

COUNCIL PROCEEDINGS FOR FEBRUARY 26, 2001

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

Pledge of Allegiance led by City Attorney Marilyn Zimmerman.

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

ABSENT: City Attorney Gerard Garno.

CORRECTION AND APPROVAL OF MINUTES: City Attorney Marilyn Zimmerman requested correction on Page 4 of February 12, 2001 Minutes, to read “to move into Executive Session to discuss pending lawsuit with the City because to discuss the matter in open session could have a detrimental financial impact on the City. Motion by CM Murray, supported by CM Miller, to approve the Minutes of February 12, 2001, as amended. Motion Carried.

PAY BILLS: Motion by CM Murray, supported by CM Jacobson, to pay the bills as presented in the following funds: General-\$8,037.56, Payroll-\$11,278.68, Sanitary Sewer-\$13,179.04, Major Street-\$233.48, Local Street-\$233.47, Investment-\$11,492.09. Motion Carried.

OLD BUSINESS:

1. **City Ordinance:** Chapter 5 Work Session Scheduling.- Pending.
2. **Rezoning Request:** Keith Muxlow.- Pending.

PUBLIC QUESTIONS AND COMMENTS: None.

PERSONAL APPEARANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS: None.

PUBLIC HEARING: None.

ORDINANCES: None.

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter)- None.
2. Streets and Sidewalks (Lukacs)- Expressed concern about standing water on James & 1st Streets, is drainage opening cleared? City Manager stated that the

problem is actually located at Walter and 1st Streets. City DPW is working on clearing the storm sewer at Walter and 1st Streets to resolve problem.

3. Police (Miller)- None.
4. Water and Sewer (Stain)- Public Hearing 7:15 PM March 12, 2001/ Water Rate Increase. Discussion concerning needed 20% increase in order to balance costs and revenues. Motion by CM Carpenter, support by CM Stain, to proceed with Public Hearing on March 12, 2001 at 7:15 PM for the purpose of gathering public comments on increasing water rates. Motion Carried.
5. Tax and Finance (Murray)- Budget update proceeding, proposed 2001-2002 Budget and 2000-2001 Budget Amendment to be completed and provided to the Mayor and Councilmembers prior to the next Council meeting on March 12.
6. Personnel (Jacobson)- None.

ATTORNEY'S REPORT: Attorney Marilyn Zimmerman expressed her gratitude to the Council. Thanks for all your kindness and help. Stated it has been a real privilege to serve the City of Brown City. John Lengeman will assist new City Attorney Gerard Garno until he is comfortable with the Council Proceedings.

CITY MANAGER'S REPORT:

1. **SNOBLIN HOUSE:** House was obviously not torn down by February 20, 2001. Bid from Gene Burgess is \$13,885, from North American Dismantling is \$8,500; and from Ron Trombley is \$6,950.

Motion by CM Stain, supported by CM Miller, to accept the bid from Trombley Excavating for \$6,950 for the demolition of the house at 4115 Main Street if he carries the appropriate liability insurance and can complete the job within 30 days, if not, then the contract will go to North American Dismantling. Motion Carried.

Motion by CM Carpenter, support by CM Stain, for pre-application permit for destruction of house when Bid is accepted. Motion Carried.

2. **MASTER PLAN:** Request for bids sent to 14 municipal planning firms in the State. Eight bids received. Costs ranged from \$10,800 to \$17,700. Recommend the following firms give ten-minute presentations to the Council on March 12: Rowe Engineering and McKenna Associates. Council recommended that the Planning Commission review the proposals and make a recommendation to the City Council since the Commission will be the primary user of the Master Plan.
3. **MML LEGISLATIVE CONFERENCE:** City Manager to attend conference scheduled in Lansing for Wednesday, March 21st. Topics include tax & finance, transportation, land use, public safety and electric aggregation.
4. **BCHS FLORIDA TRIP:** I have volunteered (?) to be a chaperone for the Brown City High School spring break trip to Orlando, Florida. The group departs on Sunday, March 25th and returns late the following Friday. I will miss the Council meeting on March 26th.
5. **MAPLEVIEW ESTATES LAWSUIT:** Trial has been rescheduled from March 13 to May 15, 2001. A copy of the response memo from their lawyer is included in your packet. Also, the plan for Phase III was submitted for presentation to the Planning Commission.

Motion by CM Stain to go into Executive session. Following a question from Mayor Kelly Pavel, City Attorney Marilyn Zimmerman stated an Executive Session was probably not necessary. CM Stain rescinded his motion.

- 6. FEMA SNOW REMOVAL GRANT:** I spoke with the Sanilac County Emergency Services Director and the other City and Village Managers in Sanilac County. None have yet been contacted by FEMA for final paperwork submission. However, the Director expects us to receive paperwork within the next couple of weeks.

MAYOR'S REPORT: Presentation of plaque to City Attorney Marilyn Zimmerman for her service for the City of Brown City. Thank you for your kindness and your friendship.

Moved by CM Carpenter, supported by CM Miller, to adjourn the meeting at 7:40 PM.
Motion Carried.

Respectfully submitted,

Denise Hoff
City Clerk