1-04-19**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to appoint Charles E. Raines Company as the City Engineers

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-20**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to appoint McKenna Associates as the City of Flat Rock's Planning Consultants

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-21**

Motion by Dropiewski  
Supported by Thomas

RESOLVED, to appoint Yeo and Yeo as City Auditors

Motion carried unanimously 5-0

Mayor Dropiewski abstained

**Resolution 1-04-22**

Motion by Dropiewski  
Supported by Wrobel

Discussion: Martin noted he would like better coverage; Mayor spoke to the concern

RESOLVED, to appoint Heritage News Herald as the City's official newspapers

Motion carried unanimously 6-0

**Resolution 1-04-23**

Motion by Dropiewski  
Supported by Martin

RESOLVED, to appoint Dr. Patterson as the City Health Officer

Motion carried unanimously 6-0

**Resolution 1-04-24**

Motion by Wrobel  
Supported by Bergeron

RESOLVED, to concur with the Mayor's recommendation to the committee appointments as follows:

South Huron Valley Authority  
Representative Jonathan Dropiewski, Mayor  
Alternate Matt Sype, DPS Director

Mutual Aid/DRANO  
Representative Jonathan Dropiewski, Mayor  
Alternate Ken Wrobel, Council

Downriver Community Conference  
Representative Jonathan Dropiewski, Mayor  
Alternate Ken Wrobel, Council

33rd District Court Representative  
Ken Wrobel, Council  
Alternate Dawn Thomas

Community Development Block Grant  
Representative James Martin, Council  
Alternate Dawn Thomas

Huron River Watershed  
Representative James Martin, Council  
Alternate John Bergeron, Council

Alliance of Downriver Watersheds  
Representative Matt Sype, DPS Director  
Alternate Meaghan Bachman, City Clerk  
Alternate Liz Hendley, Economic Development Director

Motion carried unanimously 6-0

**Item 9-B-Appointment to the Planning Commission – Steve Beller**

**Resolution 01-04-25**

Motion by Wrobel  
Supported by Thomas

RESOLVED, to appoint Steve Beller to the Planning Commission with term expiring 2.15.2016;

BE IT FURTHER RESOLVED, to extend the term of appointment to 2.15.2019

Motion carried unanimously

**10. CITIZENS TO BE HEARD (ADDITIONAL COMMENTS):**

Katt Stock of the Flat Rock Animal Shelter introduced “Zola” a great dog ready for adoption. She updated the Council on Animal Shelter information and noted 9 cats are also available for adoption.

**11. LATE CORRESPONDENCE:**

NONE

**12. ADJOURNMENT:**

**Resolution 01-04-26**

Motion by Martin  
Supported by Bergeron

RESOLVED, to adjourn the regular City Council meeting of January 4, 2016 at 8:15 PM

All voting yes; motion carried unanimously

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**JONATHAN DROPIEWSKI, MAYOR**

**DATE:** \_\_\_\_\_  
**Approved**

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**MEAGHAN K. BACHMAN, CITY CLERK**