

COUNCIL PROCEEDINGS FOR FEBRUARY 25, 2002

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

Pledge of Allegiance led by Jason Nielsen.

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

ABSENT: None.

ATTORNEY'S REPORT:

1. Open Meetings Act: City Attorney Gerard Garno explained that adjourning to closed session and holding an election by written ballot at the previous Council meeting may have given the appearance of improper procedure, even though no decisions were made in the executive session. He suggested the following procedure be used for Nielsen's appointment "as a show of good faith": have the Mayor appoint Jason Nielsen followed by a roll call vote of the City Council.

Mayor Pavel recommended the appointment of Jason Nielsen to the City Council. Motion by CM Carpenter, second by CM Murray, to appoint Jason Nielsen to the City Council until the current term expires.

ROLL CALL VOTE: Jacobson yes, Murray yes, Miller yes, Lukacs yes, Carpenter yes. 5 - Yes, 0 - No, 0 - Absent, 0 - Abstain. Motion Carried
The City Clerk then gave Mr. Nielsen the oath of office and the Mayor welcomed him to the City Council.

2. Nothing new to report on Maplevue Estates vs. City of Brown City.

CORRECTION AND APPROVAL OF MINUTES:

Move by CM Lukacs, second by CM Miller, to approve the Minutes of February 11, 2002 as corrected. Motion Carried. The correction on page 3 of 5 in paragraph 2 of the Attorney's Report changes the word "expect" to "except."

PAY BILLS:

Move by CM Murray, second by CM Miller, to pay the bills as presented in the following funds: General -\$14,480.99, Payroll - \$11,045.38, Sanitary Sewer - \$461.20, Major Street - \$703.29, Investment - \$21,995.36. Motion Carried.

OLD BUSINESS:

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

PUBLIC QUESTIONS AND COMMENTS:

Ray Grimes provided a handout to the Council and expressed his concerns about the school's 3 - 6 building and asked if the City Council knew if the school had any asbestos. He also asked whether the City Council had any contact with Mr. Gaubatz to determine if all the proper steps are being taken in removal of the asbestos. Mayor Pavel tasked the City Manager to contact Mr. Gaubatz to find out if asbestos exists and the status of its removal from the 3 - 6 building.

County Commissioner William Walters introduced Mr. Mike Sutter, the new Sanilac County Administrator, to the City Council. Mr. Sutter told the City Council about himself and what he hopes to accomplish in the immediate future for Sanilac County. Mr. Sutter can be reached at 648-2933, extension 8210.

PERSONAL APPEARANCES:

1. Bob Armstrong, WMIC – Summer Activity Guide. Mr. Armstrong informed the City Council about WMIC's Activity Guide. For a total cost of \$660.00, the City would get the center page and 60 30-second commercials. The City can bank the commercials and use them throughout the year.

Move by CM Lukacs, second by CM Carpenter, that the City participates in the Summer Activity Guide. Motion Carried.

PUBLIC HEARING: None.

ORDINANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS: Preapplication Building Permits –

1. George Hahnefeld, 4456 Belview Drive – 18'x18' Work Shop.
Move by CM Carpenter, second by CM Jacobson, to approve the preapplication building permit for George Hahnefeld as submitted. CM Lukacs wanted to know if this followed the new ordinance. City Manager Holmes informed CM Lukacs that it did. Motion Carried.
2. Jered Baumert, 4354 Main Street – Siding, Shingles and Windows.
Move by CM Carpenter, second by CM Miller, to approve the preapplication building permit for Jered Baumert as submitted. Motion Carried.

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter)– Community Center Architectural Bids. The Building and Grounds Committee met before the Council meeting and narrowed the bids down from 7 to 3. CM Miller reported that the three bids were, Dynamic Consultants of Plymouth - \$4,800; Burman Associates of Romeo - \$7,540; and Spartan Design Group, Inc. of Oxford - \$7,600. No action was taken to allow Councilmembers to review the material and be prepared to make a decision at the next meeting.
2. Streets and Sidewalks (Lukacs)– There are still some streetlights that are out. The Police will make a new list of all the streetlights that need repair.
3. Police (Miller)- The Police Committee had their meeting on February 18, and made their recommendations to the Personnel Committee.
4. Water and Sewer (Nielsen)- Wanted to know how the wellhead protection grant project was coming. City Manager Holmes informed the City Council that Dave VanCura was making a list of the names of property owners within a two-mile radius of City Center. When complete, letters will be sent announcing the inspection phase of the project and asking for the cooperation of property owners.
5. Tax and Finance (Murray)- Schedule 2001/2002 Budget Amendment / 2002/2003 Budget Committee Meeting – Budget Public Hearing.
Move by CM Carpenter, second by CM Miller to set the Budget Public Hearing for March 27, 2002 at 7:15 P.M. Motion Carried.
6. Personnel (Jacobson)- Schedule Committee Meeting. The Personnel committee will meet February 26, 2002 at 6:00 P.M.

CITY MANAGER'S REPORT:

- 1. Water Slide:** The Park Board met on February 14th. They did not have a quorum. They reviewed the survey cards concerning the water slide. Of the 500+ surveys sent, 175 were returned with the following results: 47-demolish, 43-repair, 71-expand, 13-no comment, and 1-“whatever.” Board member Doug Muxlow is investigating the costs associated with adding a second (larger and deeper) swimming pool. The Board recommended that the 2002 DNR Grant request be devoted to repairing and expanding the pool and water slide. Also discussed at the meeting was use of the ball fields by Brown City Community Schools while they continue construction of their own facilities.
- 2. Master Plan:** The Planning Commission met on Thursday February 21st for a little over three hours. Primary thrust of the meeting was a discussion of proposed land use. This analysis will continue at their regular meeting in March.
- 3. Water Tower Bond:** Spoke with Dixon Engineering concerning the water tower. Recommend the Council authorize them to begin putting the specification and bid package together. Cost is a not to exceed \$2,500. Also conferred with the bond attorney Mr. Eckland. He required some additional information that is being supplied. If there is no opposition from the Council, I plan to continue to push the project so the work can be completed this summer. The water tower will be off-line for approximately 45 days, probably from the middle of July through the end of August. If we wait until fall, we can expect to pay about 10% more.
- 4. EPA:** The Safe Drinking Water Act requires EPA to revise the existing 50 parts per billion (ppb) standard for arsenic in drinking water. EPA is implementing a 10-ppb standard for arsenic. On October 31, 2001 EPA announced its decision to move forward in implementing the standard for drinking water at 10 ppb. Of the 74,000 systems regulated by this MCL, approximately 4,000 systems will have to install treatment or take other steps to comply with this MCL. Water systems must meet this standard by January 2006. EPA estimates that the average annual household water bill may increase by \$32 per year, however, the cost will be substantially higher (ranging from \$58 - \$327) for systems treating less than 3,300 people. EPA plans to provide up to \$20 million over the next two years for research and development of more cost-effective technologies to help small systems meet the more protective 10-ppb standard. EPA also will provide technical assistance and training to operators of small systems, which will reduce their compliance costs. The consensus of the City

Council is to closely monitor this research and development program to determine how best to implement a program in the City.

MAYOR'S REPORT.

The Mayor will be out of town for the March 11, 2002 Council Meeting.

Move by CM Jacobson, second by CM Miller, to adjourn the meeting at 8:04 P.M. Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk