

COUNCIL PROCEEDINGS FOR JUNE 14, 1999

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

Pledge of Allegiance led by CM Murray.

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

Moved by CM Lukacs, supported by CM Carpenter to approve the Minutes of May 24, 1999 as written. Motion Carried.

PAY BILLS:

Moved by CM Murray, supported by CM Ford to pay the bills as presented in the following funds: General fund \$23,287.61; Payroll fund \$12,375.00; Sanitary Sewer fund \$2,062.36; Water Recreation fund: \$9,735.60; Investment fund \$26,087.57. Motion Carried.

(CM Pavel arrived)

OLD BUSINESS: NONE.

PUBLIC QUESTIONS AND COMMENTS: Sarah Steigerwald explained to the Council that some kids, who she believed were from the apartment complex behind her, vandalized her garden. She stated that the kids were up until at least 5:00AM and that they awoke her but she did not call the Police. She stated and that the kids had trampled a new bush and other parts of her garden. She requested that this complaint be included in the Council Minutes.

PERSONAL APPEARANCES:

1. MAPLE VALLEY AND THELMAN LIFT STATIONS:

B. Jett Pump & Valve- Denise Trzaskos gave Council a folder and presentation on her company's products and recommendations for overhauling the two lift stations. She recommended that the Council hire an Engineer to look further into Maple Valley lift station if variable speed pumps were desired, and to help plan for future expansion.

A. Hydro-Dynamics- Wally Deaton gave Council a folder and presentation from his company concerning recommended actions for overhauling the lift stations and updating the control panels.

C. Detroit Pump- Rob Mullan- Not present.

Council discussed the Bids and recommendations from these companies and requested DPW Supervisor Dave Kinney's opinion. Council tabled this issue pending an estimate of cost to run three-phase electrical power to the Thelman lift station and to further study the proposals submitted by Hydro Dynamics and Jett Pump.

B. HARRON CABLE- MARSHALL KURSCHNER:

A. RESOLUTION 99-15: TRANSFER OF CONTROL:

B. FRANCHISE AGREEMENT:

Council explained to the Representative of Harron Cable that the City of Brown City has been having difficulties with Cable reception. CM Lukacs gave some examples of the problems he is experiencing with his cable. Council remarked that the City has been promised fiber optics, and it has not yet been done. Council also commented that customers are increasingly frustrated with reception and could switch to direct-dish systems and drop their Harron Cable. Marshall Kurschner told Council to have the citizens direct their complaints to the company. Manager questioned if the receiving ground station could be moved for better reception, away from the factory and water tower. Manager to check with Marlette's Manager. City Attorney said that the Franchise Resolution requires approval by ordinance and a public hearing. No decision made.

3. JOHN J. LEHOTAN- AUDIT REPORT:

John Lehotan gave the Council the Audit Report and discussed highlights. He recommended that in the future Original Budget and all amendments be put into the Minutes. He reported that the City is doing well.

4. MR. ED'S VARIETY STORE-PURCHASE OF OLD FIRE HALL:

Mr. Ed [Pieters] explained that he wanted to purchase the old fire hall building and the adjoining lot (4186 and 4188 Main Street) for \$5000.00 and the promise to eventually fix it up and sell goods from it. He stated that the Police Cars could be stored there, rent-free, until January 2001. Attorney commented that the Charter [2.14 (6)] requires an ordinance to convey property. Council discussed this issue.

Moved by CM Carpenter, supported by CM Lukacs to direct City Attorney Zimmerman to write an ordinance to sell the 4186 and 4188 Main Street property. Lents opposed. Motion Carried.

Attorney explained that a counter offer needs to be returned.

RESOLUTIONS: 1. 99-15: Transfer Cable Television Franchise:

Tabled pending response from Harron concerning service quality improvements.

PETITIONS AND COMMUNICATIONS:

1. Moved by CM Carpenter, supported by CM Lukacs to approve the pre-application building permit for Ronald and Maureen Soye, 4183 Second Street, to replace and extend driveway culvert (6 feet), pending increasing size of culvert from 9 ½ inches to 12 inches. Motion Carried.

***Moved by CM Pavel, supported by CM Lukacs to extend the meeting past the 9:00 deadline. Motion Carried.

2. Moved by CM Carpenter, supported by CM Pavel to approve the pre-application building permit for Olive Shephard, 7180 Mapleview Circle West, for a 10 x 32-ft deck. Motion Carried.

3. Moved by CM Carpenter, supported by CM Ford to approve the pre-application building permit for John T. Marsh, 4115 Main Street, to bring house up to building code

requirements and have two – 2 bedroom apartments with 3 parking places each. Planning Commission reviewed and recommended approval. Approval subject to proper drainage and surface plan for parking area and driveway, and identification for construction materials for privacy fence such information to be reported to the City Manager. Motion Carried.

4. Moved by CM Carpenter, supported by CM Ford to approve the pre-application building permit for Dave McCumons, 4301 Wood Street, to replace siding on house. Motion Carried.

PUBLIC HEARING: NONE.

ORDINANCES:

Attorney reported that she researched the Residency issue for Clerk and Treasurer and addressed inconsistency in Charter. Attorney to finish and send letter to attach to Charter to clarify this.

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: None.

Personnel: Lukacs: None.

Police: Ford: None.

Sewer and Water: Lents: None.

Tax and Finance: Murray: None.

Streets and Sidewalks: Pavel: None.

CM Pavel questioned if the swail on the Tobey property was still in the project. Also, requested that any future letters of complaint (major issues) be brought to the Council's attention.

ATTORNEY'S REPORT: NONE.

MANAGER'S REPORT:

1. Well #4 Overhaul: Forwarded signed contract to Layne Northern. Larry Wight is aware of the requirement to install the remote panel at time of overhaul. Repairs will be scheduled but no date has been assigned at this time.

2. Streets: Acting City Engineer, DPW Supervisor and City Manager inspected St Mary's Street. Following grinding of the road surface, an additional 274' of curb and road pan was found to be badly broken. Following consultation with CM Pavel (Chairperson Streets and Sidewalks) and the Mayor, this curb will be replaced also (est \$6,028). Scheduled completion date remains unknown. This, combined with the additional 430 feet discussed at the last Council meeting will add approximately \$15,488 to the cost of the 1999 Streets Project.

3. Rural Development: Met on May 25th with Rural Development and Jones & Henry Engineers to discuss loans and grants for (1) the water tower, (2) water meters, and (3)

other system repairs recommended by Jones & Henry. Very detailed application packet that would require extensive assistance from Jones & Henry to complete. Rural Development Representative (Adrin Wagner) believes we have a very good chance for approval. However, the City would be required to issue a bond that would be purchased by Rural Development. Depending on different variables, a portion of the loan can become a grant.

4. 6895 James Street: County Building Inspector is still working the problem.

5. '96, '97, '99 Sidewalk Bills: Mailed May 28. '96 payments due in 2001, '97 payments due July 1st, '99 payments due July 30th. Some payments already received.

CM Lukacs added that Margaret, owner of J&J Party Store, requested that the new sidewalk that meets the asphalt next to her store be fixed.

Moved by CM Ford, supported by CM Murray to adjourn at 9:52PM. Motion Carried.

Respectfully submitted,

Julie P. Miller
City Clerk