

COUNCIL PROCEEDINGS FOR OCTOBER 11, 2004

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

Pledge of Allegiance led by Interim City Manager Ken Brown

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

ABSENT: None

CORRECTION AND APPROVAL OF MINUTES:

9-27-04 Minutes

Page 3 of 5, paragraph 1 under Resolution to read note agreement and related matter “necessary for a USDA loan to buy land in the renaissance zone”.

Page 3 of 5, paragraph 4 under Administrative Assistant report to read council for review “but not yet approved by council”

Page 4 of 5 third paragraph to read Council agrees that no additional coverage to Mr. Holmes’s son will be provided for health insurance “beyond what is normally provided for city employee dependents.”

Moved by CM Miller, second by CM Lee to approve the minutes for September 27, 2004 as corrected. Motion carried.

PAY BILLS:

Moved by CM Jacobson, second by CM Miller to pay the bills in the following funds: General - \$212,540.35, Payroll - \$12,729.66, Sanitary Sewer - \$10,758.97, Major Street - \$6,500.00, Investment - \$47,616.77. Motion carried.

OLD BUSINESS:

- Paul Czap drainage work is complete
- Library Lease Agreement is being addressed, needs to be complete by 1/1/05

- Bullock case is on going, ditch work is being completed
- Dixon Engineering and Great Lakes Internet are working on putting an antenna on the tower
- Council decided to do approach work on Shoen property, Chief Smith has taken pictures of the area for council review
- Risk Management is still being worked on
- No change in sidewalk fall case or sewer backup in basement
- Windows and doors for City Hall are ordered; install may be week of 10-18-04
- No change in dangerous building status on Maple Valley Road
- Water rate increase is still being addressed at committee level
- Tree replacement by state needs to be addressed in spring of 2005
- City fee schedule is complete

PUBLIC QUESTIONS AND COMMENTS: None

PERSONAL APPEARANCES: None

PUBLIC HEARING: None

ORDINANCES: None

RESOLUTIONS:

Moved by CM Miller, second by CM Lee to adopt Resolution #04-23, which is a resolution amending note agreement and note. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Navock to adopt Resolution #04-24, which is a resolution designating public depository and authorizing withdrawal of municipal public moneys **“to read monies per 10-25-04 meeting”**. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller-second by CM Lee to adopt Resolution #04-25, which is a resolution designating public depository and authorizing withdrawal of municipal public moneys **“to read monies per 10-25-04 meeting”**. ROLL CALL VOTE:

Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller-second by CM Potts to adopt Resolution #04-26 which is a resolution naming the officials authorized to sign the MDOT State Trunkline Maintenance Contract for the period of October 1, 2004 to September 30, 2009. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

PETITIONS AND COMMUNICATIONS:

Moved by CM Potts, second by CM Miller to accept the pre-application building permit for Pamela Sutton, 7047 Maple Valley Road for alteration to the interior of her building. Motion Carried.

COMMITTEE REPORTS:

1. Police

A committee meeting is scheduled for 10-15-04 at 6:00 p.m.

2. Water & Sewer

Discussion regarding past committee meeting agenda topics of water rates and water policy/ordinance

Moved by CM Lee, second by CM Potts to shut water off at the curb for residents who leave for the winter, or any extended period of time, upon receiving proper verification from the resident that they are leaving the residence. Motion carried.

A committee meeting is scheduled for 10-20-04 at 6:30 p.m.

3. Tax & Finance

A committee meeting is scheduled for 10-20-04 at 10:00 a.m.

4. Street & Sidewalks – none

5. Building & Grounds

Discussion regarding Gary Abel landscaping plans that were presented to the Planning Commission and **“not yet approved per 10-25-04 meeting”**

6. **Personnel** – none

7. **Brown City Days** – none

POLICE CHIEF’S REPORT:

Chief Smith thanked the council for allowing him to attend the Police Expo. In Grand Rapids, he felt it was a very worthwhile trip and explained some of his findings from the expo.

Discussion regarding Department of Justice grant for \$8,000.00, which was received for upgrading computer equipment in the police cars. City will be responsible for a 10% (\$800.00) match.

Discussion regarding running **“record checks per 10-25-04 meeting”** through the cell tower. Cost of having a limited plan versus unlimited usage need to be determined.

Discussion regarding the sale of the police car and the possibility of listing it on E-Bay.

CITY CLERK’S REPORT:

Moved by CM Miller, second by CM Navock to appoint Jean Morrison as an election inspector for the November 2, 2004 general election. Motion carried.

ATTORNEY’S REPORT:

Discussion and update on the recent USDA loan closing.

Informed council that Mr. Bob Kohler is interested in any remaining dirt that may be available from the **“renaissance zone project per 10-25-04 meeting”**

Discussion regarding the recent contract negotiations between the City of Brown City and Mr. Clinton Holmes. All changes requested by the council have been made, presented to and signed by Mr. Holmes.

Moved by CM Jacobson, second by CM Lukacs to approve the contract with Mr. Clinton Holmes for the position of City Manager contingent on his physical, drug

test and background check satisfactorily meeting council specifications. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Discussion regarding the library lease contract. Council needs to review the proposed contract for review at the 10-25-04 meeting.

Discussion regarding the Abandon Well contract.

Discussion regarding the Fire Authority contract

Risk Management process is still being worked on.

Discussion regarding the ordinance for water rate increases

INTERIM CITY MANAGER'S REPORT:

Master Plan and Zoning update

Update on 3rd Street ditch grades

Update on Library Lease Agreement

Update on Abandon Well project, capping of wells will begin this week.

Review of information sheet regarding what permits are required for.

Update on arsenic removal

Moved by CM Jacobson, second by CM Miller to purchase oxygen tanks for DPW use for \$285.00. Motion carried.

Moved by CM Lee, second by CM Potts to appoint Gary Abel to the Planning Commission. Motion carried.

Moved by CM Miller, second by CM Lee to appoint Art Potts to the Planning Commission. Motion carried.

MAYOR'S REPORT: None

GENERAL CONCERNS OF THE COUNCIL:

A Building and Grounds committee meeting is scheduled for 10-18-04 at 7:00 p.m. to review building permit information.

Weeds on the newly acquired renaissance property need to be cut.

Moved by CM Miller, second by CM Lee to move into Executive Session at 8:10 p.m. to consult with the city Attorney regarding a certain written opinion. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Lee, second by CM Lukacs to return to regular session at 8:50 p.m. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Note that no actions were taken during Executive Session.

Moved by CM Miller, second by CM Potts to direct the City Attorney to consult with another attorney regarding a legal issue, not to exceed the cost of \$1,200.00. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Navock to adjourn at 8:53 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk

