

COUNCIL PROCEEDINGS FOR JULY 26, 1999

Meeting called to order at 7:00PM by Mayor Ken Brown.

Pledge of Allegiance led by City Manager Clinton Holmes.

PRESENT: Councilmembers: Kelly Pavel, Judy Murray, Mike Lents, Marvin Ford, Frank Lukacs, Laura Carpenter, Mayor Ken Brown, City Manager Clint Holmes, City Attorney Marilyn Zimmerman, City Clerk Julie Miller.

CORRECTION/APPROVAL OF MINUTES:

Moved by CM Lukacs, supported by CM Carpenter to approve the Minutes of July 12, 1999 as written. Motion Carried.

Moved by CM Pavel, supported by CM Lukacs to approve the Minutes of (Special) July 21, 1999 as written. Motion Carried.

PAY BILLS:

CM Murray questioned Sanitary Sewer Bill. Manager stated \$375.00 to be split with Kohler for ditch work along Kohler/Buby Streets and Maple Valley Road. \$900.00 was cost of mowing area around Lagoons and is a City expense.

Moved by CM Murray, supported by CM Pavel to pay the bills as presented in the following funds: General fund \$10,431.04; Payroll fund \$13,371.68; Sanitary Sewer fund \$8,997.14; Water Recreation fund: \$561.50; Investment fund \$16,428.744. Motion Carried.

OLD BUSINESS:

1. Resolution 99-15 (Sale of Harron Cable).

Council agreed to wait the 30 days as already stated in prior Minutes. No further action taken.

PUBLIC QUESTIONS AND COMMENTS: NONE.

PERSONAL APPEARANCES: NONE.

RESOLUTIONS: NONE.

PETITIONS AND COMMUNICATIONS:

1. Moved by CM Carpenter, supported by CM Ford, to approve the pre-application building permit for Ralph Smith, 4111 Third Street, to add an 8'x17'x6' Breezeway and 36'x24' garage. Motion Carried.

2. Moved by CM Carpenter, supported by CM Lukacs, to approve the pre-application building permit for Ray Dupuie, 4101 Maple Street, for roof repair on house and garage. Motion Carried.

3. Moved by CM Carpenter, supported by CM Ford, to approve the pre-application building permit for Ray Nogowski, 6776 Walter Street, to build 12'x12' shed and a fence. Motion Carried.

ATTORNEY'S REPORT:

Attorney stated that she had researched the issue of Proper Parties to Sell Park Property due to a request from a citizen (who currently owns a pool built on Park property) to purchase the are under and around this (above ground) swimming pool. The City currently leases the Park Property under a 30 year lease, while the Park Board apparently owns the property. Attorney stated that the Title Company needs to be contacted to see what they require. The City would need to join with the Park Board to sell. (Precedent may have been set when Park land was sold to a Group home, which is being researched and will be provided to the Attorney.) Council discussed issue, Attorney will continue research and provide information later.

PUBLIC HEARING:

1. Ordinance Section 17.100 (Sale of old City Fire Hall and adjacent vacant lot.)

PUBLIC HEARING OPENED AT 7:17PM:

No comments and or questions from the Public.

PUBLIC HEARING CLOSED AT 7:19PM.

Opened to Council for Discussion: Attorney stated that Title work was ordered and there is a problem with Parcel 2: outstanding land Contracts, interest of the local property services division of the MI Dept of Treasury, and BC Savings Bank land contract. Attorney recommended that Council continue the Public Hearing until a later date (which would allow this hearing to continue without re-advertising) when the Title work can be cleaned up, to allow clear Title to sell this property.

Moved by CM Ford, supported by CM Carpenter to extend the Public Hearing on Ordinance Section 17.100 until the regular Council meeting on August 23, 1999. Lents Opposed. Motion Carried.

ORDINANCES: (SEE ABOVE)

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: None.

Personnel: Lukacs: None.

Police: Ford: None.

Sewer and Water: Lents: None.

Tax and Finance: Murray: None.

Streets and Sidewalks: Pavel: None.

MANAGER'S REPORT:

1. **STREETS:** Maple Valley Road lane markings have been applied. City Engineer inspected St. Mary's Street and pavement compaction tests were completed. Engineer will generate a report which will be used to open negotiations with Valley Asphalt to fix deficiencies. No payment to be made until situation resolved.

2. **JONES & HENRY:** Met with the engineers last Wednesday (July 21). They will put together an estimate and procedure plan for two projects: (a) The exfiltration Study required by the new Lagoon Permit; and (b) Requirements and prioritized costs associated with an application for a loan/grant from (USDA) Rural Development. Expect to take action on these bids at the next Council meeting.
3. **LIFT STATIONS:** Met with Detroit Edison concerning installation of three-phase electric power to the Thelman Lift Station. Estimate and work order are being generated. Once paid, Detroit Edison will schedule the work. Be at least 5-6 weeks before installation.
4. **HARRINGTON INN:** Owner plans to replace the sidewalk in front of the restaurant. Once complete, he plans to submit a request for co-payment to the City.
5. **RETIREMENT REQUEST:** DPW Foreman Gary Gorsline has asked to retire. He will have the 80 points necessary to do so (under the City Employee Contract) in March. In addition to the City continuing to pay for his health insurance, he has requested that the City also pay for his spouse's health insurance. Cost would be about \$2,700 a year for ten years. Personnel Committee Meeting scheduled for Monday, August 2, 1999 at 7:00PM, with invite to Gary Gorsline.
6. **MISSIONARY CHURCH:** The Church plans to erect a new building on M90 west of the City. They wish to be annexed into the City. Before they submit this request to Burnside, they want to know if the Council will support annexation (and the associated water and sewer hook-ups). Paul Muxlow and Raymond Whitmer present and answered questions. Council encouraged them to seek approval from Burnside Township.
7. **COUNTY SOLID WASTE COMMITTEE:** The Board of Commissioners is looking for representatives to appoint to the Solid Waste Committee. I have talked to the County about my being appointed (two year term) to better represent the City. Council had no objection.
8. **PEARSALL SUBPOENA:** The Mayor and I received subpoenas to appear before the Bureau of Worker's Disability Compensation of Michigan to testify in the matter of Roger Pearsall. Hearing will be in Detroit at 9:00 AM on Thursday, July 29.
9. **MML CONFERENCE REPRESENTATIVE:** We have been requested to designate by 'official action' a representative to cast the City's vote for trustees during the MML Convention on October. A copy of the MML letter was provided in the packets.

Moved by CM Ford, supported by CM Lukacs, to pass a Resolution to have City Manager Holmes as a Primary Representative and Mayor Brown as an alternate. Motion Carried.

10. **MICHIGAN MUNICIPAL WORKERS COMPENSATION FUND BALLOT:** The Council has been asked to re-elect the seven incumbent trustees. A copy of the cover letter and bio sheet was provided to Councilmembers.

Moved by CM Pavel, supported by CM Carpenter, City Council authorizes this vote to be cast for Kenneth L. Babich , Tamara O'Brien Hanlin, Thomas M. Markus, Chair, Gerald R. Peterson, Carole Petitjohn, John C. Thomas, Karl S. Tomion. Persons to serve as trustees of the Michigan Municipal Worker's Compensation Fund. Motion Carried.

11. **GTE PUBLIC ACCESS:** GTE is requesting we renew our (5-year) contract with them for the pay phone at Main and Lincoln. Council agreed to renew.

12. **AMERICAN EXPRESS AGREEMENT:** Met with a representative from AMEX which manages the City's retirement plan. Plan needs to be renewed to reflect changes required by the IRS. Only change relevant to the City is that retirement eligibility is now in line with employee contracts. Council agreed.

13. **TASK TOOL:** Mr. Sondey, owner, offered this building to the City for \$75,000.00. (\$90,000-\$15,000 for taxes). Council declined.

14. **ENFORCING ORDINANCE:** Our Ordinance requires a License for Pin Ball Machines and Pool Tables, in commercial establishments. Letter sent to Owner of Bowling Alley with no response. Police to be sent to issue citation for non compliance.

MAYOR'S REPORT:

1. **Silver Lining Award:** Mayor stated that he planned to nominate Joan Palmeri for her volunteer work and Pastor Dallas Berry for the Oasis Center for Teens.

2. **Cemetery Board Appointments:** Jack Marion and Daune Carman asked to be replaced. Mayor recommended the following individuals: John Liebler-5 year term, Jean Curson-4 year term, Helen Higgins-3 year term, Raymond Carman-2 year term, Anthony Zimmerman-1 year term. Terms will be renewed annually until all appointees are serving five-year terms. Re-appointments/appointments will be made around August 1st of each year.

Moved by CM Lukacs, supported by CM Murray to appoint to the Cemetery Board: John Liebler-5 year term, Jean Curson-4 year term, Helen Higgins-3 year term, Raymond Carman-2 year term, Anthony Zimmerman-1 year term. Motion Carried.

Mark Tobey questioned Pool Table at Teen Center: Since table is non-coin operated and owned by a non-profit organization, no license is required.

Moved by CM Ford, supported by CM Pavel to adjourn at 8:16PM. Motion Carried.

Respectfully submitted,

Julie P. Miller
City Clerk