

COUNCIL PROCEEDINGS FOR APRIL 10, 2000

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

Pledge of Allegiance led by Councilmember Judy Murray.

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

CORRECTION/APPROVAL OF MINUTES:

Motion by CM Miller, support by CM Murray to approve the minutes of 03/27/00, as presented. Motion Carried.

PAY BILLS:

Motion by CM Murray, support by CM Lukacs to pay the bills as presented in the following funds: General fund \$70,280.32; Payroll fund \$14,403.83; Investment fund \$36,036.62; Sanitary Sewer fund \$5,343.22; Major Street fund \$301.75; Local Street fund \$301.75; Water Recreation fund \$30.39; Highway Bond fund \$574.86; Wastewater Debt fund \$1,687.50. City Manager Holmes reminded Council that \$60.00 needed to be added to the General fund for his attendance at the MML Region V meeting. CM Murray asked that it be added to Bills at next Regular Council Meeting to be held 04/24/00. Motion Carried.

OLD BUSINESS: City Industrial Park/Economic Development Corporation. City Manager reported that he has an appointment next week with the regional Economic Development Corporation representative to discuss grant and loan options, in Marlette.

PUBLIC QUESTIONS AND COMMENTS:

1. Citizen Dallas Berry presented question regarding Oasis Teen Center. Mayor responded that it would be covered in the Attorney's Report.
2. Citizen Helen Takacs, representative of TRIAD, presented Council with literature and explained the various aspects of the group which works to help prevent the victimization of senior citizens with the help of the Sheriff's Department, local Police Department and volunteer citizens.

PERSONAL APPEARANCES:

1. Attorney Richard J. Sable presented the position that "Mapleview Estates should not be invoiced by Brown City for any tap fee whatsoever in its development of Phase II of Mapleview Estates". Mr. Sable also referred to, and emphasized portions of, the letter that had been sent to the City detailing reasons for taking this position, copies of which had been provided to the Mayor and Councilmembers. Issue was discussed briefly and a recommendation made to table the issue until the City Attorney could study the issue and be prepared to make recommendations to the Council.

Motion by CM Lukacs, support by CM Lents, to table this issue until the next Regular Council meeting to allow time for review and recommendations by City Attorney. Motion Carried.

2. Paul Muxlow, Pastor Richard Fledderjohann, Raymond Witmer and members of the United Missionary Church presented their position on annexation of Burnside Township property to City of Brown City property for purpose of building a new church. The issue of the 50-year Term of Agreement vs 30-year Term of Agreement and the rationale behind pursuing 30 years were explained to the members of the Church. Mr. Muxlow requested the Council expedite a decision on this issue since they would like to start construction by this summer.

Motion by CM Lents, support by CM Pavel, to appoint the Mayor and City Manager to meet with Burnside Township Supervisor to try and resolve this issue. Motion Carried.

PUBLIC HEARING: None.

RESOLUTIONS: None.

ORDINANCES: None.

PETITIONS AND COMMUNICATIONS: Pre-Application Building Permits Consent Agenda:

1. Frank Lambson, 6771 James Street – Replace Siding, Shingles, Door and Addition to Garage.
2. Norm Morrison, 4223 Second Street – Repair to Foundation.
3. Bradley Woolman, 4213 Maple Street – Chain Link Fence.
4. Delbert Hayward, 4292 Wood Street – 8’ Addition to Garage.
5. Susan Birkett, 7095 McMorrان Street – Fence.
6. John Bell, 4297 Main Street – Restoration of House.
7. Vernell Hillman, 4114 Third Street – Replace Shingles.
8. Matt Firmingham, 4349 Maple Street – New House (Planning Commission Approved).
9. Brown City DPW, 7065 Merrill Street – Two Building Additions and One New Building (Planning Commission Approved).

Motion by CM Pavel, support by CM Miller, to approve numbers 1, 2, 3, 4, 6, and 7 on the Consent Agenda. Motion Carried.

Motion by CM Pavel, support by CM Miller, to approve number 5 on the Consent Agenda based on City Manager consultation and determination of materials, as long as the fence does not interfere or impede with clear view vision of sidewalk and street east of alley coming off of McMorrان. Motion Carried.

Motion by CM Pavel, support by CM Murray, to approve number 8 with stipulation that sewer connection be made on Wood Street. Motion Carried.

Motion by CM Pavel, support by CM Lukacs, to table #9 until next Regular Council Meeting of 04/24/00, pending a more complete estimate of the costs involved. Motion Carried.

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: Absent.

Personnel: Lukacs: None.

Police: Miller: None.

Sewer and Water: Lents: None.

Tax and Finance: Murray: None.
Streets and Sidewalks: Pavel: None.

ATTORNEY'S REPORT:

1. Missionary Church Annexation. Covered during Personal Appearance segment of meeting.
2. Brown City Lanes Letter. In regards to Ordinance #7700, CM Lents suggested Police Committee meet with Police Chief R. Smith to discuss and make decision by next Regular Council Meeting of 04/24/00.

MANAGER'S REPORT:

1. **SATURDAY'S WATER OUTAGE:** Apparently caused by a power failure earlier in the day that burned out two electronic components in the master control panel. Getting together a bid package for a new control panel.
2. **GEMSTONE ESTATES:** (formerly Softwinds) Planning Commission approved the plans subject to additional information being supplied by the project engineer. Information to be coordinated through City Engineer Wally Humphreys-Phillips. Once these technical details have been worked out, plans will be forwarded to the Council for final review. Anticipate this will happen at the April 24th meeting.
3. **HARRON/ADELPHIA CABLEVISION:** The General Manager of Adelphia contacted the City Manager concerning status of the transfer resolution. He stated that the new control console/character generator for Channel 6 had been ordered and would arrive soon. He plans to present information at either the next or following Council meeting the existing franchise agreement, the transfer of ownership to COMCAST, and the new character generator.
4. **BROWN CITY CLEAN UP DAYS:** DPW recommends Thursday May 25th and Friday May 26th for clean up days. **REQUIRES RESOLUTION.**

Motion by CM Miller, support by CM Pavel, to hold Brown City Clean Up Days on Thursday, May 25th and Friday, May 26th. Motion Carried.

5. **CITY HYDRANT FLUSHING:** DPW proposes scheduling flushing fire hydrants for the week of May 15th. **REQUIRES RESOLUTION.**

Motion by CM Miller, support by CM Pavel, to flush hydrants the week of May 15th. Motion Carried.

6. **SIDEWALK 2000 PROJECT:** The final contracts with Hinojosa Construction have been signed. Letters to residents effected concerning estimated costs were sent out on Monday, April 10th. DPW will prep the area, and anticipate that sidewalk replacement will begin next week.
7. **STREETS 2000 PROJECT:** DPW excavated the water main James Street and determined that it must be replaced. They will order the pipe and tie the line into the main on Main Street. Taps into the mains on 1st and Main Streets will be contracted out

so no interruption of service is anticipated. Work will be completed prior to Brown City Days. Plans for the main under Welles Street were located and the decision made to keep the current water main in place. Bid will be advertised in the next issue of Michigan Contractor, and bid packages will be sent to those companies that responded to last year's program (less Valley Asphalt). Bids will be due May 8th with no work to begin prior to Brown City Days.

8. **NEW POLICE OFFICER:** Scott Dahlin has left City employment to accept a position with the Detroit PD. Andrew Cubitt was interviewed and began training on April 6th, following a physical exam. He is a 1996 graduate of the Macomb Academy and lives in Peck. **REQUIRES RESOLUTION.**

Motion by CM Miller, support CM Murray, to hire Andrew Cubitt as new Police Officer. Motion Carried.

9. **WELCH V. BROWN CITY:** There is a final arbitration session scheduled for Monday, April 10th. If this session is not successful, then the DPW Supervisor, Gary Gorsline and myself will be in court in Sandusky all day on the 13th and 14th.

Motion by CM Pavel, support by CM Miller, to continue meeting beyond the 09:00 PM hour. Motion Carried.

10. **MILEAGE INCREASE:** The mileage rate allowed by the IRS is \$.32 per mile. The county also pays at this rate. The rate the City uses is \$.28. Recommend that the City Council increase the mileage reimbursement rate to \$.32. **REQUIRES RESOLUTION.**

Motion by CM Lukacs, support CM Murray, to increase mileage reimbursement to \$.32. Motion Carried.

MAYOR'S REPORT:

1. **Letter received from City Treasurer William Walters.** Mayor commended Mr. Walters on the tremendous job that has been done collecting revenues and taxes this year.
2. **MML Conference overview.**
3. **Mayor reminded everyone that there will be a Memorial Service on 04/17/00, at the Brown City Park Pavilion in honor of Ross Family.**

Motion by CM Miller, supported by CM Murray, to adjourn at 9:13 PM. Motion Carried.

Respectfully submitted,

Barbara J. Seidel
City Clerk