

COUNCIL PROCEEDINGS FOR NOVEMBER 6, 2000

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

Pledge of Allegiance led by Councilmember Laura Carpenter.

PRESENT: Councilmembers – Laura Carpenter, Mike Lents, Frank Lukacs, Julie Miller, Judy Murray, Kelly Pavel; Mayor Ken Brown, Deputy Clerk David R. Van Cura, City Manager Clint Holmes, Attorney Sally Miller.

ABSENT: City Clerk Barbara Seidel, City Attorney Marilyn Zimmerman.

CORRECTION/APPROVAL OF MINUTES:

MOVED BY CM Pavel, supported by CM Carpenter, to approve the Minutes of October 23, 2000, as presented. Motion Carried.

PAY BILLS:

MOVED BY CM Murray, supported by CM Miller to pay the bills as presented in the following funds: General - \$21,136.33, Payroll - \$12,635.04, Sanitary Sewer - \$2,287.44, Water Recreation - \$32.82, Investment - \$32,020.85. Motion Carried.

OLD BUSINESS:

1. Preapplication Building Permit – Matt Firmingham, 6813 Cade Road – Fence/Move Hydrant. One hydrant still needs to be moved.
2. City Ordinance Chapter 5 Work Session Scheduling. The Work Session was not scheduled.

PUBLIC QUESTIONS AND COMMENTS: None.

PERSONAL APPEARANCES:

1. Dallas Berry, Planning Commission Chairman.
Mr. Berry requested a meeting between the Planning Commission and the City Council be held on Tuesday, December 5, 2000. The Planning Commission would like to discuss a number of items, including the City Zoning Ordinance and the City Zoning Master Plan. Purpose of the meeting is to set a single coordinated policy for the Council and Commission.
MOVED BY CM Carpenter, supported by CM Murray, to hold a joint meeting between the Council and the Planning Commission on Tuesday, December 5, 2000 at 7:00 P.M. and not to charge any council fees. Motion Carried.

2. Chuck Kunisch, Manager – Brown City Michigan Agricultural Commodities (MAC). Mr. Kunisch expressed his company’s concerns regarding safety along the railroad tracks, and noise and dust issues associated with the elevator and its potential impact on future residents of the Maple Valley Estates Manufactured Home Park (MHP). He has expressed these same concerns to the Planning Commission. Mr. Kunisch would like to see the MHP install a fence along their property adjacent to the railroad tracks and to let people purchasing lots be aware of these safety, noise and dust issues.

Tim Worth, Project Manager for Maple Valley Estates Manufactured Home Park, responded by saying that they plan to fence in this entire area. They have planted trees to help with the noise and dust. Mr. Worth said they would work with MAC to resolve the issues. They will install a fence. He doesn’t have a problem drafting a disclosure to give to purchasers of lots listing these potential safety, noise and dust problems.

RESOLUTIONS: #00-17 – Resolution of the City of Brown City to amend the City’s 2000-2001 Budget to better reflect Revenues and Expenditures.

FUND	00-01 Budget	11/00 Amend	Change
GENERAL	783,840.00	740,690.00	(43,150.00)
MAJOR STREET	150,500.00	118,350.00	(32,150.00)
LOCAL STREET	42,800.00	38,005.00	(4,795.00)
SEWER	215,810.00	191,310.00	(24,500.00)
WATER	148,495.00	153,780.00	5,285.00
EQUIPMENT	105,050.00	104,505.00	(545.00)
PARK RECREATION	29,500.00	26,639.00	(2,861.00)
WATER RECREATION (pool)	31,615.00	15,656.10	(15,958.90)
CEMETERY (OP)	12,400.00	15,600.00	3,200.00
CEMETERY (PC)	4,150.00	5,500.00	1,350.00
HISTORICAL	600.00	600.00	-
WASTEWATER DEBT	23,450.00	23,450.00	-
BCAFD Forfeiture Fund	250.00	250.00	-
EDC	1,244.00	2,000.00	756.00
<u>DDA</u>	<u>69,920.12</u>	<u>74,198.06</u>	<u>4,277.94</u>
TOTALS:	\$1,619,624.12	\$1,528,533.16	\$(109,090.96)

Numbers in Parenthesis () are reductions.

MOVED BY CM Murray, supported by CM Lukacs, to adopt Resolution #00-17 to amend the City’s 2000-2001 Budget to better reflect revenues and expenditures. ROLL CALL VOTE: Pavel – yes, Murray – yes, Lents – yes, Miller – yes, Lukacs – yes, Carpenter – yes. 6 – Yeas, 0 – Nays, 0 – Absent. Motion Carried.

PETITIONS AND COMMUNICATIONS:

A. Preapplication Building Permits –

1. Mapleview Estates – 7179 Silver Maple Lane – Pole Barn.
MOVED BY CM Carpenter, supported by CM Miller, to TABLE the Mapleview Estates preapplication pending a recommendation of Planning Commission at their December meeting. Motion Carried.

2. Suburban Homes/Maple Valley Manufactured Home Park – Five Foundations and Model Homes.

MOVED BY CM Carpenter, supported by CM Lukacs, to approve the five (5) preapplications of Suburban Homes/Maple Valley Manufacture Home Park for foundations and model homes on LOTS # 1, 2, 45, 49, 53. Motion Carried.

Mayor Brown informed the Council of the concerns of the VFW regarding the ground repair work that was done on their property by Maple Valley Estates.

Tim Worth assured it would be done properly. He would hire the proper people to redo the work, would use sod instead of grass seed. Mr. Worth said that if necessary, he would put up a bond and would talk to the VFW.

B. Rezoning Request-

1. Keith Muxlow, Property east of St. Marys St. and between the platted Fifth and Sixth Streets, FROM “Residential Multiple and Light Industrial” TO “Residential”.

The Planning Commission has recommended “approval” of this request. The owner would be responsible to develop private roads, and water and sewer lines.

MOTION BY CM Miller, supported by CM Carpenter, to TABLE Mr. Muxlow’s rezoning request until after the Council and Planning Commission have had their joint meeting on December 5, 2000 and the Master Plan has been reviewed. Four (4) – Yes, Two (2) – No. Motion Carried.

PUBLIC HEARING: None.

ORDINANCES: None.

COMMITTEE REPORTS:

1. Building and Grounds – None.

2. Personnel – The Committee met on Monday, October 30, 2000.

Motion by Councilmember Frank Lukacs, supported by Mike Lents, to recommend that the City Manager approve Dave Kinney's request to do water and sewer lead installation on private property, after regular working hours, with no solicitation during business hours, and using his own equipment. This interim approval to expire in not more than six (6) months (May 6, 2001) during which time the City Council will review and establish a formal permit and inspection system for water and sewer lead installation, gauge public opinion concerning this employment practice, and determine whether to allow Mr. Kinney to continue this private contracting.

Roll Call Vote: Carpenter - yes; Lukacs - yes; Miller - yes; Lents - yes; Murray - no; Pavel - no. Four (4) yes; Two (2) no. MOTION CARRIED.

3. Police – Chief Ron Smith recommends hiring Craig Brown as a part time police officer.

MOVED BY CM Miller, supported by CM Lukacs, to hire Craig Brown as a part time police officer for the City of Brown City subject to passing a physical. Motion Carried.

4. Water and Sewer – None.
5. Tax and Finance – None.
6. Streets and Sidewalks – None.

ATTORNEY'S REPORT:

1. Maplevew Estates Lawsuit – Still pending.
2. 4115 Main Street – The City has received an Administrative Search Warrant.

CITY MANAGER'S REPORT:

1. **HALLOWEEN:** The City had police and fire department on duty Devil's Night and Halloween. Very quiet. Minor problems included one DUI and an MIP party Halloween night (Autumn Gold Apartments).
2. **COUNCIL MEETING DATES FOR DECEMBER:** Second meeting in December is Christmas Day. Council may wish to reschedule. If so... REQUIRES MOTION.

MOVED BY CM Carpenter, supported by CM Pavel, to reschedule the December 25th Council Meeting to Monday, December 18th, due to the 25th being Christmas Day. Motion Carried.

3. **CITY MANAGER TRAINING:** Thursday, November 9th: Planning to attend “Planning and Funding Infrastructure Improvements” in Mt. Pleasant.
4. **LIBRARY COMPUTERS:** The two computers received from the Bill Gates Foundation have been installed and linked to the Internet. Existing computers had their RAM doubled and now operate faster. Library is hosting an Open House on Thursday, November 9th.
5. **HERITAGE DAYS:** Plan is to combine Heritage Days with Brown City Days the second weekend in June. Council may wish to consider appointing a member of the Council to serve on the planning committee. I attended the planning meetings for the past two years, but only to coordinate City services, not as a voting member. Since City funds do get spent indirectly (extra police, DPW, barricades, admin services (permits)), Council may want representation.
6. **BURGER BUILDING:** Received a single bid to separate the electric power in the Burger Building. Olds Electric bid \$849 to install separate 200 amp service and riser. He will also be responsible for pulling the permits. He also did the work on the new police garage and did a very good job. **REQUIRES MOTION.**

MOVED BY CM Lents, supported by CM Miller, to accept the bid from Olds Electric to separate the electric power in the Burger Building for \$849.00. Motion Carried.

7. **GIRL SCOUTS:** Girl Scouts have requested permission to conduct cookie sales January 20th through February 12th, 2001 with cookie deliveries beginning on March 12th. **REQUIRES MOTION.**

MOVED BY CM Lukacs, supported by CM Carpenter, to allow the Girl Scouts to hold their annual Cookie Sale between January 20, 2001 and February 12, 2001. Motion Carried.

8. **LITTLE TEXAS ICE RINK:** Rodger Wood wishes to install an ice skating rink on his property just north of the Rainbow Laundry. He will provide site, lights and insurance. His request to the City is 1) to provide a backhoe and operator to level the lot for the rink; and 2) provide the

water for the rink (he would bypass his water meter). **REQUIRES MOTION.**

MOVED BY CM Lukacs, supported by CM Carpenter, to TABLE a decision until the next meeting (November 13th) on Rodger Woods' request to install an ice rink with the City's help pending additional research. Motion Carried.

9. POLICE ACTIVITIES: 1) Camera has been ordered with a final cost (less installation) of \$4,710 – this includes a 60-day supply of VCR tapes; 2) heater core went out on the new police car – repair cost estimated at \$519 at the Ford Dealer and about \$100 less at T&R. Car to go to T&R..

10. MISSIONARY CHURCH LAND ANNEXATION: Received the paperwork concerning the annexation of Burnside Township property for the New Missionary Church. Need to schedule a public hearing for the next Council Meeting to discuss. Copies will be included in Council packets for the November 13th meeting.

MOVED BY CM Miller, supported by CM Carpenter to hold a Public Hearing on Monday, November 13, 2000 at 7:15 P.M. regarding annexation of land for the new Missionary Church. Motion Carried.

MAYOR'S REPORT: None.

Members of the audience addressed the Council regarding police activities.

Councilmember Lents stated this would be his last meeting, as he is unable to attend on November 13th. He thanked the Council and said he enjoyed working with them.

MOVED BY CM Miller, supported by CM Carpenter, to adjourn the meeting at 9:00 P.M. Motion Carried.

Respectfully submitted,

**DAVID R. VAN CURA
DEPUTY CLERK**