

## COUNCIL PROCEEDINGS FOR DECEMBER 13, 1999

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

Pledge of Allegiance led by City Attorney Marilyn Zimmerman.

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

### **CORRECTION/APPROVAL OF MINUTES:**

CM Miller requested correction to Minutes of November 22, 1999, Roll Call Vote for appointment of new City Clerk should read : Pavel=yes, Murray=yes, Lents=yes, Miller=yes, Lukacs=yes, Carpenter=yes. 6=yes, 0=no. City Attorney Zimmerman requested change in Public Questions and Comments should read "owner may be in violation" instead of "owner is in violation". CM Lukacs requested change in Manager's Report to #7-DPW Employee Hires, should read, "not hiring new DPW worker to replace G. Gorsline until official resignation is obtained from G. Gorsline, and then hire new worker 60 days prior to his retirement". Moved by CM Pavel, supported by CM Miller to approve Minutes as corrected. Motion Carried.

### **CHANGE OF DATE FOR NEXT REGULAR COUNCIL MEETING:**

Moved by CM Carpenter, supported by CM Lukacs to reschedule next regular Council Meeting, originally set for 12/27/99, to 12/22/99, at 7:00 PM due to holiday scheduling conflicts. Motion Carried.

### **PAY BILLS:**

Moved by CM Murray, supported by CM Carpenter, to pay the bills as presented in the following funds excluding the Layne Christensen Company which will be turned over to the Water/Sewer Committee and City Manager Holmes for review and comparison to original bid : General fund \$37,932.85; Payroll fund \$10,207.52; Sanitary Sewer fund \$2,413.90; Water Recreation fund: \$80.39; Investment fund \$14,751.75. Motion Carried.

**OLD BUSINESS:** Hillside Subdivision Site Plan Amendment Approval. City Manager Clint Holmes stated that the work to lower the road has not yet begun; DPW installed a temporary conduit, and the water/sewer is hooked up at the one existing house in the subdivision. Received a letter from Jones&Henry Engineers that the proposed drainage plan for the subdivision was satisfactory. The City Planning Commission had previously approved the plan. Moved by CM Lukacs, supported by CM Carpenter, to accept proposed drainage plan as per letter received by Jones & Henry Engineers, Ltd. Motion Carried.

**PUBLIC QUESTIONS AND COMMENTS:** City residents Gary Abel and Larry Bullock, property owners on Third Street, voiced concerns regarding industrial property north of their properties. One of the owners of the property was in the audience and stated that all debris would be removed as soon as he could arrange for removal equipment to be brought in, and that work would be completed within the next two months.

**PERSONAL APPEARANCES:** None.

**RESOLUTIONS:** None.

**PETITIONS AND COMMUNICATIONS:**

1. Moved by CM Pavel, supported by CM Lukacs to approve Pre-Application Building Permit for demolishing existing home and basement, lost in a fire, of Dan Rowley, 7118 Welles Street. Motion Carried.
2. Moved by CM Pavel, supported by CM Miller, to schedule Public Hearing to discuss a zoning variance to allow Amy Sontag to place a manufactured home on a 66'x 123' lot on the SE corner of First and George Streets (6955 George Street). A variance is required since City Ordinance 8405.9 requires residential building lots to "be a minimum of 66 feet across the front with a depth of a minimum of 132 feet." This lot is 66 feet by 123 feet. The City Council, acting in the capacity of the Zoning Board of Appeals, will consider the variance following the required public hearing. There is a 14 day requirement for notification of the Public Hearing. City Manager to send a notification letter to residents living within 300 feet of the property in question. Motion Carried. Public hearing is scheduled for January 10, 2000, at 7:15 PM.

**PUBLIC HEARING:** None.

**ORDINANCES:**

1. Introduced by CM Murray, City Ordinance Section 14.2200: Renewal of Franchise Agreement for Cable Television Service. Public hearing scheduled for December 22, 1999, at 7:15 PM.
2. Introduced by CM Lents, City Ordinance Section 17.200: Transfer of Interest in Real Property (Railroad Easement). Public hearing scheduled for December 22, 1999, at 7:30 PM.

**COMMITTEE REPORTS:**

Buildings and Grounds: Carpenter: None.

Personnel: Lukacs: None.

Police: Miller: None.

Sewer and Water: Lents: Scheduled meeting for December 14, 1999, at 5:00 PM, to review Layne Christensen bill and compare to original bid.

Tax and Finance: Murray: None.

Streets and Sidewalks: Pavel: Meeting held November 24, 1999, at 5:00 PM, minutes available for review.

**ATTORNEY'S REPORT:** Chapter 5 will be available for review at the December 22, 1999 Council Meeting.

**MANAGER'S REPORT:**

1. **DPW EMPLOYEE HIRES:**

- a. Charlie Wilcox does not know if he will be available to cut grass for the City next year. Bud Welch has expressed interest in the position. DPW has no reservations. Unless otherwise directed, plan to use Bud to fill this position if Charlie will not be available.
- b. Individuals interviewed earlier declined. Plan to re-advertise the position in early January. For the interim, and during the snow season, DPW Supervisor Dave Kinney has requested having a list of part-time individuals who would be available to plow snow or be available if additional individuals are required. He has had two applications for this work.

**CM Murray and CM Lents requested City Manager review and present contracts for part-time/temporary snow removal personnel; also to review Workmen's Compensation Waiver requirements.**

2. **MDOT ENHANCEMENT GRANT APPLICATION:** Application package hand-delivered to Lansing last week. A file copy is available for review. No word on when a final decision will be made.
3. **CONSTRUCTION CONTRACTING FOR PUBLIC ENTITIES:** Helpful class that identified legal requirements for bidding and letting contracts. Also discussed claims management. Plan to acquire a set of standard contract from AIA for use with future construction projects.
4. **CITY HALL CLOSURE:** Since Christmas and New Years fall on Saturday this year, City Hall will be closed all day on Friday December 24 and 31. An ad will be placed in the Banner and on Channel 6.
5. **CHRISTMAS GIFTS FOR STAFF:** Last year, City employees were given a gift certificate for \$20 for Ben's. Recommend \$25 this year.

**Moved by CM Murray, supported by CM Carpenter, for Christmas Gifts of \$25 cash for city employees. Motion carried.**

6. **ESS INTERNET:** City Manager was contacted by a representative from this Internet provider. They would like to provide local dialup services to Brown City residents for \$22.50 per month for unlimited access. Equipment would be located in the library. They would provide a free line to the City. Duration of contract (mutually severable) would be 5 years. They would need 20 subscribers to start. They have the same deal with Yale and Emmet.
7. **POLICE CAR ACCIDENT REPAIR:** Last Sunday night at about 10:30 PM, a deer struck the police car near Brooks and Maple Valley Road. Limited damage to left turn signal lens. Estimate pending.
8. **BROWNFIELD RE-DEVELOPMENT AUTHORITY:** Meeting scheduled for Wednesday, December 15 at 6:30 PM in Sandusky. Plan is for establishment of a Brownfield Development Authority that is county-wide. City Manager to attend.

**MAYOR'S REPORT:**

- 1. DDA Appointments:** Mayor recommended appointing Ronald Smith, 4227 Maple Street, CM Judy Murray and CM Frank Lukacs to the DDA. Moved by CM Pavel, supported by CM Carpenter, to appoint Ronald Smith to the DDA for a two year term, expiring April, 2002; CM Judy Murray to the DDA for a term coinciding with current Councilmember term, expiring November, 2000; and CM Frank Lukacs to the DDA for a term coinciding with current Councilmember term, expiring November, 2001.
- 2. Sanilac County Economic Development Organizational Meeting:** Mayor requested Council comprise list of local residents recommended to serve on Board of Directors of the SCEDO. The nine person Board of Directors will include up to three County Commissioners with the remainder consisting of Sanilac County citizens not currently holding a public office. List to be reviewed at Council Meeting on January 10, 2000, and submitted to SCEDO at their next meeting on January 11, 2000, at 6:30 PM.

Moved by CM Carpenter, supported by CM Lukacs to adjourn at 8:28 PM. Motion Carried.

Respectfully submitted,

Barbara J. Seidel  
City Clerk