

COUNCIL PROCEEDINGS FOR AUGUST 26, 2002

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

Pledge of Allegiance led by Councilmember Jason Nielsen.

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

ABSENT: None

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Lukacs, second by CM Carpenter, to approve the Minutes of August 12, 2002 as corrected. Motion Carried. (Correction on page 4 of 6 under item 4 DDA sentence 5 should read – “City Attorney Garno informed the Council that City Ordinance 81.9A, Section 2 states the City Manager is Chief Executive Officer of the DDA and that City Manager Holmes could sign contracts as an officer of the DDA.”)

PAY BILLS:

Motion by CM Murray, second by CM Jacobson, to pay the bills as presented in the following funds: General -\$27,737.84, Payroll - \$11,255.38, Sanitary Sewer - \$448.74, Water Recreation - \$115.50, Investment - \$17,476.61.

CM Jacobson questioned the amount of the Water Recreation bill for the alarm system. City Manager Holmes will check into this. Motion Carried.

OLD BUSINESS:

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

PUBLIC QUESTIONS AND COMMENTS:

1. County Commissioner Bill Walters informed the Council that he went with the group from Sanilac County to Lansing to support the veto override. The Legislature successfully overrode the veto, thus restoring revenue sharing for this year. Mr. Walters further stated that revenue sharing would remain a hot issue.
2. Cliff Knox wanted to know why after 45 years of serving the City, the City was putting the contract for garbage collection up for bid, and why he was not personally notified that this would happen. The City Manager stated

that he would be sent a bid package when they were mailed out. Target date to open the bids is planned for September 23rd.

PERSONAL APPEARANCES: None

PUBLIC HEARING: None

ORDINANCES: None

RESOLUTIONS: None

PETITIONS AND COMMUNICATIONS:

Preapplication Building Permits –

1. Darrell & Roberta Schlabach, 4345 Maple St. – 12’x22’ Addition to House and

New 24’x32’ Attached Garage. (Variance Request)

Motion by CM Carpenter, second by CM Miller, to hold a Public Hearing concerning this Variance Request on September 9th at 7:15 P.M. Motion Carried.

2. Marlene Hill, 4294 Grant St. – Deck. – Tabled – Request not submitted.

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter) - None
2. Streets and Sidewalks (Lukacs) - None
3. Water and Sewer (Nielsen)- Household Hazardous Waste Collection.

CM Nielsen told the City that he and Jim Niebal (corrected 9/9 – correction of last name - should be Kneebone and not Niebal) have set up collection sites for household hazardous waste in Sandusky the last couple of years. This fall they will be setting up a site in Deckerville, and in the spring of 2003 plan to set up a one-day site for Brown City.

4. Police (Miller)- None
5. Tax and Finance (Murray)- None
6. Personnel (Jacobson)- Committee Meeting with Tax and Finance
Committee scheduled for Wednesday, August 28, 2002 at 7:00 P.M. to review wage schedule for the City Treasurer.
 - a. Wanted to know if something could be done with the tree in the ditch on Lincoln Street that blocks the view from the temporary driveway of the Mapleview Estates Trailer Park. The Park is using this drive because they are paving the roads in Phase I. City Manager Holmes will check on this.
 - b. Manhole cover on Wells Street, between Rowley and Coopers, if something could be done because the cover keeps popping off. Also the

catch basin cover on at the corner of Reed and Maple. City Manager Holmes will send the DPW to fix this problem.

- c. The open basement at 4406 Main Street has partially fallen down and there is water in the basement creating a potential safety hazard. City Manager Holmes will contact Ben's about this problem.
- d. Wanted to know if Parker Brothers were done with the tree trimming. City Manager Holmes informed the Council that they only about halfway through the project.
- e. Need to cut the weeds east of Cade Road and also on Chelsea Lane. City Manager will contact the owners.
- f. Asked about trimming the shrubs between the pharmacy and insurance agency on Main Street, and in front of City Hall. City Manager Holmes will have the DPW take care of this.

ATTORNEY'S REPORT:

- 1. Tax Collection:** City Treasurer Carol Walters said that Almont Screw's back taxes are all paid. B. P. Oil has not yet paid, if there is no response to the City's request for payment, the City will take them to Small Claims Court. The other property must start paying this week or the Treasurer will begin seizing company assets.
- 2. School Well:** The School has signed a document with the City agreeing to all the conditions. The agreement states that the well will only be used for irrigation of playing fields, pipes carrying irrigation water must be physically separate from the City's water system, the pipes to be inspected by the City's DPW; fields being watered by this well must have a sign posted stating water is not safe for human consumption, and that the school will assume all liability associated with this water well.
- 3. Maplevue vs Brown City:** The Michigan Municipal League has filed an *amicus curiae* brief with the Michigan Court of Appeals. Maplevue Estates' lawyers were unsuccessful in their attempt to block this support to the City. The Court has accepted the brief.

CITY MANAGER'S REPORT:

- 1. Water Tower Status:** The painting was completed on 8/21. There is still some additional work for the contractor to do, but it will not effect the operation of the tower. When the DPW attempted to refill the tower, a leak was discovered in the plumbing at the base. The leak was repaired on 8/22 and the tower partially refilled. Friday, the tank was flushed and re-chlorinated. Saturday the tower will be emptied and refilled again, and water samples taken. Water samples will again be taken on Monday and

sent to the laboratory. If the samples pass, the water tower will be returned to service late on Tuesday (August 27th). Once on-line, residents will be notified that water restrictions have been lifted by an ad in the *Banner*, and announcements on Channel 6 and WMIC.

2. **Water Tower Bond Sale:** The sale of the bonds to finance the water tower is scheduled for August 27th at 11:00 AM. The funds should be available to pay tower-related bills soon after. I have contacted the County to insure that any water tower bills paid by the City directly can be reimbursed. The County said that the City could be reimbursed.
3. **2002 Sidewalk Program:** The bid packets for the 2002 Sidewalk Project have been mailed out. Advertisements will also run in the *Banner* and *Sanilac County News*. Sealed bids will be opened at 4:00 PM local time, on Monday, September 9, 2002. John Liebler would rather blacktop the whole area at his expense and not participate in the Sidewalk Program (Corner of Main and Lincoln Streets). The blacktop will be done this fall or next spring. What does the Council want to do? Committee meeting scheduled for Wednesday, August 28, 2002 at 6:30 P.M. Downtown Streetscape: The City Manager is looking at different ideas on how to proceed with this if we don't get an MDOT grant.
4. **Trees:** Parker Brothers continues the City's tree project, and they expect to be done by late next week. A total of three trees have been added to the original contract, two on Maple Street and one on George Street. While working near a house on James Street, they broke a hydraulic hose, which released oil on the house and grounds. Parker Brothers has been notified that they must do a complete clean up of the area. The homeowner's insurance company is aware of the situation.
5. **Land Use Conference:** Sanilac County hosted a meeting on August 22 to discuss land use and other issues associated with development of a County Master Plan. Councilmember Jason Nielsen and myself attended the meeting. A copy of the complete agenda materials is available for review in my office. The project is scheduled for completion in late 2004. A copy of the list of committees is in your packets if you would like to participate.
6. **School Water Meter:** Final bids have been received. Due to the fact that the high school has a fire protection system installed (sprinklers) a special type of high throughput water meter is required. Total estimated cost (for pit, meter valves, installation etc.) is approximately \$30,000. Following

consultation with the Mayor and members of the Water and Sewer Committee, the DPW Supervisor was directed to contact the company to begin work. Project is to be completed before school starts on September 3rd. Because of the large difference in the cost from that approved by the Council earlier, the Council discussed the issue and took another vote.

Motion by CM Miller, second by CM Carpenter to install the water meter at the school, contingent on the Tax and Finance Committee's findings on Wednesday.

ROLL CALL:

Jacobson - yes, Murray - yes, Miller - yes, Nielsen - yes, Lukacs - no, Carpenter - yes. 5 - Yes, 1 - No, 0 - Abstain, 0 - Absent. Motion Carried.

- 7. Sanilac County EDC:** The EDC sent out a questionnaire requesting an update to the County "Future Project List." A copy of the current list is in your packets. The water tower project can be removed. What other additions do you recommend? The consensus of the Council was to add Downtown Streetscape Project.
- 8. Water Well Fence:** The DPW has complained about somebody with an ATV tearing up the grass around water well #4 (south of Main Street). They would like to install a guardrail fence to keep vehicles out. The 200' fence would cost around \$2,000 (parts and installation). How does the Council wish to proceed? See if the Police can put a stop to this. The consensus of the Council was to increase police enforcement efforts, and not build the fence, at this time.
- 9. Buyer's Guide:** The Buyer's Guide will be running tribute to public safety workers in their September 8th edition in commemoration of September 11th. They want to know if the City wishes to sponsor and (corrected 9/9 - and should be an - should read an ad) ad in support. Cost is just under \$100. How does the Council wish to proceed? Council declined.
- 10. Planning and Zoning Meeting:** MSU Extension Office is offering a class titled "Planning and Zoning Act Amendments Educational Meeting." Copies of the advertisement will be sent to members of the Planning Commission. Cost is \$10 per person. If any members of the Council wish to attend, please let me know.
- 11. Burgess Building:** I sent a letter to Bob Burgess regarding his intentions concerning his building on Main Street. I met with him twice and he is in the process of hiring a painter and possibly having other work done on the front of the building. He hopes to get to it this fall.

12.Law Enforcement Spanish: Following the events in Crosswell a couple a weeks ago, Chief Smith stated he would like to take some Spanish classes with an emphasis on law enforcement. I spoke with Dr. Parker, ISD Superintendent, concerning setting up a class like this. I also spoke with the other City Managers in the County and they support sending their officers to this training.

13.DPW/Fire Department: Personal Committee will need to set a formal policy for City Employees that are on the Fire Department. Item will be added to the agenda for Wednesday's meeting.

14.Planned Vacation: City Manager Holmes plans to take vacation days Wednesday-Friday, weather permitting, to finish painting his house and garage.

MAYOR'S REPORT:

1. Weeds by the railroad tracks adjacent to J & J have still not been cut. The DPW is working with them to get this taken care of. Weeds by the School and railroad tracks adjacent to the school: City Manager Holmes will talk with the school and railroad about this.
2. On Second Street in front of the school there is a big drop off (corrected 9/9 – ad an hyphen to the word drop off – should read a big drop-off) at the edge of the street, and no barricades or warning cones. Also the neighbors are complaining of all the dust and dirt on Second Street. City Manager Holmes will talk to the School about this and, if no cooperation is available from the school's contractor, will send out the street cleaner and bill them accordingly.

Motion by CM Miller, second by CM Murray, to adjourn the meeting at 8:31 P.M.
Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk