

## **COUNCIL PROCEEDINGS FOR September 13, 2004**

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

**Pledge of Allegiance** led by CM Julie Miller.

**PRESENT:** Mayor Laura Carpenter; Councilmembers – Julie Miller, Christine Lee, Pat Jacobson, Eugene Navock, Joann Potts, Frank Lukacs, Interim City Manager Ken Brown, City Attorney Gerard Garno and City Clerk Kelly Pavel.

**ABSENT:** None

Correction of 8/23/04 minutes. Page 5 of 8, paragraph 4 to read: Moved by CM Miller, second by CM Navock to hire Hayward & Son's Tree Service at the price of \$345.00 for tree removal, "**contingent on this price including**" chipping and clean up. Motion carried.

Moved by CM Miller, second by CM Potts to accept the minutes of August 23, 2004 as corrected. Motion carried.

Moved by CM Lukacs, second by CM Navock to accept the minutes of the September 10, 2004 Special Meeting as presented. Motion carried.

Moved by CM Jacobson, second by CM Miller to pay the bills as presented in the following funds: General - \$27,904.59, Payroll - \$13,090.46, Sanitary Sewer - \$390.19, Local Streets - \$7,526.25, Major Street - \$971.25, Investment - \$40,378.42. Motion carried.

Motion by CM Jacobson, second by CM Miller to reimburse Officer Fred Parisek for \$93.83 for Shop For A Cop supplies. Motion carried.

### **OLD BUSINESS**

1. Drawing for Paul Czap project have been received, estimated cost to the city of \$5000.00 for dirt removal and cement work to be done.
2. Library Lease Agreement needs to be completed by 1/1/05
3. Ordinance Section 5700 (Water & Sewer) has been tabled for further study
4. Bullock project – hearing date has been set for week of 9/20/04, court date has been set for 10/14/04

5. Paving project is complete except for mill work to be done at Shoen property
6. Dixon Engineering final payment has been sent
7. Schoen driveway approach will be completed and City will pay ½
8. Risk Management is still be completed by Attorney and Interim City Manager
9. Insurance company found no wrong doing in 12/23/03 sidewalk suit at 4325 Main Street. Case will go to Circuit Court
10. Dangerous Building on Maple Valley – communicating with property owner at this time. They have interested parties in purchasing property.
11. DEQ inspection that is part of the CEDS grant are being sent to Saginaw on 9/14/04
12. Abandon Well project for plugging wells has been approved.

Discussion and review of bids for replacement window and doors for City Hall. Bids are as follows: Yale Glass - \$7,034.30, Sanilac Glass \$6,098.00 (price for 1 door and 1 window only), Integrity Window and Door - \$6,638.68)

Moved by CM Miller, Second by CM Lee to accept the bid from Integrity Window and Door Company of \$6,638.68 to replace 2 doors and 1 window in City Hall. Motion carried.

Correction to 9/10/04 minutes – page 2 of 2 paragraph 8 to read; Moved by CM Lukacs second by CM Jacobson to “**approve the amended contract**” to DEQ for the Abandon”ed” Well Management grant “**project, also with matching funds in the amount of \$7,688.50.**” Motion carried.

Moved by CM Miller, second by CM Lee to amend the September 10, 2004 minutes as corrected. Motion carried.

Moved by CM Miller, second by CM Navock to strike #6,7,8,9,10,14 and 16 from Old Business. Motion carried.

## **PUBLIC QUESTIONS AND COMMENTS**

Larry Bullock asked if City Manager interviews were open to the public. Mayor Carpenter informed him that interviews are open to the public.

## **PERSONAL APPEARANCES – None**

## **RESOLUTIONS**

Moved by CM Miller, second by CM Jacobson to adopt Resolution #04-20 which is a Resolution of the City Council of the municipality authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the costs of acquiring, constructing, enlarging, improving, and/or extending its Industrial Park by purchase of vacant land facility to serve an area lawfully within its jurisdiction to serve. ROLL CALL VOTE: Miller-yes, Lee-yes, Jacobson-yes, Navock-yes, Potts-yes, Lukacs-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Jacobson to adopt Resolution 04-21 which is a Resolution formally causing to be levied a special tax or assessment to recover monies owed to the City of Brown City. ROLL CALL VOTE: Miller-yes, Lee-yes, Jacobson-yes, Navock-yes, Potts-yes, Lukacs-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Councilman Potts left meeting at 7:33 p.m.

## **PETITIONS & COMMUNICATIONS**

Moved by CM Miller, support by CM Navock to accept the pre-application for John Kriener, 6897 Walter Street to alter his existing porch. Motion carried.

Discussion regarding permit information to be included in the next tax bill to residents. Construction and replacement items that require a permit and those that do not, prior staking information of additions are all to be included in the tax bills.

Discussion regarding the use of a brightly colored permit which residents are to place in their window's when under construction. Permit will state that work has been approved by the Planning Commission and/or the City Council and dated.

Moved by CM Miller, second by CM Navock to begin using a colored permit which is to be placed in resident's window while under construction. Permits will be designed and printed at City Hall. Motion carried.

Moved by CM Miller, second by CM Navock to accept the pre-application building permit for Marlene Wood, 4292 Grant Street to construct a 16' x 24' roof over an existing cement slab. Motion carried.

## **COMMITTEE**

### **Police**

Chief Smith has attended the Police Expo in Grand Rapids and is currently waiting for a reply on accommodation reimbursement from the council. He has reported to CM Miller that he is gaining much information and materials for the police department.

1995 white cruiser has been cleaned and waxed and ready for selling if the council so chooses. Chief Smith suggests asking for sealed bids with a minimum price of \$1,500.00

Moved by CM Miller, second by CM Jacobson to sell the 1995 white police car. Advertising for sealed bids with a minimum purchase price of \$1,500.00. Bids will be accepted until 9/24/04 at 5:00 p.m. Motion carried.

Discussion regarding a possible lease or purchase of a new police car. Department is still in the process of talking with surrounding townships about partial police coverage due to the cut back of coverage offered by the county.

Update on Shop With a Cop, which will take place within the city during the Christmas Holidays. Note that the Mayor and City Council are in support of this procedure.

Moved by CM Miller, second by CM Jacobson to send letters to surrounding townships regarding a possible partnership for police coverage. Motion carried.

Ross McIvor stated that if the police department will need pizza and pop provided for the Shop With a Cop program that the Brown City Lane's would donate these items.

Moved by CM Miller, second by CM Lee to allow Chief Smith to stay a maximum of four nights in Grand Rapids, while attending the Police Expo. Accommodation's cost is not to exceed \$120.00 per night including taxes. ROLL CALL VOTE: Miller-yes, Lee-yes, Jacobson-yes, Navock-yes, Potts-absent, Lukacs-yes. 5-yes, 0-no, 1-absent, 0- abstain. Motion carried.

## **Water & Sewer**

Discussion regarding attached Water & Sewer Committee Minutes from August 28, 2004 and September 8, 2004. SEE ATTACHED MINUTES

Moved by CM Lee, second by CM Jacobson to raise water rates \$5.00 for residential and \$10.00 for commercial customers effective 10-1-04. Monies will be ear marked for additional construction and maintenance. ROLL CALL VOTE: Miller- yes, Lee – yes, Jacobson –yes, Navock-yes, Potts – absent, Lukacs-yes. 5-yes 0-no, 1-absent, 0-abstain. Motion carried.

A Water & Sewer meeting has been scheduled for 9-22-04 at 7:30 p.m.

Moved by CM Lee, second by CM Navock to resend the above motion regarding an increase in water rates. The City Charter requires and ordinance for this action. Motion carried.

**Tax & Finance** – none

## **Street & Sidewalks**

Moved by CM Navock, second by CM Lukacs to have the City Engineer review driveway repairs needed at 4037 Main Street and report back to the council. Motion carried.

**Personnel** – none

Brown City Days

Profit-Loss statement was accepted by the committee. Discussion regarding future festival dates and possible fundraisers are being investigated.

## **ATTORNEY'S REPORT**

City Attorney reviewed Open Meetings Act and requirements for the upcoming scheduled interviews for the City Manager's position.

City Attorney suggest striking interview questions #35 and #36 from the list of interview questions since they are not relevant.

Update of Risk Management program. It is recommended that the City become enrolled in a program with the Secretary of State for conducting an annual review of city employee's, who use municipal vehicles, driving records.

Moved by CM Lukacs, second by CM Miller to enroll with the Secretary of State's Office in a program, which conducts annual driving record reviews for all City employees who use municipal vehicles. Motion carried.

Recommendation that it is crucial that the revision of employee manual and ordinance updates be completed as soon as possible.

Moved by CM Lukacs, second by CM Miller to authorize the revision of employee handbook. Motion carried.

Moved by CM Lukacs, second by CM Navock to authorize the updating of the City Ordinances. Motion carried.

USDA loan has been approved; a closing date is being scheduled.

MEDC Block grant update.

Recommendation that council review Charter 35101-5107.

## **INTERIM CITY MANAGER'S REPORT**

Sanilac County EDC annual picnic is 9/23/04

Update on CEDS Projects, white paint strip painting in business area of M-90, VanDamme Farms payment, bookcases for City Manager's office, SCADA Alarm System, Master Plan and Zoning Maps, 3<sup>rd</sup> Street ditch grades, tree replacements by MDOT, new city fees, railroad crossing obstructions.

Moved by CM Miller, second by CM Lee to purchases two bookcases for \$500.00 from Standard Office Supply for the City Manager's office. Motion carried.

Moved by CM Jacobson, second by CM Navock to purchases SCADA Alarm system from UIS Programmable Services for the price of \$64,758.00. Motion carried.

Moved by CM Miller, second by CM Navock to extend the meeting past the 9:00 p.m. hour. Motion carried.

Moved by CM Lee, second by CM Navock to direct the Interim City Manager to meet with the Library Board with a proposal for utilizing the Burger building. Motion carried.

### **MAYOR'S REPORT**

Mayor reported the list and times of scheduled interviews for 9/19/04 City Manager's position, as follows:

- 1:00 p.m. Leonard Schneider
- 2:00 p.m. Madelyn McCarthy
- 3:00 p.m. Ken Brown
- 4:00 p.m. Cheryl Clark (may possibly be a telephone interview)
- 5:00 p.m. Clinton Holmes (telephone interview)

### **COUCIL GENERAL CONCERNS**

The hedge on St. Mary's and 3<sup>rd</sup> Streets needs additional trimming.

Moved by CM Miller, second by CM Lee to adjourn at 9:10 p.m.

Respectfully submitted,

Kelly Pavel  
City Clerk

