

COUNCIL PROCEEDINGS FOR NOVEMBER 24, 2003

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

Pledge of Allegiance led by City Clerk Christine Lee.

PRESENT: Mayor Laura Carpenter; Councilmembers – Julie Miller, Charles Zuhlke, Pat Jacobson, Frank Lukacs, and JoAnn Potts; City Clerk Christine Lee, City Manager Darcy Long, City Attorney Gerard Garno.

ABSENT: Jason Nielsen.

CORRECTION AND APPROVAL OF MINUTES:

Move by CM Miller, second by CM Jacobson, to approve the Minutes of the Regular Meeting of November 10, 2003 as corrected. Motion Carried.

CORRECTIONS

1. Page 1 of 4 – under corrections item #3 - change the word then to than.
2. Page 3 of 4 – item 34 - change add to added and put a period after the word offers and take out - in the future.
3. Page 3 of 4 – under City Manager's Report item #2 - change quite to quote.

PAY BILLS:

Move by CM Jacobson, second by CM Lukacs, to pay the bills as presented in the following funds: General -\$18,565.11, Payroll - \$13,116.47 Sanitary Sewer - \$16,914.60, Major St. - \$12,605.00, Local St. - \$8,250.00, Investment - \$77,720.52. Motion Carried.

OLD BUSINESS:

1. LDFA. - Nothing

PUBLIC QUESTIONS AND COMMENTS:

1. Mike Frey informed the City that his basement back up and that this is the second time in three and a half years. Mr. Frey feels that the City should have a schedule to clean all the sewers lines and drains every year to help take care of the roots in the lines. City Attorney Garno will put together a policy.
2. Al Teryek wanted to know if the City is going to plowed Parkside Drive, now that it is paved and also if garbage pick-up will be in front of his house

- or on Cade Road. City Attorney Garno will check what the proper procedures are for the City to take over the road.
3. County Commissioner Bill Walters informed the City Council that the Governor's new budget has cut \$2 million from Sanilac County.

PERSONAL APPEARANCES:

Dale Benish presented the City with a check for \$823,500.00 from the Michigan Economic Development Corporation. Mr. Benish informed the City Council that Company #2 is still progressing and that there is now a timetable with the deadline being January 15th.

PUBLIC HEARING: None

ORDINANCES: None

RESOLUTIONS: None

PETITIONS AND COMMUNICATIONS:

A. Preapplication Building Permits – Requires City & County Permit – None

B. Verizon - Approval of Metro Act Permit. In accordance with Section 5 (3) of the Metropolitan Extension Telecommunications Right-of-Way Oversight Act, Public Act 48 of 2002 (METRO).

Move by CM Miller, second by CM Lukacs, to approve the Metropolitan Extension Telecommunications Right-of-Way Oversight Act, Public Act 48 of 2002 (METRO). Motion Carried.

C. License Agreement – Lapeer-Sanilac Inter-County Drain.

Move by CM Miller, second by CM Potts, to approve the License Agreement with Lapeer-Sanilac Inter-County Drain. (Corrected 12/8/03 should read to put on hold while the City Manager obtained additional information.)

D. Thumb Cellular additional antenna on water tower contract.

Move by CM Miller, second by CM Jacobson, to approve the contract with Thumb Cellular to put additional antenna on the water tower.

ROLL CALL: Miller - Yes, Zuhlke - Yes, Jacobson - Yes, Lukacs - Yes, Potts - Yes. 5 - Yes, 0 - No 0 - Abstain 1 – Absent. Motion Carried.

Need a Policy for the 3 new cell phones.

COMMITTEE REPORTS:

1. Police (Miller)- None
Police Chief Ron presented the City Council with a monthly report.
2. Tax and Finance (Jacobson)- None
CM Jacobson informed the City Council that the Festival Committee wrap-up everything for the 2003 Festival. Next years Festival will be June 10th – 14th. CM Jacobson wanted to know if the City would be willing to pay \$1,500.00 for the fireworks and pickup the insurance rider. The City Council agreed to this.
3. Personnel (Zuhlke)- CM Zuhlke thanked everyone for his time that he served on the City Council. Committee meeting – December 1st at 6:00 P.M.
4. Water and Sewer (Nielsen)- None
5. Streets and Sidewalks (Lukacs) – CM Lukacs wanted to know if Parkside Drive is a private street. City Attorney Garno will check into this.
6. Building and Grounds (Potts) - None

TREASURER'S REPORT:

Treasurer Carol Walters went over the handout she presented to the City Council.

ATTORNEY'S REPORT:

1. EPA Contract

Move by CM Miller, second by CM Lukacs, to amend the contract with Cooperative Research and Development Agreement. (Corrected 12/8/03 – remove the words contract, take out the period and add the words - with the EPA. – should read – to amend the Cooperative Research and Development Agreement with the EPA.)

ROLL CALL: Miller - Yes, Zuhlke - Yes, Jacobson - Yes, Lukacs - Yes, Potts - Yes. 5 - Yes, 0 - No 0 - Abstain 1 – Absent. Motion Carried.

2. MapleView vs City of Brown City: City Attorney showed the City Council the Miller-Canfield brief.
3. Zoning Ordinance Amendments: In Chapter 8 the enforcement is missing. City Attorney Garno will have this fine tune by the next meeting, than the City Council can adopt it or amend it. (Corrected 12/8/03 – change the words fine tune to an amendment, change the word than to then – should read – will have an amendment by the next meeting, then)

Move by CM Miller, second by CM Jacobson, to go pass the 9:00 hour. Motion Carried. (Corrected 12/8/03 – change the word pass to past)

CITY MANAGER'S REPORT:

1. Arsenic Building (Bids for building).

Move by CM Zuhlke, second by CM Jacobson, to award the bid to Capac Construction, Inc. at the price of \$46,595.00, contingent upon being able to start by December 15th or earlier with no unreasonable delays and have the building done in 30 days. Motion Carried.

2. Formal approval to hire Gary Gorsline as returning DPW employee.

City Manager Long stated that 4 people were interview for the job, and because of Dave Kenny illness that Mr. Gorsline was hire to fill in because he had the most experience. CM Miller wanted to know what benefits and what pay Gary Gorsline would be getting. Also a phone call ahead of time with all the information would have been nice before Mr. Gorsline started working. (Corrected 12/8/03 – change interview to interviewed - hire to hired – Kenny to Kenny's).

Move by CM Miller, second by CM Jacobson, to hire Gary Gorsline at \$15.00 an hour, to temporary fill the position of DPW Supervisor depending upon Dave Kenney return. (Corrected 12/8/03 – change temporary to temporarily and Kenny to Kenny's)

3. Zoning Map.

Move by CM Lukacs, second by CM Potts, to hire McKenna and Associates to create the Zoning Map for Chapter 8 and not to exceed \$910.00 Motion Carried. (Corrected 12/8/03 take out the word and add with their fees)

4. Will be attending Cool Cities in Lansing about downtown development, cost is \$80.00 have a scholarship to cover the cost.

MAYOR'S REPORT:

Mayor Carpenter reminded City Manager Long that you need to have bids on anything over \$500.00. Also to keep the City Council informed on things as soon as possible. Mayor Carpenter was disappointed on how unprofessional City Manager Long acted sometimes. Remember to think before you act. CM Miller stated that she would like to see City Manager Long slow down on different matters. CM Lukacs stated that if you have a problem than (Corrected 12/8/03 – change than to then) go directly to the City Manager. CM Zuhlke informed the City Council that everybody was at fault. When the City Manager was hired that as a whole nobody sat down with him and set any guidelines. Also when the City Manager was hired a lot of things where happening with the City (new factory, etc.). The City Council and City Manager need to establish a give and take

relationship (work together). City Manager Long stated that he is still learning about the way things are done. And he also would like to have an open door relationship with the City Council, City Employees, and with the City as a whole. CM Zuhlke said that when in doubt, call; we are all here to help.

City Attorney Garno would like to receive all the papers that the City Council gets in their packets, so he can review the information before the Council meetings.

Move by CM Miller, second by CM Jacobson, to allow the Girl Scouts to sell cookies, January 10th to February 2, 2004. Motion Carried.

Mayor Carpenter thanked CM Zuhlke for all his work that he did while he was on the City Council.

CM Potts also had problems with her plumbing and would like the City to find out what can be done.

Move by CM Miller, second by CM Potts, to adjourn the meeting at 10:20 P.M. Motion Carried.

Respectfully Submitted,

Christine J. Lee
City Clerk