

COUNCIL PROCEEDINGS FOR OCTOBER 25, 2004

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

Pledge of Allegiance led by Council member Pat Jacobson.

PRESENT: Mayor Laura Carpenter, Council members: Frank Lukacs, Eugene Navock, JoAnn Potts, Julie Miller, Christine Lee, Pat Jacobson. Interim City Manager Ken Brown, City Clerk Kelly Pavel, City Attorney Gerard Garno.

ABSENT: None

CORRECTION AND APPROVAL OF MINUTES:

10-11-04 Minutes:

Page 2 of 6, paragraph two under Resolutions, moneys to read monies.

Page 3 of 6, paragraph one, moneys to read monies.

Page 3 of 6, last paragraph, to read presented to the Planning Commission and “not yet approved”.

Page 4 of 6, paragraph 3 under Police Chief’s Report, to read Discussion regarding running “record checks” through the cell tower.

Page 4 of 6, paragraph two under Attorney’s Report to read dirt that may be available from the “renaissance zone project”.

Moved by Cm Miller, second by CM Potts to approve the October 11, 2004 minutes as corrected. Motion carried.

PAY BILLS:

Council member Jacobson addressed a concern of Mr. Henry Owens working over 40 hours per week, as well as high payments for cell phone use. She suggests that an alternate cell phone plan be sought with possible unlimited usage.

Moved by CM Jacobson, second by CM Lee to pay the bills in the following funds: General - \$29,534.75, Payroll - \$14,573.88, Major Streets - \$561.73, Local Streets - \$561.73, Sanitary Sewer - \$149.49, Investment - \$135,012.84. Motion carried.

OLD BUSINESS:

- Paul Czap project is complete – remove from old business
- Library lease agreement is on going, needs to be complete by 1/05
- Update on Bullock court case
- Dixon Engineering and Great Lakes Internet are working on antenna on tower
- Shoen property update
- Risk Management project is on going
- No change in any sidewalk fall lawsuits
- Windows and doors for City Hall are on order, awaiting arrival for installation
- Update on dangerous building on Maple Valley Road. Owner states that Demolition is being scheduled.
- Trees along Main Street need to be replaced by the state in spring
- City Fee and what needs a permit sheet is complete
- Master Plan and zoning maps need to follow procedure of McKenna
- Library proposal to be presented on 10/26/04
- Update on abandoned well and plugging

PUBLIC QUESTIONS AND COMMENTS:

Larry Bullock explained to the council various dates and points regarding the ditching work being done on his property by the City.

PERSONAL APPEARANCES: - None

PUBLIC HEARING: None

ORDINANCES: None

RESOLUTIONS: None

PETITIONS AND COMMUNICATIONS:

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Committee meeting scheduled for 10/28/04 at 5:00 p.m. to review a site plan for Aaron Marks, 7170 Lincoln Street to tear down a porch, square up his home and add a new deck.

COMMITTEE REPORTS:

1.**Police**-Discussion regarding the 10-15-04 committee meeting minutes.

Moved by CM Miller, second by CM Potts to allow all officers to obtain a membership to the Macomb Police Academy. Motion carried.

Moved by CM Miller, second by CM Lee to all (**delete all, add “allow” per 11-8-04 meeting**) Chief Smith and Interim City Manager Brown to investigate a lease to buy for \$1.00 program for a new police cruiser. ROLL CALL: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Jacobson to seek bids in newspaper as well as E-Bay for the blue police cruiser after a new one is purchased. Monies from the sale of the old cruiser will be put back into any fund that additional monies may have come (**change came to “come” per the 11-8-04 meeting**) from for the purchase of the new cruiser. Motion carried.

Discussion that drywall and insulation of the police garage would be put on hold.

2.**Water & Sewer**- Discussion regarding 10/22/04 committee meeting minutes.

Moved by CM Lee, second by CM Miller to establish a new check return policy. Old fee being changed from \$20.00 to \$25.00. The second time a check is returned it will be turned over **“to” – per 11-8-04 meeting** the Police Department. Sign regarding new policy to be posted. Motion carried.

3.**Tax & Finance** – Discussion regarding the 10-20-04 committee meeting minutes

4.**Streets & Sidewalks**-none

5.**Building & Grounds**-review and discussion of permit and fee schedule

6.**Personnel**-none

7.**Brown City Days**-next meeting is scheduled for 11/9/04 at 6:00 p.m.

POLICE CHIEF'S REPORT: - none

CITY CLERK'S REPORT:

Moved by CM Lee, second by CM Navock to close the library on 11/2/04 for the General Election. Motion carried.

TREASURER'S REPORT:

Discussion regarding lawful expenditures by municipalities

Tax receipt summary review

ATTORNEY'S REPORT:

1. Review and discussion regarding Comcast agreement.

Moved by CM Lukacs, second by CM Navock to direct Interim City Manager Brown to investigate what fees other cities in the area are receiving from Comcast. Motion carried.

2. USDA Loan update, bond letter has been received and approved.

3. Letter has been sent to Mr. Keith Muxlow and Mr. Bob Kohler regarding the fair market value price of renaissance zone property. **“No response has yet been received” – per the 11-8-04 meeting.**

4. Discussion regarding letter from Dixon Engineering that was received regarding contract with Greatlakes Internet.

Moved by CM Miller, second by CM Navock to authorize Greatlakes Internet to install antenna contingent on them following Dixon Engineering requirements set forth in their letter dated 10/20/04. Motion carried.

CITY MANAGER'S REPORT:

1. Review of permit and fee schedule needs to be completed

2. Budget amendments need to be addressed at next Tax & Finance meeting.

3. Water rate increase needs to be finalized.

4. Update on the Bullock court case

Ken Brown personally thanked the City Council for allowing him the opportunity to serve as Interim City Manager.

Water & Sewer meeting scheduled for 11/3/04 at 7:00 p.m.

Moved by CM Miller, second by CM Lee to have Interim City Manager Ken Brown attend MDOT meeting in Cass City on 11-01-04. Motion carried.

Moved by CM Miller, second by CM Lee to have Interim City Manager Ken Brown attend meeting in Birmingham Hills on 11/9/04 regarding CDL updates. Motion carried.

MAYOR'S REPORT –none

Moved by CM Miller, second by CM Lee to go into executive session at 8:40 p.m. to consult with the City Attorney regarding a specific written opinion. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Potts to return to regular session at 9:00 p.m. ROLL CALL VOTE: Lukacs-yes, Navock-yes, Potts-yes, Miller-yes, Lee-yes, Jacobson-yes. 6-yes, 0-no, 0-absent, 0-abstain. Motion Carried.

No action was taken in Executive Session.

Moved by CM Potts, second by CM Miller to go past the 9:00 p.m. hours. Motion carried.

City Attorney Garno thanked Ken Brown for his assistance while filing (**delete filing, change to "filling" per 11-08-04 meeting**) in as Interim City Manager.

GENERAL CONCERNS OF THE COUNCIL:

Weeds at renaissance zone property need to be cut.

Potholes on Lincoln Street need to be addressed.

Street light out on 1st and St. Mary's Streets.

Clinton Holmes physical and drug test results arrived late today, 10-25-04.
Moved by CM Miller, second by CM Potts to adjourn at 9:03 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk