

COUNCIL PROCEEDINGS FOR OCTOBER 25, 1999

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

Pledge of Allegiance led by CM Judy Murray.

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

CORRECTION/APPROVAL OF MINUTES:

Moved by CM Pavel, supported by CM Lukacs to approve the Minutes of October 11, 1999 as written. Motion Carried.

PAY BILLS:

Moved by CM Murray, supported by CM Carpenter to pay the bills as presented in the following funds: General fund \$11,636.01; Payroll fund \$10,277.10; Sanitary Sewer fund \$9,875.54; Major Street Fund: \$125.00; Local Street fund \$634.50; Water Recreation fund: \$200.08; Investment fund \$77,136.52. Motion Carried.

OLD BUSINESS:

SEE: Public Hearing.

PUBLIC QUESTIONS AND COMMENTS:

Eva Gottler thanked the City and DPW for the great job cleaning up the City for Clean-up Days. James Blevens, 4247 First Street, questioned if he was responsible for the bill from Carl's Septic Service for service at his home. Manager stated that Ordinance 5305.3 makes the homeowner responsible for costs associated with private sewer leads. City is responsible for sewer mains.

PERSONAL APPEARANCES: None.

RESOLUTIONS:

Moved by CM Carpenter, supported by CM Pavel to adopt Resolution 99-21: A RESOLUTION OF THE CITY OF BROWN CITY TO EXTEND THE TERM OF THE CABLE FRANCHISE. Roll Call Vote: Pavel-yes, Murray-yes, Lents-yes, Lukacs-yes, Carpenter-yes. 5-yes, 0-no, 1-absent. Motion Carried.

PETITIONS AND COMMUNICATIONS:

1. Moved by CM Carpenter, supported by CM Lukacs, to approve the pre-application building permit for James Billiet, (5600 Auburn Rd, Utica, MI) owner of Mapleview Estates, to enclose 77 feet of ditch with perforated 12" tile. City Planning Commission had previously reviewed and approved this project. Motion Carried.
2. Moved by CM Carpenter, supported by CM Lukacs, to approve the pre-application building permit for James Billiet, (5600 Auburn Rd, Utica, MI) owner of Mapleview Estates, to build

a 36'X64' Garage/Storage/Office Building on Lot #98. City Planning Commission had previously reviewed and approved this project. Motion Carried.

3. Moved by CM Carpenter, supported by CM Lukacs, to approve the pre-application building permit for John Liebler, 6881 Thelman Avenue, for a 10'X5.5' addition to his house. Motion Carried.

Discussion on Hillside Subdivisions plans and Planning Commission's approval. CM Pavel stressed the need for a second opinion on the site plans, due to the Engineer working for both the City and for developer, Mr. Van Agans. CM Lents requested status on the berm that was promised to homeowners on Vine Street. Berm will be engineered, and then completed in the Spring.

4. Moved by CM Lents, supported by CM Carpenter, to approve a pre-application building permit for a portion of the building plans for Hillside Subdivision. Specifically, to allow owners to start work to lower and complete the road. Remainder of plans, primarily the proposed drainage system, was tabled pending review by the civil engineering firm of Jones & Henry. Manager to contract with Jones & Henry for plan review.

PUBLIC HEARING:

1. Continuation of Ordinance Section 17.100 (Sale of old fire hall and adjacent vacant lot). Attorney stated that the final signed deed was received, thus clearing the title and permitting the transfer of the property.

PUBLIC HEARING OPENED AT 7:47 PM. No comments from the public.

PUBLIC HEARING CLOSED AT 7:48 PM.

CM Ford introduced this Ordinance in June 1999.

Moved by CM Pavel, supported by CM Carpenter, to adopt Ordinance 17.100, approval for Sale of old Fire Hall and adjacent vacant lot to Mr. Ed Pieters. Roll Call Vote: Pavel-yes, Murray-yes, Lents-yes, Lukacs-yes, Carpenter-yes. 5-yes, 0-no, 1- absent. Motion Carried. The Ordinance will become effective November 24, 1999. Property transfer can take place any time after that date.

ORDINANCES:

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

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: None.

Personnel: Lukacs: None.

Police: Ford: Absent.

Sewer and Water: Lents: Meeting set for Monday November 1, 1999 at 7:00 PM.

Tax and Finance: Murray: Working on Budget revisions.

Streets and Sidewalks: Pavel: None.

ATTORNEY'S REPORT: None.

MANAGER'S REPORT:

1. **EDC RENAISSANCE ZONE:** City paperwork submitted. Complete package delivered to Lansing Oct 21. Second phase of application process is a presentation in Cass City on Nov 1. Mayor, Council and City Manager requested to attend to show support for project (along with anyone else interested in this project). Governor to announce results (winners) during the first week of December.
2. **KNOX FRANCHISE AGREEMENT:** Received signed copy of agreement back from Knox.
3. **GEORGE EMMIE:** Wishes to build a new building (60' X120' X16'). He strongly desires to hook up to City water and sewer. If we make a connection to the manufactured home park across the street, cost will be about \$4,000. If we elect to run lines from the RR south, cost about \$20K. If no objection from the Council, will discuss the issue with owner of park. CM Lents recommended that the City not directly support having a resident tap-in to a private sewer system since potential liabilities were unknown. Council agreed.
4. **POLICE CAR:** While responding to a house fire, deer entered Maple Valley Road and failed to yield. Damage to police car: ~\$4K. Insurance claim filed. Insurance Adjuster inspected car Oct 22. Hope to have car repaired by Halloween.
5. **MICHIGAN TRANSPORTATION ENHANCEMENT PROGRAM GRANT APPLICATION:** Application due December 8. If the City wishes to participate, we need to identify a project and commence engineering study. City must provide a minimum of 20% matching funds (but 50% may be needed to be competitive). Cost to replace downtown curbs and sidewalks - \$81,317.50, plus cost of trees, etc.
6. **RAILROAD RIGHTS OF WAY COSTS:** Received new fee schedule for City use of RR property for water/sewer lines etc. Increase is \$1,100 above \$930 we paid for this year.
7. **DPW TRUCK:** Reported that Marlette was purchasing a truck very similar to that needed by the DPW. Their costs is about \$10,000 less. Contacted the manufacturer to determine if we can purchase a truck at this reduced rate.

MAYOR'S REPORT:

Mayor Brown recommended that the Council appoint Jack Nickens and Clem Grassele to the DDA.

Moved by CM Lents, supported by CM Pavel, to appoint Jack Nickens and Clem Grassele to the DDA Board. Motion Carried.

Mayor Brown recommended that the Council appoint Ralph Lowe to the Planning Commission. Mayor Brown will request Ron Smith to join the DDA.

Moved by CM Pavel, supported by CM Carpenter, to appoint Ralph Lowe to the Planning Commission. Motion Carried.

Manager presented a letter from Adelpia (formerly Harron Cable), that all Cable recipients will receive, for review by the Mayor and Council.

CM Pavel stated that School Administration requested that graffiti behind Bowling Alley be cleaned up after Halloween to improve the community.

Moved by CM Pavel, supported by CM Murray, to adjourn at 8:38 PM. Motion Carried.

Respectfully submitted,

Julie P. Miller
City Clerk