

## **COUNCIL PROCEEDINGS FOR DECEMBER 11, 2000**

### **ADMINISTER OATH OF OFFICE:**

Mayor Kelly J. Pavel sworn into office by Deputy Clerk David R. VanCura.

Councilmembers Patricia Jacobson, Judith Murray, and Michael Stain sworn into office by Deputy Clerk David R. VanCura.

**Meeting called to order at 7:00 PM by Mayor Kelly Pavel.**

**Pledge of Allegiance** led by City Manager Clint Holmes.

**PRESENT:** Councilmembers: Laura Carpenter, Patricia Jacobson, Frank Lukacs, Judy Murray, Michael Stain; Mayor Kelly Pavel, City Manager Clint Holmes, City Clerk Denise Hoff.

**ABSENT:** Councilmember Julie Miller; City Attorney Marilyn Zimmerman.

**APPOINTMENT OF CITY CLERK:** Mayor Pavel recommended the City Council appoint Denise Hoff as City Clerk.

Motion by CM Carpenter, support by CM Murray, to appoint Denise Hoff as City Clerk. Motion Carried.

City Clerk Denise Hoff sworn into office by Deputy Clerk David R. VanCura.

**CORRECTION/APPROVAL OF MINUTES:** Motion by CM Carpenter, support by CM Lukacs, to approve minutes of November 13, 2000. Motion Carried.

### **PAY BILLS:**

Motion by CM Murray, support by CM Carpenter, to pay the bills as presented in the following funds: General fund \$26,388.66; Payroll fund \$22,374.66; Investment fund \$29,445.69; Sanitary Sewer \$2,072.92; Water Recreation fund \$278.13. Motion Carried.

### **OLD BUSINESS:**

1. City Ordinance Chapter 5 Work Session Scheduling.
2. Preapplication Building Permit-Mapleview Estates-7179 Silver Maple Lane. Tabled by Planning Commission (see Manager's Report below).
3. Rezoning Request-Keith Muxlow. Tabled.

**PUBLIC QUESTIONS AND COMMENTS:** None.

**PERSONAL APPEARANCES:** None.

**RESOLUTIONS:** None.

**PETITIONS AND COMMUNICATIONS:**

1. Pre-application Building Permit: Cleelan Bissett, 6972 John Street – Shed.
2. Pre-application Building Permit: Don Konning, 6934 John Street – Shingles (single layer).

Motion by CM Carpenter, support by CM Lukacs, to approve Preapplication building permits.  
Motion Carried.

**PUBLIC HEARING:** None.

**ORDINANCES:** None.

**COMMITTEE REPORTS:**

1. Buildings and Grounds: None.
2. Personnel: None.
3. Police: None.
4. Water and Sewer: None.
5. Tax and Finance: Requested City financial statements for Committee members for December 18 meeting.
6. Streets and Sidewalks: None.

**ATTORNEY'S REPORT:** (per City Manager).

1. **4115 Main Street:** Following hearing on December 6, 2000, owners of the house (Mr. Snoblin and Ms. Snethcamp) agreed to demolish the house and return the lot to buildable condition within 75 days (February 20, 2001).
2. **Mapleview Estates Lawsuit:** Following hearing on December 11, 2000, Judge Teeple denied the plaintiff's request for summary judgement pending completion of discovery. Anticipate trial will be scheduled in February or March 2001.
3. **Perish & Heimbecker (P&H):** The Michigan State Tax Tribunal denied their request. Issue of assessment settled in the City's favor.

**MANAGER'S REPORT:**

1. **M-90 RAILROAD CROSSING:** Enclosed in Councilmembers packets was a letter from MDOT requesting a decision on how best to control traffic flow when trains are traveling through the City of Brown City. MDOT provided three options and the Council must select one not later than the last Council meeting in February. Source of funding has not yet been determined (see last ¶ on page 4 of 5) but should be borne by MDOT. May wish to schedule a Public Hearing in January to fully explore the options. We may also wish to invite a representative from MDOT to attend.
2. **PLANNING AND ZONING WORKSHOP:** MSU Extension is sponsoring this workshop at the Sanilac Career Center on Tuesday, January 9. A copy of the agenda is included in Councilmember packets. Those wishing to attend must let City Hall know by the next Council meeting. The Chairman of the Planning Commission and City Manager plan to attend, and an invitation has been extended to other members of the Planning Commission.

3. **MAPLE VALLEY ESTATES/SUBURBAN HOMES:** Received a request on December 6<sup>th</sup> to build an additional model home at Maple Valley Estates. Request was forwarded to the Planning Commission (see attached minutes). Commission tabled the request pending receipt by the City of a Letter of Credit in the amount of \$15,000 to cover cost of repairs to the VFW and erect a fence for the safety of residents if these two projects are not completed in a timely fashion by the owners and operators of Maple Valley Estates. Discussion with representatives from Suburban Homes and MVE on December 8<sup>th</sup> revealed that they would provide a cashier's check in the amount of \$6,000, to remain on file, within a week. This amount is based on an estimate they have for building the fence at a cost of \$5,000. If check is provided, does the Council wish to act on the building request at the meeting on the 18<sup>th</sup> or wait for a recommendation from the Planning Commission which next meets January 4<sup>th</sup>?
4. **CITY MUSEUM:** Randy and Eva Gottler resigned from the Brown City Historical Society. Apparently there are now no active members of this group. The primary implication here is the status of the City Museum building. Recommend Mayor/Council either appoint new members to the Society or dispose of the building. The school is mildly interested in leasing the building at nominal cost from the Society and would provide maintenance and pay the utilities. Currently, the City is spending about \$500 per year for utilities and miscellaneous costs associated with the building.
5. **DOWNTOWN DEVELOPMENT AUTHORITY:** A resident has requested the DDA evaluate the possibility of granting a business loan for the purchase of buying an accounting/tax business and a building to house the operation. Estimate for both is \$150K. Number of employees would be limited to one for the foreseeable future. Additionally, the appointments for members of the DDA expire in April, 2001 (with the exception of Councilmember Murray and Paul Muxlow which have already expired). Recommend scheduling a meeting of the DDA in January to evaluate the loan request and gauge whether current members of the DDA desire reappointment.
6. **EMPLOYEE CHRISTMAS GIFTS:** Traditionally, the City has provided employees with either a gift certificate or cash (\$25). Under State law, this can only be done legally if done as an end-of-the-year employee pay bonus (appropriate tax deductions being made, etc.). The other alternative, which the City has done in the past, is time off with pay. This could be accomplished by closing the City offices at noon on Friday December 22<sup>nd</sup> and/or Friday December 29<sup>th</sup>.
7. **DPW UNIFORMS:** The DPW has identified what they would like as a uniform. This will consist of a long sleeve shirt with City logo and name and a ball cap with City logo. At three shirts and one cap each, the cost will be about \$400. Current budget account authorized for \$450. However, they would also like to purchase florescent jackets with reflective tape and City logo for an additional \$753.96 (4 X \$188.49). Additional funds can be transferred from another account within the General Fund to this account. Total cost would be approximately \$1,153.96 plus shipping.

Motion by CM Lukacs, support by CM Murray, to purchase uniforms (three shirts and one ball cap each) and one jacket each for the DPW Supervisor and employees. Motion Carried.

**MAYOR'S REPORT:**

1. **Board of Review Appointments:** Mayor recommended the reappointment of Jean Carson and Imogene Sealey, and the appointment of Ken Brown to the Brown City Board of Review.

Motion by CM Murray, support by CM Lukacs, to appoint Ken Brown, Jean Carson and Imogene Sealey to the Board of Review. Motion Carried.

2. **Fire Authority Representative Appointment:** Mayor recommended the appointment of CM Judy Murray as the City's Representative to the Fire Authority.

Motion by CM Lukacs, support by CM Stain, to appoint Judy Murray as the City's Representative to the Fire Authority. Motion Carried.

3. **Mayor Pro-Tem Appointment:** Mayor recommended the reappointment of Laura Carpenter as Mayor Pro-Tem.

Motion by CM Murray, support by CM Lukacs, to reappoint CM Laura Carpenter as Mayor Pro-Tem. Motion Carried.

4. **Velva Scott Retirement:** Ms. Scott retired from City Employment after almost 27 years of dedicated service. Lucy Colson will add Ms. Scott's duties to her own with the appropriate increase in pay for the additional hours worked.

Motion by CM Lukacs, support by CM Murray, to adjourn at 07:35 PM. Motion Carried.

Respectfully submitted,

Denise Hoff  
City Clerk