

COUNCIL PROCEEDINGS FOR OCTOBER 26, 1998

MEETING CALLED TO ORDER AT 7:00 P.M. BY MAYOR KEN BROWN.

PLEDGE OF ALLEGIANCE LED BY CITY CLERK JULIE MILLER.

PRESENT: COUNCIL MEMBERS: LAURA CARPENTER, MARVIN FORD, MIKE LENTS, JUDY MURRAY, KELLY PAVEL (arrived at 7:09), CITY CLERK JULIE MILLER, CITY ATTORNEY MARILYN ZIMMERMAN, CITY MANAGER CLINT HOLMES, MAYOR KEN BROWN. ABSENT: JERRY JOHNSON.

CORRECTIONS TO OCTOBER 12, 1998 MINUTES:

1. Under STREETS AND SIDEWALKS, #6 correct total = \$3,820.00 with half \$1910.00 being the city portion for Rodger Woods sidewalk.

Moved by CM Carpenter supported by CM Pavel to approve the minutes of October 12, 1998 as corrected. MC.

Eleanor Grout who is seeking election for County Commissioner introduced herself to the Council and the public visitors and gave a brief comment.

Helen Takacs who is seeking election as a Write-In for County Commissioner introduced herself to the Council and the public visitors and gave a brief comment.

OPEN PUBLIC HEARING FOR THE SPECIAL ASSESSMENT DISTRICT AT 7:13 P.M.

Many public questions and comments were made. JoAnne Palmeri questioned if this was the first time the citizens were charged to put in a storm sewer. City Engineer Bob Nichols arrived at 7:21 P.M. with a proposed draft and explanation of the project for the 1st to 4th Street area storm sewer. This proposal for this area regarding costs to be split 50/50 with property owners. City Attorney explained "SPECIAL ASSESSMENT". No decision made. City Manager to follow up with owners about easements and report back to the council.

CLOSE PUBLIC HEARING AT 8:15 P.M..

Moved by CM Lents supported by CM Pavel to table PUBLIC HEARING FOR THE SPECIAL ASSESSMENT DISTRICT until the next Council meeting on November 9, 1998 at 7:15 P.M., and to direct City Manager Holmes to contact property owners regarding easements. MC.

PETITIONS AND COMMUNICATIONS:

1. Moved by CM Carpenter supported by CM Ford to approve the preapplication building permit for Ben's Supermarket, 4436 Main Street to put up a canopy over asphalt subject to fee of \$250.00. MC.

2. Moved by CM Carpenter supported by CM Pavel to approve the preapplication building permit for Velva Scott, 6873 St Marys Street for new roof, boards and shingles. MC.

3. Moved by CM Carpenter supported by CM Ford to approve the preapplication building permit for David McCummons, 4301 Wood Street for siding. MC.
4. Moved by CM Carpenter supported by CM Pavel to approve the preapplication building permit for Linda MacLarty, 7108 Lincoln Street for a new window.MC.
5. Moved by CM Carpenter supported by CM Murray to approve the preapplication building permit for Tri-County Bank, 4222 Main Street for a Canvas Awning. MC.

ORDINANCES: NONE

RESOLUTIONS: NONE

Jim Zyrowski, from Ben's Supermarket questioned the council about the \$250.00 fee that is required. Council discussed this issue and explained that they made this decision 1 year ago, Motion from October 27, 1997 read which contained this information to require a fee to cover the expense of our City Engineer reviewing the blue prints. Zyrowski questioned why he was the only one required to pay, referring to others who had not. CM Murray commented this issue needs to be looked into and fixed properly. Council agreed. CM Pavel requested that the fee be administered correctly. Moved by CM Carpenter supported by CM Pavel to AMEND MOTION #1 UNDER PETITIONS AND COMMUNICATIONS TO take out "subject to \$250.00 fee". 4 years 1 nays (CM Ford).

PAY BILLS:

Moved by CM Murray supported by CM Pavel to pay the bills as presented in the following funds: General fund: \$12,331.56, Payroll Fund: \$11,910.00, Sanitary Sewer Fund: \$9,048.05, Water Recreation Fund: \$50.00, Investment Fund: \$38,675.40. MC.

ATTORNEY'S REPORT:

City Attorney reported to the council the status on the Snoblin house. The City Attorney explained the court proceedings with the courts awareness of the outstanding land contract, requiring the buyer (who wishes to refurbish the home) to pay \$15,000 within 30 days, which occurred. Attorney sent bills to Snoblin's Attorney, no response as of 10/26/98.

Moved by CM Pavel supported by CM Murray to extend the meeting beyond the 9:00 P.M. deadline. MC.

City Attorney commented that the buyer of the Snoblin house wants to be brought up to date with the city, and that the buyer was told of new ordinances, and if not followed would be strictly enforced.

BUILDINGS AND GROUNDS: NONE

POLICE: NONE

WATER AND SEWER: CM Lents discussed the rates and the ordinances 5307 and 5307.2 regarding this issue. City Attorney requested the WATER AND SEWER COMMITTEE to review other districts rates and fees.

Moved by CM Lents supported by CM Ford to have the City Attorney to draft an ordinance requiring a \$25.00 turn on fee and an annual increase of 3%/or amount of inflation whichever is lowest for water rates. MC.

TAX AND FINANCE: NONE
STREETS AND SIDEWALKS: NONE

MANAGERS REPORT:

1. Manager reported on Brown City Schools request for extension on complying with the smoke test. He presented a letter from the schools Attorney. Superintendent Gaubatz present for the discussion. CM Lents requested the council grant the extension. Manager to provide complete report on November 9, 1998 regarding this issue.

NOTE: City Attorney left at 9:38 PM.

2. Report on COPS Grant, subject to completion of paperwork.

3. Firefighters costs to be \$384.00 for October 30 and 31, 1998.

4. Laydon Tax Abatement – application delivered, with DOT requesting the resolution add a closing date, until 2010.

5. Almont Tax Abatement – application delivered, with request that the resolution add a closing date, until 2010. Public hearing needed to insert REAL PROPERTY back into resolution.

Moved by CM Ford supported by CM Carpenter to hold Public Hearing for New Resolution for ALMONT TAX ABATEMENT TO ADD REAL PROPERTY to be held on November 9, 1998 at 7:30 P.M. MC.

6. Article in today's BANNER newspaper, BOARDS AND COMMISSIONS CITIZEN PARTICIPATION, looking for additional members.

7. Manager requested \$190.00 for training opportunities, council agreed.

8. Requested library be closed for the GENERAL ELECTION ON TUESDAY NOVEMBER 3, 1998.

Moved by CM Pavel supported by CM Ford to pass a resolution to hold the General Election on Tuesday November 3, 1998 in the library.

9. Anaka Berry finished with the ordinances, now working on data base for Cemetery.

10. Discussion on letter to MDOT requesting speed limit reduction on Main Street.

CM Pavel commented that the schools request to be extended needs to be monitored and taken care of, due to them only requesting the extension 2 weeks before the deadline.

MAYORS REPORT:

Mayor Brown reported that there is “phony” Kirby Vacuum Salesman in town offering a free 12 pack of PEPSI driving a forest green JEEP CHEROKEE.

Moved by CM Murray supported by CM Pavel to adjourn at 10:08 PM. MC

Respectfully submitted,

Julie P. Miller
City Clerk

