

COUNCIL PROCEEDINGS FOR MAY 8, 2000

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

Pledge of Allegiance led by City Clerk Barbara Seidel.

PRESENT: Councilmembers: Laura Carpenter, Mike Lents, Julie Miller, Judy Murray, Kelly Pavel; Mayor Ken Brown, City Manager Clint Holmes, City Clerk Barbara Seidel, City Attorney Marilyn Zimmerman. Councilmember Frank Lukacs arrived at 07:10.

CORRECTION/APPROVAL OF MINUTES:

Motion by CM Pavel, support by CM Carpenter, to approve the minutes of April 24, 2000, as presented. Motion Carried.

PAY BILLS:

Motion by CM Murray, support by CM Miller, to pay the bills as presented, in the following funds: General fund \$20,790.30; Payroll fund \$11,880.72; Investment fund \$30,720.04; Sanitary Sewer fund \$4,295.00; Major Street Fund \$467.50; Local Street Fund \$78.00; Water Recreation Fund \$30.39. Motion Carried.

OLD BUSINESS:

1. City Industrial Park/Economic Development Corporation. City Manager will schedule meeting with Mr. Peck to discuss funding options.
2. Mapleview Estates Tap-In Fees. City Attorney waiting for further information from other sources and will have opinion letters ready for Council review at next Regular Meeting.
3. New Missionary Church Annexation. City Attorney is putting together an agreement letter for Mr. Denney, Attorney representing Burnside Township.

PUBLIC HEARING: Repeal Ordinance Section 7700 (Billiard and Pool Room, Amusement and Game Devices). Amendment to Section 4203A-Curfew for Minors.

Opened at 07:15. With no questions or comments from the general public, the hearing was closed at 07:18.

Motion by CM Miller, support CM Carpenter, to Repeal Ordinance Section 7700. Roll Call Vote: Carpenter-Yes, Lukacs-No, Miller-Yes, Lents-Yes, Murray-Yes, Pavel-Yes. 5-Yes, 1-No, 0-Absent. Motion Carried.

Motion by CM Pavel, support by CM Miller, to table Amendment to Section 4203A, pending further review of Ordinance. Roll Call Vote: Carpenter-Yes, Lukacs-Yes, Miller-yes, Lents-Yes, Murray-Yes, Pavel-Yes. 6-Yes, 0-No, 0-Absent. Motion Carried.

PUBLIC QUESTIONS AND COMMENTS: William Grace, Crusty's Pizza, asked if video games would now be allowed without having to pay a fee to own them, City Attorney responded that Ordinance Section 7700 had been repealed and would take affect after 30 days.

PERSONAL APPEARANCES: Tom Lerash of Adelphia/Comcast presented City with a Franchise Agreement for Comcast. The Franchise Agreement will be reviewed by City Manager and City Attorney and will be presented as a formal resolution at next regular meeting. The City Attorney will put together an Interim Proposal for Comcast in four days.

RESOLUTIONS: None.

ORDINANCES: None.

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

Motion by CM Carpenter, support by CM Lukacs, to approve four of six Pre-Application Building Permits (MacLarty, Stanton, Brown City Schools and Hurley) on Consent Agenda. Motion Carried.

Matt Firmingham, 6813 Cade Road-Fence. Motion by CM Lents, support CM Carpenter, to move fire hydrant to right-of-way on Cade Road provided City obtains easements from Mr. Firmingham and one neighbor. Motion Carried. Motion by CM Carpenter, support CM Pavel to table Pre-Application Building Permit until fire hydrant is moved.

Motion by CM Carpenter, support by CM Pavel, to approve Pre-Application Building Permit (Childers) on Consent Agenda. Motion Carried.

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: Light out at intersection of Maple Valley Road and Buby Street. City Manager will report to DPW.

Personnel: Lukacs: None.

Police: Miller: Motion by CM Miller, support by CM Carpenter to approve sponsorship of an individual into the Police Academy subject to successful completion of service contract signed by both parties (individual and City to be reviewed by City Attorney) for a duration of two years.

Sewer and Water: Lents: None.

Tax and Finance: Murray: None.

Streets and Sidewalks: Pavel: None.

ATTORNEY'S REPORT:

1. **Blight Ordinances.** Will be archived from other municipalities and sent to City Manager.
2. **Retainer Agreement Expiration.** Motion by CM Lukacs, support by CM Pavel, to renew Retainer Agreement with Lengemann, Zimmerman and Morrice. Motion Carried.

MANAGER'S REPORT:

1. **GEMSTONE ESTATES:** (formerly Softwinds) Updated plans have still not been received by either the City Engineer or City Manager.

2. **SIDEWALK 2000 PROJECT:** Basically completed except for landscaping (hydroseeding).
3. **STREETS 2000 PROJECT:** Bids opened May 8th. Four bids were received: James P Contracting \$63,253.35, Valley Asphalt \$65,873.19, Albrecht Sand & Gravel \$70,972.75 and Pro-Line Asphalt \$83,155.69.

Motion by CM Lents, support by CM Pavel, and to accept James P. Contracting bid per City Manager's conversation with James P. Contracting as to what type of curb and gutter will be used. Motion Carried.

4. **DPW GARAGE EXPANSION PROJECT:** The City received three bids to construct the additions and garage. A local contractor bid \$18,450; the DPW crew (working on their own time) bid \$10,000, Cardinal Builders bid \$9,800, and Hurley Construction bid \$8,960. Motion by CM Miller, support by CM Carpenter to build lean-to addition with concrete floor and wait on Police Garage pending discussion with Hurley Construction on bid.

Motion by CM Miller, support by CM Carpenter, to pay \$5,212.69 to Ace Hardware for materials purchased. Motion Carried.

Motion by CM Miller, support by CM Pavel, to pay \$34.99 for Cemetery on above stated bill. Motion Carried.

Motion by CM Miller, support by CM Carpenter to build lean-to addition with concrete floor on existing buildings and wait on Police Garage pending discussion with Hurley Construction on bid. Motion Carried.

5. **DPW FENCING:** Brother's Fence of Yale bid on placing a chain link fence around the City Garage complex. The cost of an 8' fence is \$20,876.74, and a 10' fence is \$25,306.61.
6. **THIRD STREET DRAINAGE:** Phillips Engineering will begin putting together plans this week to try and resolve the drainage problem in this area.
7. **OUT OF AREA MEETINGS:** I plan to be out of the office to attend the following: On Tuesday afternoon (May 9) the Sanilac County Equalization office is conducting training for L-4029 Millage Rate Request Form completion. On Wednesday morning (May 10) DEQ is hosting a meeting in Lansing to discuss arsenic in drinking water. On Thursday is the MML Region V meeting in Marlette.

Motion by CM Lukacs, support by CM Carpenter to go beyond the 9:00 hour. Motion Carried.

8. **JUNK CARS:** The City Police delivered about 26 letters to residents in violation of the City "Junk Car" Ordinance. Owners have until May 17 to "repair and register or remove" these vehicles. Letters were also sent to residents whose yards contained an excessive amount of junk under the existing "blight" Ordinance.

- 9. CITY ORDINANCE CHAPTERS 5 AND 8:** Both Chapters are ready for Council review. Council will schedule working groups to discuss the changes in the immediate future.

MAYOR'S REPORT:

1. **Sanilac County Equalization Department:** Database Printing Service. The contract for printing services has expired. Motion by CM Murray, support by CM Miller, to renew contract with Sanilac County Equalization Department for Tax Bill Printing Service. Motion Carried.
2. Mayor reminded Council of MML Region V Conference in Marlette, May 11, 2000.
3. Mayor and City Council wish to extend their deepest sympathy and prayers to Pastor Dallas Berry, Cheryl and their family.

Motion by CM Lents, support by CM Pavel, to adjourn to Executive Session at 9:20 PM. Roll Call Vote: Carpenter-yes, Lukacs-yes, Miller-yes, Lents-yes, Murray-yes, Pavel-yes. 6-Yes, 0-No, 0-Absent. Motion Carried.

Motion by CM Lukacs, support by CM Pavel, to reconvene City Council Meeting at 9:50 PM. Roll Call Vote: Carpenter-yes, Lukacs-yes, Miller-yes, Lents-yes, Murray-yes, Pavel-yes. 6-Yes, 0-No, 0-Absent. Motion Carried.

The City Council is exploring options for purchasing land. No formal decisions were made during the Executive Session.

Motion by CM Lukacs, support by CM Pavel, to adjourn at 9:55 PM. Motion Carried.

Respectfully submitted,

Barbara J. Seidel
City Clerk