

COUNCIL PROCEEDINGS FOR NOVEMBER 26, 2001

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

Pledge of Allegiance led by City Clerk Christine Lee.

PRESENT: Mayor Kelly Pavel, Councilmembers – Laura Carpenter, Frank Lukacs, Mike Stain, Julie Miller, Judy Murray, and Pat Jacobson; City Clerk Christine Lee, City Manager Clint Holmes, City Attorney Gerard Garno.

ABSENT: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Carpenter, second by CM Lukacs, to approve the Minutes of November 12, 2001, as corrected. Motion Carried.

PAY BILLS:

Motion by CM Murray, second by CM Jacobson, to pay the bills as presented in the following funds: General -\$13,659.25, Payroll - \$11,754.50, Sanitary Sewer - \$938.22, Water Recreation - \$115.50, Investment - \$36,350.20. Motion Carried.

OLD BUSINESS:

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

PUBLIC QUESTIONS AND COMMENTS: Ron Marshall is buying the building at 4467 Main Street to convert into a pet supply and dog grooming store. They would also like to board a small number of animals, and wanted to know if there was any objection from the City Council. Council voiced no objection as long as there were no complaints from neighbors concerning noise or odor. City Attorney made Mr. Marshall aware of the City's Nuisance Ordinances. (See Manager's Report below.)

PERSONAL APPEARANCES: None

PUBLIC HEARING: None

RESOLUTIONS: None

PETITIONS AND COMMUNICATIONS:

Preapplication Building Permit –

1. Suburban Home Sales Inc./Maple Valley Estates, 5060 Sycamore Drive, Lot #33 – Foundation and Home.

Motion by CM Carpenter, second by CM Miller, to approve the above listed preapplication building permit as submitted. Motion Carried

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter)– None
2. Streets and Sidewalks (Lukacs)– Asked if the Nextel required a light on top of the new tower. City Manager stated that Nextel representatives told the City that since the tower was less than 200' tall, it does not require a warning light. Wanted to know about cleaning up between the buildings on Main Street. City Manager to contact owner.
3. Police (Miller)- None
4. Water and Sewer (Stain)- None
5. Tax and Finance (Murray)- None
6. Personnel (Jacobson)- None

ATTORNEY'S REPORT:

1. Maplevue Estates vs City of Brown City: Draft Chapter 5 of the City Ordinance will be sent to Miller Canfield to review and recommend revisions. Hearing set for December 10, 2001, to clarify judge Teeple's previous ruling.
2. Roy Welch vs. City of Brown City: The City was served with a complaint concerning an alleged sewage backup. (See Manager's Report below.)

CITY MANAGER'S REPORT:

1. **City Master Plan:** McKenna Associates can not make the Planning Commission meeting scheduled for Tuesday December 4th. The best alternative date is December 13th. I will let you know when the schedule is resolved.
2. **Economic Development:** I met with the EDC, and various community and county representatives, at the Sanilac Career Center on November 15th to discuss goals and objectives. Enclosed in your packet are those proposed goals and a list of the EDC's accomplishments over the past 27 months.

- 3. Roy Welch vs City of Brown City:** The City received a summons and complaint alleging that a sewer backup took place on or about October 24th at Mr. Welch's house. Copies of the documentation have been forwarded to the City's insurance carrier (Michigan Community Underwriters and Midwest Claims) and a courtesy copy was forwarded to the City Attorney. A copy of the complaint is in your packet. I have neither received additional information nor been contacted directly by Mr. Welch or his lawyer. Insurance company stated that under the new policy rider, individual claims are limited \$2,500, and any costs above that amount must be paid by the City.
- 4. Maplevue Estates vs City of Brown City:** The City was notified on November 21st that another motion hearing has been scheduled for December 10th in Sandusky. Hearing is to clarify the court ruling made on November 5th.
- 5. 4467 Main Street:** The former "Tim's Bargain Barn" is being sold to an individual who plans to open a pet supply and grooming store. A thorough review of Planning Commission and City Council minutes revealed there were certain conditions that needed to be met prior to opening a business at that location. Those included establishment of a 'green belt.' The City has received letters from the neighbors stating this has been completed to their satisfaction. The requirement to mark parking spaces has also been met. Plans to modify and redecorate the interior of the building should be submitted to the Planning Commission at their January meeting by the new owners. The new owner is asking the Council if they would have any objections to allowing the store to board animals also.
- 6. COPS Grant:** The City is receiving two grants for police. The first is scheduled to expire on November 30th. However, all of the available grant money has not yet been spent. This is because the position was gapped for several months last spring. The Justice Department has been asked to give us a nine-month extension. I have not yet heard if that request was approved.
- 7. Blue Cross/Blue Shield:** I contacted BC/BS and received updated costs associated with an alternative program. Tax and Finance Committee scheduled a meeting for December 5, 2001 at 7:00 P.M. DPW is only concerned about changes to policy if it increases their costs.

8. Elected Officials Training: The City has no policy concerning paying elected officials for attending classes. Currently the City pays mileage, meals and the cost of training only. Recommendation of the Council was to research policy of other communities and present a recommendation at the next meet.

9. City Council Meeting Scheduling: The second meeting in December falls on Christmas Eve.

Motion by CM Carpenter, second by CM Jacobson, to reschedule the December 24, 2001 council meeting to Tuesday, December 18, 2001 at 7:00 PM, due to the holidays. Motioned Carried.

10. City Hall Holiday Hours: City policy is to close City Hall on December 25th. Since December 24th is a Monday, what hours does the Council recommend?

Motion by CM Jacobson, second by CM Miller, to close City Hall all day December 24 and 25, 2001. Motion Carried.

Motion by CM Jacobson, second by CM Carpenter, to give all part time and full time employees \$25.00 in honor of the holiday season. Motion Carried.

11. Holiday Decorations: DPW will hang decorations the week of November 26th, and will light them beginning in December.

12. Davis Engineering: The firm we hired will be in town starting tomorrow, working on Maple Valley Road and north of Third Street.

MAYOR'S REPORT:

1. Planning Commission Vacancy. No recommendation at this time.
2. Brown City Firefighter Annual Holiday Dinner is scheduled for Saturday at 6:30 PM. City Officials are invited.
3. Library – The consulting firm hired by the Library Board has not yet completed their interviews. They will present their final report to the Library Board in early December.

CM Jacobson asked about the status of the new streetlights. Detroit Edison has been contacted, but has not yet provided an installation schedule.

CM Jacobson had a concern about two signs on state property. Property owner will be asked to move them off state right-of-way.

CM Lukacs asked about getting two big green welcome signs.

Motion by CM Stain, second by CM Lukacs, to adjourn the meeting at 7:38 PM.
Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk