

COUNCIL PROCEEDINGS FOR SEPTEMBER 27, 1999

Meeting called to order at 7:03 PM by Mayor Ken Brown.

Pledge of Allegiance led by CM Marvin Ford.

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

CORRECTION/APPROVAL OF MINUTES:

CORRECTION: Under Old Business: Attorney stated that Council could have filed an injunction to enjoin the sale by Representative from City, [unless the City Representative, which is the Mayor, approves the sale. The Mayor already voted in favor of sale so this course of action is therefore invalid.]

Moved by CM Pavel, supported by CM Carpenter to approve the Minutes of September 13, 1999 as corrected. Motion Carried.

PAY BILLS:

CM Murray requested an invoice for Sanilac County Treasurer be tabled since this invoice is normally paid in March. CM Murray stated that the Attorney fees associated with the transfer of Park property need to be paid, and that this bill should go to the Park Board. Council agreed that the Park Board needed to pay for these legal fees.

Moved by CM Murray, supported by CM Pavel to pay the bills as presented in the following funds: General fund \$10,147.27; Payroll fund \$10,605.33; Sanitary Sewer fund \$434.92; Water Recreation fund: \$1,709.40; Local Street fund \$298.07; Investment fund \$32,126.24. Motion Carried.

OLD BUSINESS:

1. Resolution 99-18 (Jones and Henry Contract).

Attorney stated her opinion that the contract could be more equitable, and recommended that the Council give the Manager authorization to negotiate the contract with Jones and Henry.

Attorney recommended that the Council does not adopt this resolution if Jones and Henry will still do business without having a formal contract in place. Manager to meet with Attorney to discuss potential modifications to the contract with Jones & Henry, Inc.

PUBLIC QUESTIONS AND COMMENTS: None.

PERSONAL APPEARANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS:

1. Jim Billiet, Mapleview Estates - Enclose Ditch.

Council agreed to send this request to the Planning Commission for review.

PUBLIC HEARING:

1. Continuation of Ordinance Section 17.100 (Sale of old fire hall and adjacent vacant lot). Attorney stated that all parties have been contacted, but is still waiting for signatures from Mr. and Mrs. Alan Lee Nagy. Expect to receive final signatures soon.

ORDINANCES:

1. Ordinance Section 17.100. SEE ABOVE, UNDER Public hearing.

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: None.

Personnel: Lukacs: Absent.

Police: Ford: None.

Sewer and Water: Lents: None.

Tax and Finance: Murray: Reported on meeting of budget amendments, plan to have ready for review and approval at the October 11 Council Meeting.

Streets and Sidewalks: Pavel: None.

CM Pavel questioned if the Teryak's request (to lower the road in the Hillside Subdivision on Cade Rd) was forwarded to the Planning Commission. Manager stated yes and that the Teryak's received a Quick Claim Deed from Tobey and Van Agan, and that all parties would be notified of the date and time of the Planning Commission meeting.

ATTORNEY'S REPORT: None.

MANAGER'S REPORT:

1. SANILAC COUNTY ECONOMIC DEVELOPMENT COUNCIL: Met with Director Dale Benish last Wednesday. He provided information concerning modifying our DDA into a DDA/TIFA. Once the necessary paperwork is submitted, the City will be able to capture additional tax dollars away from the State, i.e., we will be able to keep the difference between current commercial SEV and future SEV. Also, discussed the possibility of creating a Tax-Free Renaissance Zone to help attract additional industry to the City. However, the County Finance Committee voted against sponsoring any Zones within the County. Whether the measure will pass the whole Commission is unknown at this time.

Council agreed to proceed with the Renaissance Zone application.

2. JONES & HENRY ENGINEERS: Met with a representative to discuss the Lagoon infiltration/exfiltration study. Copies provided to the Sewer and Water Committee. Any recommended changes can be incorporated into the plan.

3. CONSUMER CONFIDENCE REPORT/WATER QUALITY REPORT: The EPA/MDEQ has a new requirement that each community water system (CWS) issue an annual report detailing water sources and levels of any contaminants. First report is due NLT October 19, and subsequent reports must be published NLT July 1st each year forever. Specific contents of the reports are mandated. Since the City has a population of less than

10,000, we may publish the report in the Banner rather than mail a copy to each household and water user in the City.

Council agreed to mail a copy to each household.

4. **MML ANNUAL CONFERENCE:** The Mayor and I will be attending the conference in Grand Rapids October 6-8.
5. **DPW EMPLOYEE:** A help wanted ad is running in the Banner this week and next. Expect to have interviews the third week of October.
6. **BC MANUFACTURED HOME PARK:** Met with the owner, Mr. Tim Worth, concerning water meters. He stated he expects to have occupants in the Park by Christmas.
7. **KNOX DISPOSAL:** Contract is due for renewal. I spoke with Croswell about Waste Management. They are very unhappy with WM. This combined with a slew of negative press concerning WM indicates that sending them a request for bid would be a mistake at this time. Does the Council desire that I try to find another company or continue with Knox?
Moved by CM Lents, supported by CM Carpenter to have Manager renew contract with Knox disposal due to satisfaction with service and no advantage to the City to obtain bids from other companies. Motion Carried.
8. **CITY DEBIT CARD:** Discovered that hotels will not accept a City tax-free form unless the hotel/motel bill is paid with a City credit card or check. Propose that we have Tri-County issue a debit card to allow us to use our tax-free status. **REQUIRES RESOLUTION.**
Attorney stated that the State Statute requires a Credit Card since the Council must authorize payment of bills rather than have money deducted directly from the account, as is the case with a debit card. Manager to research credit card acquisition.
9. **HALLOWEEN HOURS:** Last year, hours were set by Council at 5:30-7:30 PM. Halloween falls on Sunday this year. Also plan to use Fire Department to supplement police patrols. **REQUIRES RESOLUTION.**
Moved by CM Pavel, supported by CM Carpenter to set Trick or Treating Hours at 5:30pm to 7:30pm on Sunday, October 31, 1999. Motion Carried.
10. **FALL CLEAN UP DAYS:** DPW has recommended October 21 and 22 for Fall Clean Up Days. **REQUIRES RESOLUTION.**
Moved by CM Ford, supported by CM Murray to set Fall Clean up days for October 21 and 22. Motion Carried.
11. **WADE-TRIM:** A public hearing is scheduled for September 30 at 6:30 in the Library to discuss the 5-year Community Park Recreation Plan. This plan is required to begin the Clean Michigan Initiative Grant process. Plan calls for \$650,000 in improvements over the next five years. Plan is available for review at City Hall.

12. 7180 LINCOLN STREET: Sent letter to owner-letter returned address unknown. Neighbors on Lincoln Street will attempt to contact owners and have them talk to the City Manager. Ladder against house will be removed.

13. ASSESOR SOFTWARE: Council already approved. \$1,495.00 + \$300.00 year for maintenance. Only \$1,600.00 in budget. **Council agreed to add to fund.**

14. HYDRO-DYNAMICS: Received Fax stating windings on motor are burnt from Maple Valley lift station. Cost=\$1,977.00 above bid. Checking with insurance company about coverage due to possible lightning damage.

15. DPW DUMP TRUCK: Three Bids requested, International - \$76,192.00, Chevrolet and Ford not yet received.

16. \$50.00 CHECK: Received restitution from (one of three) Park Vandal.

MAYOR'S REPORT: None.

CM Pavel remarked on the tree trimming at the cemetery. Manager stated that Rodger Wood was awarded the contract and then he sub-contracted the Amish. Cemetery Board required completion by November 1st.

Moved by CM Lents, supported by CM Murray to adjourn at 8:43 PM. Motion Carried.

Respectfully submitted,

Julie P. Miller
City Clerk