

COUNCIL PROCEEDINGS FOR APRIL 28, 2003

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

Pledge of Allegiance led by Pat Jacobson.

PRESENT: Mayor Laura Carpenter; Councilmembers – JoAnn Potts, Frank Lukacs, Charles Zuhlke, Jason Nielsen, Julie Miller, and Pat Jacobson; City Clerk Christine Lee, Interim City Manager Ken Brown, City Attorney John Lengemann

ABSENT: None.

CORRECTION AND APPROVAL OF MINUTES:

Move by CM Nielsen, second by CM Miller, to approve the Minutes of April 14, 2003 as corrected. Motion Carried. (Corrections page 2 of 3 Item 1, add an ed to the word install – should read – having a hydrant installed; page 3 of 7 Item 7, add within five years – should read – The parking lot will be paved within five years; second line from the bottom add an ed to the word deliver – should read – that he delivered one; page 4 of 7 top of page, add an ed to the word deliver; under Committee Reports #2 should be County and not State Police; page 7 of 7, after Mayor's Report, change the word from Christmas to Patriotic in both the statement and Motion – should read Patriotic decorations)

PAY BILLS:

Move by CM Jacobson, second by CM Potts, to pay the bills as presented in the following funds: General -\$52,355.94, Payroll - \$12,573.52, Sanitary Sewer - \$3,365.74, Local St. - \$119.40, Investment - \$140,717.43. Motion Carried.

OLD BUSINESS:

1. City Ordinance Chapter 5 Work Session Scheduling: Pending.
2. Rezoning Request – Keith Muxlow: Pending.

PUBLIC QUESTIONS AND COMMENTS:

County Commissioner William Walters on behalf of the City Treasurer Carol Walters who was ill, requested that she be sent to the County Treasurer Meeting on May 12th at a cost of \$15.00.

Move by CM Miller, second by CM Jacobson, to send City Treasurer Carol Walters to the County Treasurer Meeting on May 12th at a cost of \$15.00. Motion Carried.

County Commissioner William Walters informed the City Council that Lynn Harvey will be at the MSU Extension Building on May 19, 2003 from 3:30 – 5:00 P.M. to talk about budgeting.

PERSONAL APPEARANCES: None.

PUBLIC HEARING: None.

ORDINANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS:

Preapplication Building Permits –

1. James Gottschalk, 4094 Main Street – Demolish portion of house damaged by fire.

Motion by CM Potts, second by CM Miller, to approve the preapplication building permit for James Gottschalk to demolish the portion of the house damaged by fire at 4094 Main Street. Motion Carried.

2. James Gottschalk, 4094 Main Street – Rebuild portion of house damaged by fire.

Motion by CM Potts, second by CM Miller, to approve the preapplication building permit for James Gottschalk to rebuild the portion of the house damaged by fire at 4094 Main Street. Motion Carried.

CM Lukacs wanted to know why they were building before they had their building permit. Interim City Manager Ken Brown stated that they were repairing the cement block's that were damage from the demolition.

3. Michael Johnson, 4195 First Street – Fence. Because of the new county building codes this doesn't require a Motion because it is not more than 6feet high.

4. Mary Ryckman, 7086 Wells Street – Doesn't need a preapplication building permit for shingles.
5. Michael and Connie Lintner, 6777 Cade Road – to build a 14 x 20 foot shed on skids.

Motion by CM Potts, second by CM Miller, to approve the preapplication building permit for Michael and Connie Lintner to build a 14 x 20 foot shed on skids.

COMMITTEE REPORTS:

1. Police (Miller)- CM Miller wanted to know if City Attorney found out how the minutes are to be done. Interim City Manager Ken Brown informed the City Council that Minutes from the Planning Commission and Park Board, which have "NOT" been approved by their respective members, would be available at the City Hall for review prior to the Council Meeting.
2. Tax and Finance (Jacobson)- None
3. Personnel (Zuhlke)- CM Zuhlke expressed concern stating that new tires need to be put on the Police car for the personal safety of the Police. Also Mayor Carpenter stated the City should be looking into replacing the Police car more often than once every four years. CM Zuhlke wanted to know if the DPW were being tested for drugs and if this was being done randomly. Interim City Manager Ken Brown answered yes and that this is handled by M-DOT.
4. Water and Sewer (Nielsen)- Report on April 21st. Committee Meeting. Schedule a Committee Meeting on May 7th at 7:00 P.M.
5. Streets and Sidewalks (Lukacs) - CM Lukacs stated that the City didn't want any more dead ends on the water line, and he felt that this is the City responsibility. Interim City Manager Ken Brown informed the Council that the Brown City Missionary Church wasn't installing a main line, but a 2-inch water lead. Interim City Manager Ken Brown wants the Brown City Missionary Church to sign a waiver accepting all responsibilities for installing a 2-inch water lead and not installing an 8-inch line. CM Lukacs also express concerns about the pond. CM Lukacs wanted to know how many dead ends are there in the City.
6. Building and Grounds (Potts) – None

TREASURER'S REPORT: None

POLICE CHIEF'S REPORT:

Chief Ron Smith wanted to know, what to do about the youth's that hang around outside the Teen Center after curfew. He stated that no matter how many times they patrol around the Teen Center there is still vandalism going on. City Council informed the Chief of Police Smith to start issuing tickets to youth that are hanging around outside the Teen Center for curfew violations or for loitering.

CM Potts informed the City Council that the Real Estate Office building is taking bids to paint the graffiti.

ATTORNEY'S REPORT: None

CITY MANAGER'S REPORT:

1. Dixon Engineering, Warranty Inspection for the Water Tower work done in 2002. This is a one-year warranty on the water tower, cost is \$1545.00, I need approval for Dave Kinney, and myself to sign contract.
Move by CM Lukacs, second by CM Nielsen, approve Dave Kinney, and Interim City Manager Ken Brown to sign the contract for the Warranty Inspection for the Water Tower at the cost of \$1,545.00. Motion Carried.
2. Mayor exchange with Port Sanilac, what day would be suitable?
To have Mayor exchange with Port Sanilac some time in June after Brown City Days.
3. Tree stumps, what to do with them, and what do we put in their place, there are 10 stumps? What should we replace the stump's with? Should we use ½ barrels for flowers, or should the cement be replaced, and should the business owners have a say? Cut down level for now, and put the ½ barrels, and plant the barrels with flowers. See if the store owners will adopt the ½ barrels after the City buys the first set of flowers. Or the people who have community service take care of them. CM Lukacs informed the Council the City flower is the Geranium.

CM Lukacs handed out a list of trees the City should look at and think about to replace the ones on Main Street.

4. Bids for Equipment, 1989 Chev. Pickup, 1978 480 Case Tractor, 198_ Elgin Street Sweeper, 1946 Hobart Generator.
5. Trees on right of ways need to be trimmed since the Ice storm, I talked to

Matt Thompson at the Cass City and he said to keep track of the time and expenses and turn them in. Dave Kinney is checking with the tree services we usually get. Limbs are broken, and hanging, waiting for a heavy wind to blow them down. CM Potts stated that behind her house at the end of her property in the park, there are tree branches lying on top of wires.

6. Delinquent water bills, we have two, City Ordinance 5309.3 tells us what to do to take care of delinquent bills; Council needs to order the publication of Ordinance 5309.3 on the two delinquent bills
Move by CM Miller, second by CM Jacobson, to order the publication of the two delinquent bills. Motion Carried.
7. Frank Gersternecker, sent a Draft Position Announcement, Council needs to Check it over and make any changes, and then we will fax it back to him. I have added the date of incorporation date. Under Education change 2 to 1 elementary school and add St. Clair County Community College.
8. Owens shell service, LLC, a copy of the denial for a Liquor License. Mayor Carpenter wanted to know if the City has to handle Liquor License. Interim City Manager Ken Brown stated that the City doesn't have to handle this.
9. MDFA (Michigan Downtown and Financing Association), is having a one day conference, how use DDA and TIF funds, it is on Friday May 30th
Move by CM Lukacs, second by Jacobson, to have Interim City Manager Ken Brown attend the Michigan Downtown and Financing Association on Friday, May 30, 2003. Motion Carried.
10. Michigan Municipal League 2003 Regional Meeting for Region V will be held on May 29, 2003 at the Riviera Restaurant in Marine City.
11. New guidelines for Building Pre-application you received a handout.
12. Resolution # 99-13 you received a copy of to put in your ordinance book, this is just information.
13. The people who have the taco wagon paid to do business here this summer.
14. Does the Council want spray for Mosquitoes this summer? The man on Wells Street will charge Citizens \$140.00 for June July and August or \$80.00 for a one-time shot. The fireworks will be held in the Park this year and he can

spray the Park at the cost of \$450.00 two to three days before any major events, with the Park Board paying for half and the City paying the other half. Biggest breeder areas are catch basins and he charge \$6.00 per catch basins. CM Miller said that the person that City Manager Holmes talked to last year would spray the whole town for about \$5,000.00. CM Zuhlke wanted to know if a public notice would be put out so the people with respiratory problems would know about this. Mayor Carpenter said that the person last year would spray at night. Interim City Manager Ken Brown will check with Caro and Marlette on how they handle Mosquitoes spraying. The Council instructed Interim City Manager Ken Brown to check around to see if there are other companies and to get prices.

MAYOR'S REPORT:

1. Appointment of Ron Campbell to the Cemetery Board.
Motion by CM Miller, second by CM Zuhlke, to appoint Ron Campbell to the Cemetery Board to fill the remaining term of Helen Higgins due to her resignation. (date to be determined) Motion Carried.

The Council wanted to know if the Hydrant Flushing could be done during the day instead of the evening to save on overtime.

County Commissioner Walters informed the Council that the DDA never captures taxes and that they signed a form saying that they would never collect taxes and the DDA should disband and reform so that they could collect taxes.

Motion by CM Miller, second by CM Jacobson, to adjourn the meeting at 7:58 P.M. Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk