

COUNCIL PROCEEDINGS FOR JULY 9, 2001

Meeting called to order at 7:00 P.M. by Mayor Kelly Pavel.

Pledge of Allegiance led by Judy Murray.

PRESENT: Mayor Kelly Pavel, Council members- Laura Carpenter, Frank Lukacs, Michael Stain, Julie Miller, Judy Murray, Patricia Jacobson; City Clerk Denise Hoff, City Manager Clint Holmes, City Attorney Gerard Garno.

ABSENT: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Miller, support by CM Jacobson, to approve the Minutes of June 25, 2001, as submitted. Motion Carried.

PAY BILLS:

Motion by CM Murray, support by CM Carpenter, to pay the bills as presented in the following funds: General-\$14,278.79, Payroll-\$13,119.52, Sanitary Sewer-\$5,175.94, Major St.-\$87.03, Local St.-\$130.55, Water Recreation-\$36.21, Investment-\$17,520.72. Motion Carried.

OLD BUSINESS:

1. City Ordinance Chapter 5 Work Session Scheduling: Pending.
2. Rezoning Request- Keith Muxlow: Pending.
3. Mosquito Abatement Program: Cost for rest of this mosquito season with an abatement company would be approximately \$5,000.00. If City plans to purchase machine and fog 9 miles of paved roads costs would include:
 - a. Machine \$6,500.00-\$7,500.00;
 - b. Pesticide \$205.00 per gallon (or about \$11.00 per mile diluted)
 - c. No City license requirements for spraying, no unacceptable EPA health risks, unless allergic to pesticide, or respiratory problems. However, recommend that DPW Supervisor become certified to dispense chemicals. State licensing exam offered in the spring.

PUBLIC QUESTIONS AND COMMENTS: None.

PERSONAL APPEARANCES:

1. Ms. Helzer- Grass mowing fee: No Show. City Manager spoke regarding Ms. Helzer. Complaint of lawn grass over 12 inches in height. City mowed

lawn for 6 hours x \$100.00 per hour as stated in the letter sent to her in May. Ms. Helzer was billed \$600.00. She was to appear to contest this bill.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS: None.

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter): None.
2. Streets and Sidewalks (Lukacs): None.
3. Police (Miller): None.
4. Water and Sewer (Stain): None.
5. Tax and Finance (Murray): None.
6. Personnel (Jacobson): None.

ATTORNEYS REPORT:

1. Mapleview Estates vs. City of Brown City: Plaintiff asking for Attorney Fees- \$90,000.00. Hearing scheduled for July 16 at 10:00 A.M. Main issue is the fee; City may have to pay this.
2. Nextel/SBA Lease Negotiation Update. Reviewed the lease requirements set by Council. Recommended changes will be forwarded to Nextel/SBA and negotiations over fees will continue.

CITY MANAGER'S REPORT:

1. **Public Works Bonds:** Letter has been sent to the Sanilac County bond lawyer requesting an Initiating Resolution to begin the bonding process. Anticipate this will be ready for Council review and action at the next meeting.
2. **City of Brown City vs. Snoblin:** Small claims court hearing was in Sandusky on July 2. Judge felt that since the City had waived attorney fees for Mr. Richardson, they were waived period. This was a function of how the "Seller's Agreement" had been written by Mr. Richardson's attorney. Therefore the \$2,556 is not recoverable.
3. **Welch vs. City of Brown City:** Scheduled for arbitration in the law offices of Greg Ross in Sandusky on July 16th at noon. Meeting scheduled with our attorney for Wednesday, July 11th at 11:30 at City Hall for final review of testimony.

- 4. Fire Department MIOSHA Inspection:** The Department continues to abate the serious hazards identified in their pre-inspection. Paperwork was submitted to MIOSHA with a request for an additional 30 days to complete the abatements. Most recent accomplishment is creation, and approval by the Fire Authority Board, of an Incident Command System (ICS) policy.
- 5. Master Plan Contract:** The Planning Commission has invited three of the firms who bid on creating the City's Master Plan to give presentations at the special meeting on Tuesday, July 10th. Anticipate one of the three will be selected and the process can proceed. Cost of this project will be between \$11K and \$14K depending on who is selected.
- 6. Tree Bids:** The City has reopened the bid process for the removal of dead and dying trees in the community. The previous list has been reduced by about 66% in order to make it more affordable for the City. Trees and stumps scheduled for removal are south of Main Street. Next year's program will look at trees to the north. Bids are due on Monday, July 23rd by 4 PM.
- 7. Sidewalk Bids:** Since two homes on Welles Street and the one on Maple Street have decided to privately contract their sidewalk replacement, the City has opened the bidding process for a 158' section running south from Vine Street to the alley on Lincoln Street. Also bid are six individual sidewalk flags in various parts of the community. Bids are due on Monday, July 23rd by 4 PM.
- 8. DDA:** The meeting scheduled for July 5th, was postponed pending receipt of additional paperwork. No new date has been set at this time. The loan for the purchase of Apple Emmi's is proceeding and should be completed by the end of next week.
- 9. Park Playground Equipment:** The new swing-set and charcoal grills ordered by the Park Board arrived and will be installed by the DPW the week of July 9th. The swing-set will replace the one by the north pavilion. Grills will be placed at each pavilion and along the north edge of the south field.
- 10. Abandoned House:** A building complaint form was filed with the Sanilac County Building Department concerning the house at 4190 Maple Street.

Since the house seemed to be abandoned and is in general disrepair, the form was filed to begin condemnation proceedings unless the house is rapidly repaired.

11.City Manager Vacation: I plan to leave the afternoon of July 25th for a short vacation. I will be back in the office on August 6th.

MAYOR'S REPORT:

1. Planning Commission Appointment: Replace Clark Justin and Renee Nason. Motion by CM Carpenter, support by CM Stain, to appoint Dan Loutzenhiser and David Blovsky to the Planning Commission. Motion Carried.
2. Mayor Exchange with Lexington: July 18 & 19- Participants & recommended agenda and tours. Mayor Pavel, Laura Carpenter, Julie Miller, City Attorney and City Manger to attend.
3. Resignation of City Clerk Denise Hoff: Moving outside of the community. City Charter requires that elected officials live within the City. Motion by CM Lukacs, support by CM Miller, to regretfully accept the resignation of City Clerk Denise Hoff effective July 12, 2001. Motion Carried.

Motion by CM Lukacs, support by CM Murray, to adjourn the meeting at 7:40 P.M. Motion Carried.

Respectfully Submitted,

Denise Hoff
City Clerk