

COUNCIL PROCEEDINGS FOR JUNE 7, 2004

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

Pledge of Allegiance led by CM Joan Potts.

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

ABSENT: None.

CORRECTION AND APPROVAL OF MINUTES:

Move by CM Miller, second by CM Jacobson, to approve the Minutes of the Regular Meeting of May 24, 2004 as corrected. Motion Carried.

CORRECTIONS:

1. Page 1 of 7 – Under Pay Bills – add the word “and” between hours and should.
2. Page 2 of 7 – CM Jacobson - change he to Mr. Owens and change the word than to then.
3. Page 2 of 7 – Middle of page - City Attorney Gerard Garno stated - change thing to things
4. Page 3 of 7 – Under Committee Reports – Item #3 - change evolutions to evaluations.
5. Page 4 of 7 – second Motion from top - add - because City Manager Long will be out of town.
6. Page 4 of 7 – Under Attorney’s Report – Item #2 - take out “this” and change to “previous Sewer Policy”. Item #3 Change to read - the City paying of the corn on the east side.
7. Page 4 of 7 – Under Executive Session - change to read - to consult with the City Attorney regarding trial or settlement strategy in connection with specific pending litigation, since an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body.
8. Page 6 of 7 – Under Treasurer’s Report - Remove comma between 2004 and with – change Walter to Walters – add comma after “Treasurers” and before “in”.
9. Page 6 of 7 – Under CM Miller – Item #1 - Change to read - Does Police have extra help.

10. Page 6 of 7 – Under CM Lukacs – Item #3 - change tall to “not mowed” and add a coma after mowed. Item #3 - remove this sentence.

PAY BILLS:

Move by CM Jacobson, second by CM Navock, to pay the bills as presented in the following funds: General -\$25,569.48, Payroll - \$16,030.49, Sanitary Sewer - \$1,578.97, Investment - \$33,212.21. Motion Carried.

City Attorney Garno went over the Corn Payment agreement and stated that the City pay for the Mr. VanDamme’s corn, because it was located on the land that the City didn’t purchased. (Corrected 6/28/04 - add the word “should” – stated that the City should pay)

OLD BUSINESS: None

PUBLIC QUESTIONS AND COMMENTS: None

PERSONAL APPEARANCES:

1. Lehm King and Ryan King went over the Audit Report and answered the questions that the City Council had.

CM Lukacs

1. Wanted to know if the City had building permit tags. City Manager Long stated that he is still working on developing this so the tags cannot be copy and that it can stand up to the weather.
2. Henry Owens job description, has this been completed and does this followed the Employee’s Handbook and if there are job descriptions for all the employees. Personnel will work on this.
3. Mason Sewer Hook-up was denied because the City didn’t extend the sewer service outside the City Limits.
4. Who is filling in the ditch behind the Fire Station? CM Jacobson stated that the DPW was doing this work.

PUBLIC HEARING: None.

ORDINANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS:

A. Construction Permit -

1. Edward & Lora Apley, 7062 Lincoln Street – 18' Above Ground Pool.

Move by CM Potts, second by CM Lukacs, to approve the preapplication building permit for Edward & Lora Apley for a 18' Above Ground Pool at 7062 Lincoln Street. Motion Carried.

COMMITTEE REPORTS:

1. Police (Miller)- None.
2. Tax and Finance (Jacobson)- Had a meeting on June 2, 2004 and will have another one on Wednesday, June 9, 2004 at 8:30 P.M.
3. Personnel (Lukacs)- A letter was sent to Judy Murray with an apology and an application. Personnel Committee will have the following committee meetings: Monday, June 14, 2004 at 7:00 P.M. to go over the City Manager's evaluations. Friday, June 25, 2004 at 7:00 P.M. to meet with City Manager Long and go over his evaluation.
4. Water and Sewer (Nielsen)- None. Meeting: Wednesday, June 9, 2004 at 7:00 P.M.
5. Streets and Sidewalks (Navock)- None. Meeting: Monday, June 21, 2004 at 7:00 P.M.
6. Building and Grounds (Potts)- None.
7. Brown City Day's Committee – Everything is right on track.

ATTORNEY'S REPORT:

1. Contract with Lehm and Ryan King City Audit: City Attorney Garno will review the contract and make recommendations to the City Council at the next meeting.
2. Ebay: City Attorney Garno didn't fine anything that prohibits the City from using Ebay to sell the old police car. (Corrected 6/28/04 – change the word fine to find)
3. Maplevue vs Brown City - Outstanding Fees: City Attorney Garno will draft a Motion to collect the outstanding fees.

TREASURER'S REPORT:

Move by CM Miller, second by CM Navock, starting on September 15, a 1% interest charge will be added to the total amount of all unpaid personal property taxes, and starting on March 1, a one time penalty of 3% will be added to all Summer and Winter unpaid personal property taxes. Then the 1% interest charged by the State of Michigan will be added to the total amount of the tax bill per month until the tax bill is paid. We will do this in perpetuity. Motion Carried.

This Motion was passed to corrected the April 26, 2004 Minutes.

Treasurer Walters plans on attending a class in Marlette on Thursday, June 24, 2004; there is a \$5.00 charge at the door. This will be paid out of petty cash.

CITY MANAGER'S REPORT:

1. Brown City Days: This is a big event for the City. The DPW should be able to get the planters out early next week and we should be able to get flowers planted in the planters before Brown City Day's. (Corrected 6/28/04 – change the word Day's to Days.)
2. Arsenic Open House: A handout was passed out to the City Council with the schedule of events. The demonstration will by held on Tuesday, June 22, 2004.
3. Police Grant: City Manager Long has been working on a Police Grant for laptops for the Police vehicles.
4. Project Childsafe: The Police Department will give away gunlocks during Brown City Day's in front of City Hall.
5. Sewer Policy: City Manager Long is working on the Sewer Policy draft copy to give the Sewer and Water Committee for review and a final draft to the City Council prior to the June 28, 2004.
6. City Hall Sidewalk Project: The project is scheduled to begin on June 14, 2004, with 3-4 days to complete.
7. Overtime Rules: The rules for overtime have change and City Manager Long will attend a meeting covering this. (Corrected – 6/28/04 – add a “d” to the word change)
8. Main Street Driveway: The curb was never replaced and just asphalt was put down. This driveway was not design for gravel trains.

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 Lukacs, 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, Navock – Yes, Nielsen – Yes, Lukacs – Yes, Potts – Yes. 6 - Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

Council went into Executive Session at 8:19 P.M.

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

ROLL CALL VOTE: Miller – Yes, Jacobson – Yes, Navock – Yes, Nielsen – Yes, Lukacs – Yes, Potts – Yes. 6 - Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

Council came out of Executive Session at 9:05 P.M.
No decisions were made.

Move by CM Miller, second by CM Navock, to go pass the 9:00 hour. Motion Carried. (Corrected 6/28/04 - add an “ed” to the word pass)

MAYOR’S REPORT: None.

GENERAL CONCERNS OF THE COUNCIL:

CM Jacobson stated that the meeting with the Library Board will be Tuesday, June 8, 2004 at 7:00 P.M. CM Jacobson and CM Nielsen will attend the meeting.

Move by CM Miller, second by CM Potts, to adjourn the meeting at 9:07 P.M.
Motion Carried.

Respectfully Submitted,

Christine J. Lee
City Clerk