

## **COUNCIL PROCEEDINGS FOR DECEMBER 8 2003**

City Clerk Christine Lee administered the Oath Of Office to newly elected officials: Julie Miller, Eugene Navock as Council Members. Council Member Frank Lukacs and Library Board Members Mary Crake and Carla LeGere were absent and the Oath Of Office will be administered at a later date.

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

Brown City Cub Scout Pack 327 presented the colors.

**Pledge of Allegiance** led by Cub Scout Pack 327.

**PRESENT:** Mayor Laura Carpenter; Councilmembers – Julie Miller, Eugene Navock, Pat Jacobson, JoAnn Potts, and Jason Nielsen; City Clerk Christine Lee, City Manager Darcy Long, City Attorney Gerard Garno.

**ABSENT:**

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

Move by CM Miller, second by CM Jacobson, to approve the Minutes of the Regular Meeting of November 24, 2003 as corrected. Motion Carried.

### **CORRECTIONS:**

1. Page 2 of 5 – Item C. under Petitions and Communications - should read - to put on hold while the City Manager obtained additional information.
2. Page 3 of 5 – Item #1 under Attorney's Report – the motion should read – to amend the Cooperative Research and Development Agreement with the EPA.
3. Page 3 of 5 Item #3 – 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
4. Page 3 of 5 – Motion at bottom of page – change the word pass to past.
5. Page 4 of 5 – Under City Manager's Report – Item #2 – change interview to interviewed - hire to hired – Kinney to Kinney's and in the Motion – change temporary to temporarily and Kinney to Kinney's
6. Page 4 of 5 –Item #3 – take out the word and add with their fees
7. Page 4 of 5 – Under Mayor's Report – should read - change than to then – should read - have a problem then

**PAY BILLS:**

Move by CM Jacobson, second by CM Miller, to pay the bills as presented in the following funds: General -\$ 11,365.21, Payroll - \$12,580.62, Sanitary Sewer - \$539.54, Investment - \$23,635.31. Motion Carried.

**OLD BUSINESS:**

1. LDFA: Pending
2. License Agreement – Lapeer-Sanilac Inter-County Drain: Pending

**PUBLIC QUESTIONS AND COMMENTS:**

County Commissioner Bill Walters congratulated CM Miller and Lukacs and welcomed new CM Navock.

**PERSONAL APPEARANCES:**

1. Mary Halbert – Tax Bill Problem: Problem was solved.
2. Lynn Manogue – Brandi Lynn Estates (Welles Street Project). Recommended that Lynn Manogue to go to the Water and Sewer Committee.

**PUBLIC HEARING:** None.

**ORDINANCES:**

1. Amending Chapter 8: City Attorney Garno went over the handout with the City Council and pointed (Corrected 12/22/03 add the word out) the difference. CM Miller feels that the City Council should send out a letter to the residents of the City to inform them of the changes. This Ordinance was introduced by CM Potts, with a Public Hearing set for December 22, 2003 at 7:15 P.M.

**RESOLUTIONS:** None

**PETITIONS AND COMMUNICATIONS:**

**A. Preapplication Building Permits – Requires City & County Permit –**

1. Robert Cilk, 4193 Second St. – 18’x24’ Garage. Tabled until Mr. Cilk stakes the garage out and the City can take measurements. (Corrected 12/22/03 – Move by CM Potts, second by CM Miller, to tabled)
2. Immanuel Revival Church, 4346 First St. – Handicap Ramp.

Move by CM Potts, second by CM Miller, to approve the preapplication building permit for the Immanuel Revival Church for a handicap ramp at 4346 First Street, pending County approval. Motion Carried.

**COMMITTEE REPORTS:**

1. Police (Miller)- None
2. Streets and Sidewalks (Navock)- None
3. Tax and Finance (Jacobson)- None
4. Personnel (Lukacs)- Recommendation of Gary Gorsline DPW: (Corrected 12/22/03 – Recommendation that of Gary Gorsline to DPW:)

Move by CM Miller, second by CM Jacobson, to have Gary Gorsline intern until May 1, 2004 or until Dave Kinney's return. Motion Carried.

5. Building and Grounds (Potts)- None
6. Water and Sewer (Nielsen)- Arsenic Building waiting for permit.

**TREASURER'S REPORT:**

Treasurer Carol Walter reported that the taxes have gone out and had a problem with names and address on some. Informed the City Council that she cannot change any information on a tax bill unless the person has taken all the proper steps.

**ATTORNEY'S REPORT:**

1. EPA Contract: waiting for reply.
2. Capac Construction: drawn up a contract with Capac Construction to build the Arsenic Building. (Corrected 12/22/03 – the contract with Capac Construction to build the Arsenic Building was approved by the City Attorney.)
3. Parkside Drive: The City hasn't formally taken over Parkside Drive.

Move by CM Miller, second by CM Nielsen, to obtain a copy of the bylaws from the site condo and have the City Engineer inspected the road. Motion Carried. (Corrected 12/22/03 – change the word inspected to inspect)

4. Set up a policy on cleaning out the City Sewer and Drains. (Corrected 12/22/03 – Working on setting up a policy on cleaning out the City Sewer and Drains.)
5. Page 5 of 5 – second Motion – change to read property related to Economical Development)

**CITY MANAGER'S REPORT:**

Second property - Executive Session at the end of the meeting to discuss the second property.

## **MAYOR'S REPORT:**

### 1. New Committee Appointments.

Move by CM Miller, second by CM Potts, to accepted the new Committee Appointments. Motion Carried.

### 2. Board Appointments/Reappointments:

- a. Move by CM Miller, second by CM Jacobson, to reappoint Mike Frey, Mike Lents, and David Webb to the Planning Commission (term to expire 12-31-2006). Motion Carried.
- b. Move by CM Miller, second by CM Novack, to reappoint Jean Curson to the Cemetery Board (term to expire 12-31-2008). Motion Carried.
- c. Move by CM Miller, second by CM Potts, to appoint Ed Pieters to the Downtown Development Authority (term to expire 11-30-2004). Motion Carried. This committee needs one more member.
- d. Move by CM Miller, second by CM Potts, to appoint Darcy Long as the City's representative on the Brown City Area Fire Authority. Motion Carried.
- e. Move by CM Miller, second by CM Novack, to appoint Kathleen Loutzenhiser to the Election Commission (term to expire 12-31-2005). Motion Carried.

### 3. Closing City Hall for Christmas and New Years:

Move by CM Miller, and second by CM Novack, to closed City Hall at noon on December 24<sup>th</sup> and 31<sup>st</sup> and that City Hall will be closed all day December 25<sup>th</sup>, 26<sup>th</sup> and January 1<sup>st</sup>. Motion Carried

Move by CM Miller, second by CM Potts, to have a 5-minute recess. Motion Carried.

Move by CM Miller, second by CM Jacobson, to come back from 5-minute recess. Motion Carried.

Move by CM Miller, second by CM Jacobson, to have City Clerk Lee attend the 2004 Optech/2001 Users Group Meeting, at a cost of \$40.00. Motion Carried.

Water and Sewer Committee Meeting: Monday, December 15<sup>th</sup> at 6:00 P.M. and to let Lynn Manogue know.

Mayor Carpenter read a letter from the Sanilac County Humane Society in Carsonville is having an open house on December 13, 2003.

**EXECUTIVE SESSION:** To consider purchase or lease of real property up to the time an option to purchase or lease of that property is obtained.

Move by CM Miller, second by CM Nielsen, to move into Executive Session to consider purchase or lease of real property up to the time an option to purchase or lease of that property is obtained.

ROLL CALL VOTE: Miller – Yes, Jacobson – Yes, Novack – Yes, Nielsen – Yes, Potts – Yes. 5 - Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

Council went into Executive Session at 8:30 P.M.

Move by CM Miller, second by CM Nielsen, to move out of Executive Session.

ROLL CALL VOTE: Miller – Yes, Jacobson – Yes, Novack – Yes, Nielsen – Yes, Potts – Yes. 5 - Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

Council came out of Executive Session at 8:50 P.M.

No decisions were made.

Move by CM Miller, second by CM Potts, to direct City Manager Long to obtain a professional appraisal of a piece of property in the Economical Development.

Motion Carried. (Corrected 12/22/03 – take out the words in the and change to read property related to Economical Development)

Move by CM Miller, second by CM Potts, to adjourn the meeting at 8:53 P.M.

Motion Carried.

Respectfully Submitted,

Christine J. Lee  
City Clerk