

COUNCIL PROCEEDINGS FOR APRIL 8, 2002

Meeting called to order at 7:05 P.M. by Mayor Pavel.

Pledge of Allegiance led by CM Frank Lukacs.

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

ABSENT: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Carpenter, second by CM Miller, to approve the Minutes of March 25, 2002 as corrected. Motion Carried. (Correction to page 4 of 6 paragraph B. Police Officers Pay Raise – change from “and additional” to “an additional” and Correction to page 4 of 6 paragraph C. DPW Employee’s Pay Raise – Carpenter voted No).

PAY BILLS:

Motion by CM Murray, second by CM Jacobson, to pay the bills as presented in the following funds: General -\$55,994.66, Payroll - \$13,977.83, Sanitary Sewer - \$4,105.00, Water Recreation - \$33.82, Investment - \$26,558.00. Motion Carried.

OLD BUSINESS:

1. City Ordinance Chapter 5 Work Session Scheduling: Pending.
2. Rezoning Request – Keith Muxlow: Pending
3. Dynamic Consultants Contract – Community Center. City Manager Holmes informed the City Council that Dynamic Consultants had an insurance liability limit of \$1 million and asked the Council to act on the contract to include whether the City should pay the extra 10% for full malpractice coverage.

Motion by CM Murray, second by CM Carpenter, to contract with Dynamic Consultants for architectural and engineering drawings for the new Community Center, and pay the additional 10% for malpractice insurance. Motion Carried.

PUBLIC QUESTIONS AND COMMENTS: None

PERSONAL APPEARANCES:

1. Richard Gaubatz, Superintendent Brown City Community Schools – Annexation. Requested permission from the City Council to pursue formal annexation into the City the 15 acres purchased by the school in Maple Valley Township. The Superintendent will next speak with Maple Valley Township. Annexation will allow the school to extend sewer and water lines to the property.

Motion by CM Carpenter, second by CM Lukacs, to support the school with their request to annex into the City the 15 acres that they recently purchased. Motion Carried.

2. Jack Messer, Emergency Management Director – 911. Explained the new Sanilac County Central Dispatch surcharge, why it is needed, how much it's going to cost telephone users, who it will affect, and where the money raised by the proposed surcharge will be spent. Director Messer asked everyone for his or her support of the surcharge during the August Election.
3. William Walters, County Commissioner – Summer Taxes. Explained Senate Bill 1165 and 1166 require that all school taxes be collected in July beginning in 2003. Also that early revenue numbers suggest that revenue estimates made in January will not be met, meaning the state budget may need to get even leaner.
4. Carol Walters, City Treasurer – Reported on how much tax was collected as of February 28, 2002. Treasurer Walters wanted to know how to proceed on the two unpaid business personal property taxes dating back to 2000. The City Attorney and her have both sent letters and have received no response to date.

Motion by CM Lukacs, second by CM Murray, directing City Attorney Garno to draft a letter requiring the two businesses to pay their 2000 personal property taxes within 30-days, or else the City Treasurer will begin collection procedures. Motion Carried

PUBLIC HEARING: None.

ORDINANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS:

Preapplication Building Permits –

1. Sandy Bissett, 7046 Reed St. – 34' x 44' Pole Barn/Garage.

Motion by CM Carpenter, second by CM Miller, to approve the preapplication building permit for Sandy Bissett with one change, specifically, since the original setback put the pole barn/garage too close to the main building, the proposed garage must be moved four feet (4') to the south. Motion Carried.

2. Sandra Marshall, 4467 Main St. – Install Door and Fence.

Motion by CM Carpenter, second by CM Lukacs, to approve the preapplication building permit for Sandra Marshall as submitted. Motion Carried.

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter)– None
2. Streets and Sidewalks (Lukacs)– CM Lukacs wanted to know if the street sweeper is working? City Manager Holmes informed CM Lukacs the when the weather gets better than we will use it. Also a representative from the company which manufactured the street sweeper will be coming out to look at the machine to determine what repairs are needed.
3. Police (Miller)- None
4. Water and Sewer (Nielsen)- Scheduled a Committee meeting for Wednesday, April 10th to discuss the Water Tower and the County Drain.
5. Tax and Finance (Murray)- CM Murray thanked Commissioner Walters for bringing in the newsletter and for the update.
6. Personnel (Jacobson)- DPW Employee's Pay Raise-

Motion by CM Jacobson, second by CM Nielsen, to approve a \$2.00 per hour pay raise for the DPW Supervisor effective April 1, 2002.

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

Motion by CM Jacobson, second by CM Lukacs, to approve a \$0.50 per hour wage increase for the DPW staff after successful acquisition of four required licenses.

ROLL CALL: Jacobson - yes, Murray - yes, Miller - yes, Nielsen - yes, Lukacs - yes, Carpenter - yes. 5 - Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

Motion by CM Jacobson, second by CM Lukacs, to buy back unused vacation time at the wage rate that prevailed at the time the vacation time was earned.

Motion Carried.

ATTORNEY'S REPORT.

1. Maple View Estates vs City of Brown City: Maplevue didn't file their brief on time and lost their right to oral arguments during the appeal.

CITY MANAGER'S REPORT:

- 1. Community Center:** Dynamic Consultants, the firm hired by the City to create the design for the community center/council chambers, met with me on April 4th to discuss preliminary design requirements. They also measured and carefully inspected the building. The plan is for them to draw up some preliminary sketches and have them reviewed by the Mayor and Buildings and Grounds Committee. If there are no significant changes requested, they plan to formally present the proposed plans to the City Council at the May 13th meeting. Does the Council wish to schedule a Public Hearing for that day? (Requires Motion) Public Hearing will be set at the next Council meeting if everything is on track.
- 2. Fire Department Grant Request:** Grant request was submitted for \$35,430 with a federal contribution of \$31,887 and an Authority match of \$3,543. Request was for Self Contained Breathing Apparatus (SCBA), additional SCBA masks, and confined space entry equipment. A copy of the request was made available to the Authority members. This will save the taxpayer \$31,887.
- 3. DNR Grant Request:** A grant request was submitted to DNR for \$85,000. The Park would be responsible for 25%. Grant is to repair existing pool, fix the pool pavilion, and add a second pool located immediately west of the existing pool and will range in depth from 3'6" to 5'5" and be 16' x 40'. Awards will be announced in November or December 2002. This will wipe out the Park fund balance, and the pool will not open this summer for lack of funds.
- 4. Michigan Rural Water Association:** MRWA is attempting to get a grant from the federal government to build a \$2M training facility for water and wastewater treatment. This facility could aid in training our DPW also. They have provided sample letters and request that we support this initiative by forwarding these letters, on our letterhead, to our federal senators and representative. Copies of the request and sample letters are enclosed.

Motion by CM Carpenter, second by CM Lukacs, to show support by having Mayor Pavel sign the letters of support for MRWA's proposed \$2M training facility. Motion Carried.

- 5. Water Tower:** We received a copy of the bid package put together by Dixon Engineering for painting the water tower. Water and Sewer Committee to review at their meeting on April 10th. Copies of the

specification package will be provided to committee members prior to the Committee Meeting.

- 6. County Drain:** The DPW Supervisor contacted several firms about installing additional tubing under the railroad tracks to expedite storm water runoff. Only one company replied with an estimated cost of \$46,990. How does the Council wish to proceed? City Manager will call the County Drain Commissioner to find out what responsibility they have, and contact the school to determine if they wish to participate in this improvement.

- 7. MDOT- Intersection of M-53 and Burnside Road (M-90):** MDOT responded to the City's letter of support to Burnside Township for a traffic light at this intersection. Based on their analysis of the data, a traffic signal will not be installed at this intersection.

MAYOR'S REPORT.

Made the suggestion to set up quarterly meeting between the Personnel Committee and the City's department heads.

CM Miller wanted to know if City Councilmembers could attend council committee meetings if they are not a member of that committee. City Manager Holmes, in consultation with the City Attorney, informed the Council they could attend these committee meeting since the City follows all the steps required under the Open Meetings Act.

City Manager told the Council that the City would host the monthly meeting of the Sanilac County City Managers at the Uptown Café on April 16th.

Motion by CM Murray, second by CM Miller, to adjourn the meeting at 8:18 P.M.
Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk