

## **COUNCIL PROCEEDINGS FOR JUNE 24, 2002**

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

**Pledge of Allegiance** led by Mayor Pavel.

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

**ABSENT:** None

### **CORRECTION AND APPROVAL OF MINUTES:**

Motion by CM Miller, second by CM Carpenter, to approve the Minutes of June 10, 2002 as corrected. Motion Carried. (Correction - page 2 of 5 under Committee Reports – Police: take out the words “that he” and change to “to a” and, page 3 of 5 under Maplevue vs Brown City add “Maplevue’s” before the word attorney.)

### **PAY BILLS:**

Motion by CM Murray, second by CM Jacobson, to pay the bills as presented in the following funds: General -\$11,585.55, Payroll - \$14,272.04, Sanitary Sewer - \$882.46, Investment - \$29,959.85. Motion Carried.

### **OLD BUSINESS:**

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

### **PUBLIC QUESTIONS AND COMMENTS:**

Bill Walters expressed his concerns about giving the school a break on their water bill if their bill is too high following installation of a new water meter. What is going to stop other businesses from coming in and wanting a break on their bill?

**PERSONAL APPEARANCES:** None

**PUBLIC HEARING:** None

**ORDINANCES:** None

**RESOLUTIONS:** None

**PETITIONS AND COMMUNICATIONS:**

**Preapplication Building Permits –**

1. Don Goshorn, 7164 Lincoln St. – 24’x24’ Pole Building. (RENEWAL) Motion by CM Carpenter, second by CM Miller, to renew the pre-application permit for Don Goshorn as submitted. Motion Carried.

2. Florence Hunt, 4064 Main St. – Chain Link and Privacy Fence. Council tabled the request until more information is presented.

3. Mark Traub, 4392 Main St. – Replace Siding. Motion by CM Carpenter, second by Lukacs, to approve the pre-application permit for Mark Traub as submitted. Motion Carried.

4. Sandy Shadley, 4154 4<sup>th</sup> St. – 14’ x14’ Enclosed Porch. Motion by CM Carpenter, second by CM Lukacs, to approve the pre-application permit for Sandy Shadley as submitted. Motion Carried

**COMMITTEE REPORTS:**

1. Building and Grounds (Carpenter)– None

2. Streets and Sidewalks (Lukacs)– Report on June 19<sup>th</sup> Committee Meeting. CM Lukacs reported on what streets and sidewalks needed replacement. This fall Maple Valley Road south of M-90 and Industrial Dr. For 2003, the streets on the north side of M-90: James Street (First Street to Third Street) (Third Street to Fourth Street) and John Street (First Street to Second Street). For 2004, Lincoln Street (Maple St to Grant Street) and if enough funds are available Grant Street to City Limits, corner of Lincoln Street by Main Street and Wells Street (Maple Street until the end.) The location of removal and replacement of sidewalks are: in front of Czap house on Lincoln Street, south side of Second Street between James and St. Marys Street, and individual squares that need to be replaced in various locations. Recommended trimming trees on St Marys Street. On Main Street, have the DPW trim the trees on the south side of the street.

Motion by CM Jacobson, second by CM Lukacs, to have City Manager Holmes seek bids for sidewalk removal and replacement with a public hearing scheduled for July 8<sup>th</sup>, at 7:15 P.M. regarding sidewalk removal and replacement. Motion Carried.

3. Water and Sewer (Nielsen)- None

4. Police (Miller)- None

5. Tax and Finance (Murray)- CM Murray reported that Lehotan completed the audit and all the accounts are in good shape except for equipment fund.

6. Personnel (Jacobson)- BC Days wrap-up/lessons learned. CM Jacobson reported that the Committee wanted to change BC Days to a later date and they have a meeting in August.

#### **ATTORNEY'S REPORT.**

1. Back Taxes: City Treasurer Carol Walters has been working with City Assessor Mark Cunningham in collecting the back taxes. One individual has paid and the other one paid \$200 and will pay the balance in 45 days.
2. Mapleview vs Brown City: No word.
3. Letter form the School: Waiting for the contractor to provide the City with letter information on how the School plans to remove the asbestos.
4. MCL 750.102 and MCL 750.103: Laws that the Police can still use but they are better off if they filed a disorderly conduct.

#### **CITY MANAGER'S REPORT:**

1. **Personnel:** The City has received 21 applications for the one full-time DPW employee position, and five applicants were granted interviews and completed written exams on June 13<sup>th</sup> and 14<sup>th</sup>. Rob Jacobson of Brown City was tentatively selected, and he successfully completed his physical exam on June 20<sup>th</sup>. Recommend the City hire Robert J. Jacobson as a full-time DPW employee.

Motion by CM Carpenter, second by CM Miller, to hire Robert J. Jacobson as a new DPW employee.

ROLL CALL: Carpenter-yes, Lukacs-yes, Nielsen-yes, Miller-yes, Murray-yes, Jacobson-abstain. 5-Yes, 0-No, 1-Abstain, 0-Absent. Motion Carried

2. **Block Party:** A resident of Thelman Avenue has requested the City Council grant permission to close this street for a block party on a date to be determined. The City would provide street closed signs and barricades. There are no ordinances directly concerning this issue. Does the Council have any objections? Consensus of the Council was against blocking off a street for a party.
3. **Tax Assessment:** The City Assessor Mark Cunningham reached an agreement with the owners of the Kirkpatrick Apartments on First Street. Assessment was reduced about \$21K. Tax Tribunal Court date withdrawn. Tax Court for Ben's Supermarket/Ace Hardware remains on the court calendar. Court date is set for July 31, 2002.

4. **School Water Main:** Negotiations continue. Mayor Pavel has been in negotiations with Superintendent Gaubatz about the school water main. He has offered to take over 100% of the maintenance costs of the water main if the City will take over the easement so they don't have to put in check valves.  
CM Miller wanted to know why the DEQ wants the school to put in check valves. Who is responsible for ownership, easement and maintenance, payment and liability? City Attorney Garno will check into this and come back with some sample contracts and present this to the committee. (corrected 7/8/02 – change check values to check valves in both of the above sentences.)
5. **Master Plan:** The Master Plan is nearing completion, and the final discussion of the draft is planned for Tuesday July 9<sup>th</sup> at 6:30 PM. The Planning Commission requests that the Mayor and City Council attend this meeting to insure that both groups are in general agreement on the plan. A copy of the plan is included in your packets.
6. **COPS Grant:** The City has requested a nine-month extension of the grant to subsidize the cost of a full time police officer. Grant was due to expire 8/31/2002.
7. **Vacation Days:** City Manager Holmes has three vacation days that need to be used before June 30<sup>th</sup>, he will take Wednesday, Thursday and Friday off.

#### **MAYOR'S REPORT:**

1. Geroge Kalbfleisch Memorial Dedication Monday, July 1<sup>st</sup> at 7:00 P.M. – Fire Department Open House, 6:00 – 9:00 P.M.

CM Murray wanted to know what was happening with the Sutter Drain. The City hasn't heard anything from the railroad. Also what is going to happen when the school project is completed? How much additional water will be running off the school property into the drain? City Manager Holmes will check with the school.

Motion by CM Miller, second by CM Jacobson, to adjourn the meeting at 8:25 P.M. Motion Carried.

Respectfully Submitted,

Christine Lee  
City Clerk