

## **COUNCIL PROCEEDINGS FOR FEBRUARY 23, 2004**

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

**Pledge of Allegiance** led by CM Pat Jacobson.

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

**ABSENT:** Frank Lukacs, and JoAnn Potts.

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

Move by CM Miller, second by CM Navock, to approve the Minutes of the Regular Meeting of February 9, 2004 as corrected. Motion Carried.

### **CORRECTIONS:**

1. Page 3 of 4 – Under item #2 – should read Equal Protection Cause Action:
2. Page 3 of 4 – Under item #2 – add an ed to the word dismissed.
3. Page 3 of 4 – Under item #2 – should read Mapleview Estates may be able to re-file later if they choose to.
4. Page 3 of 4 – Under item #3 – add an ed to the word thanked.
1. Page 3 of 4 – Under City Manager Report item #2 - take out the word correct and change to read – in compliance with our Zoning Law. And change the period to a comma and add the words – regarding how to proceed.)

### **PAY BILLS:**

Move by CM Jacobson, second by CM Miller, to pay the bills in the following funds, except for Mannik and Smith Group, Inc.: General -\$143922.80, Payroll - \$13,456.62, Sanitary Sewer - \$435.00, Investment - \$21,045.46. Motion Carried.

### **POLICE CHIEF'S REPORT:**

1. DTE will buy a camera system. (Corrected 3/8/04 – Change E to F)
2. Butch Bennett wants to protest in front of the school, the issue is where can they park and where can they stage the protest? City Attorney Garno will check into this mater.
3. Stop sign by the Post Office is missing.

**OLD BUSINESS:**

1. LDFA: MDEC, City Manager Long will meet with Dale Benish to discuss the creation of the Local Development Finance Authority (LDFA). Keith Muxlow would like to put a business in the old Travco Building.  
(Corrected 3/08/04 – Change the last sentence to read - Talked to Keith Muxlow about Economical Development in the old Travco Building.)

**PUBLIC QUESTIONS AND COMMENTS:** None.

**PERSONAL APPEARANCES:** None.

**PUBLIC HEARING:** None.

**ORDINANCES:** None.

**RESOLUTIONS:**

1. No. 04-02 = Performance and Indemnification Resolution.

Move by CM Miller, second by CM Jacobson, to adopt Resolution No. 04-02.

ROLL CALL VOTE: Jacobson - Yes, Miller - Yes, Navock - Yes, Nielsen – Yes.  
4 - Yeas, 0 - Nays, 0 - Abstain, 2 - Absent. Motion Carried.

**PETITIONS AND COMMUNICATIONS:**

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

**COMMITTEE REPORTS:**

1. Police (Miller)- None
2. Tax and Finance (Jacobson)- February 11, 2004. CM Jacobson stated that the manhole cover at the corner of Walter and Main looks like it is broke.
3. Personnel (Lukacs)- None.
4. Water and Sewer (Nielsen)- CM Nielsen went over his report. Arsenic Rule: May have to charge people more to fill their swimming pools. Lynn Manogue subdivision: She still wants us to help with her subdivision. The City could choose to put a special assessment on her properties.  
Move by CM Nielsen, second by CM Navock, to have City Manager Long to send a letter to Lynn Manogue, saying that the City may consider a special assessment. Motion Carried.
5. Streets and Sidewalks (Navock)- February 23, 2004. None.
6. Building and Grounds (Potts)- None.

**TREASURER'S REPORT:**

City Treasurer Walter went over her report, she also included a copy of a letter that she sent out to Personal Property Owners.

**ATTORNEY'S REPORT:**

1. Mapleview vs Brown City: Mapleview Estates filed a motion for reconsideration with the Supreme Court. The court will issue an order, of yes or no, in a couple of weeks.
2. Otulakowski – Parrent: City Attorney Garno will have a letter to send to the two parties involved in this property line dispute, stating that the court needs to decide on this issue if Ms. Parrent moved her garage after the City Council approved her pre-building application. (Corrected – 3/8/04 – put a comma after the word issue and take out the word if, add Mrs. Otulakowski alleges Ms. Parrent)

**CITY MANAGER'S REPORT:**

1. Insurance for Brown City Days: City Manager will check with other towns in the area to see what they do. He also will get another quote to compare the price.
2. Library Lease Agreement: City Manager Long will meet with the Library Board tomorrow to discuss a new lease agreement. The last contract the City had with the Library Board was in 1994. City Manager Long will also check to see if there were any restrictions on the deed.  
Move by CM Nielsen, second by CM Novack, to negotiate with the Library Board for a one-year lease agreement at \$600.00 a month. Motion Carried.
3. Arsenic equipment is now here. Will set up a tour of the water tower, lagoon, arsenic building and the DPW garage in the Spring.
4. Sanilac County Economic Development Corporation First Partner Appreciation and Economic Summit will be Wednesday, March 17, at 11:00 A.M – 2:00 P.M. at Lakeview Hills. Lunch will be served.

**MAYOR'S REPORT:**

The City received a thank you note from Bob, Jodi and Tina Lints.

Move by CM Miller, second by CM Jacobson, to adjourn the meeting at 8:58 P.M. Motion Carried.

Respectfully Submitted,

Christine J. Lee  
City Clerk