

**ESSEXVILLE CITY COUNCIL
REGULAR MEETING
November 16, 7:00 PM
COUNCIL CHAMBERS**

Mayor Tanner called the REGULAR MEETING of the Essexville City Council held on November 16, 2009 to order at 7:00 PM.

City Manager Dale Majerczyk led the Pledge of Allegiance.

CITY CLERKS REPORT AND CERTIFICATION OF ELECTION RESULTS

The City had a 14.7% turnout for the General Election held on November 3, 2009.

The City Clerk read the Certification of election as submitted by the Bay County Board of Canvassers:

Office of City Council member – Four Year Term Two to be elected

Total number of votes cast for the position	705
John G. Freel received	159
John Kustuch received	142
Robert J. Mantei received	204
Thomas R. Rehmus received	200

Robert J. Mantei and Thomas Rehmus were declared elected to the office of City Council Members for the City of Essexville to serve a four (4) year term of office (ending 2013).

City Charter Revision Proposal

Per the Charter of the City of Essexville Section 5.11 CHARTER REVISION

The question of a general Charter revision shall be submitted to the electors at least every tenth regular odd year City election after the effective date of this Charter.

Shall there be a general revision on the charter of the City of Essexville?

Total number of votes cast for the proposal	373
Yes	170
No	203

Charter Commission Member – One Year Term Nine to be elected if Charter Revision Proposal passed

Total number of votes cast for the position	23
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The twenty three votes do not qualify, as declared write-in forms had not been completed.

No one was elected City of Essexville Charter Commission Member for one (1) year terms of office.

OATH OF OFFICE

The City Clerk administered the oath of office to Council members Mantei and Rehmus.

ROLL CALL

The following City Council Members were present at the meeting: Barrow, Chavalía, Connelly, Link, Mantei, Rehmus and Tanner.

ABSENT: None

APPROVAL OF AGENDA

Rehmus, Barrow:

Resolved the agenda be approved as written.

YES: Unanimous

Motion Carried

ADOPTION OF CITY COUNCIL RULES

Rehmus, Connelly:

Resolved; the City Council adopts without modification the “Meeting and Organization Policy” previously adopted by the City Council at its November 17, 2008 Regular and Organizational meeting.

YES: Unanimous

Motion Carried

SET REGULAR MEETING SCHEDULE

Connelly, Mantei:

Resolved; unless otherwise amended by action of the City Council or required by the City Charter or law, the City Council shall hold its regular monthly meetings on the second Tuesday of each month beginning at 7:00 p.m. except in November when the regular and organizational meeting will be held on the second Monday following the general election.

YES: Unanimous

Motion Carried

NOMINATION AND APPOINTMENT OF MAYOR PRO TEM

Barrow, Rehmus:

Resolved; that Councilman Connelly is appointed Mayor Pro Tem.

YES: Unanimous

Motion Carried

MAYORAL COMMITTEE ASSIGNMENTS

The Mayor made the following Committee Appointments for the coming year.

<u>COMMITTEE</u>	<u>CHAIRPERSON</u>	<u>COUNCIL MEMBER</u>
Finance	Rotating Basis*	Rotating Basis*
Legislative	M. Chavalía	R. Mantei
Municipal Relations	M. Barrow	T. Rehmus

Parks & Recreation	R. Mantei	J. Connelly
Public Improvements	J. Connelly	M. Barrow
Public Relations	R. Link	M. Chavalía
Utility & Special	T. Rehmus	R. Link

*Rotating Schedule for Finance Committee:

November-December	R. Link	M. Chavalía
January-February	M. Chavalía	T. Rehmus
March-April	T. Rehmus	R. Mantei
May-June	R. Mantei	M. Barrow
July-August	M. Barrow	J. Connelly
September-October	J. Connelly	R. Link

The Finance Committee should meet at 6:30 p.m. on the night of the regular meeting to review the bills.

In addition to the above Committee assignments, Councilman Connelly has agreed to be liaison to the Planning Commission and Councilman Chavalía has agreed to be liaison to the Downtown Development Authority.

CONSENT CALENDAR

Connelly, Barrow:

Resolved; the Consent Calendar be approved as presented.

- A. Resolved; the minutes as prepared by the City Clerk of the City Council's October 13, 2009 regular meeting are approved.**
- B. Resolved; the City Council receives and accepts the "Quarterly Investment Report for the Month Ending September 30, 2009" prepared by the City Treasurer pursuant to the City Council's Investment Policy.**
- C. Resolved; pursuant to the City Code and law, the City Council confirms the City Manager's appointment of William Hydorn to the Downtown Development Authority and Brownfield Redevelopment Authority to fill the unexpired term of David Williamson said appointment effective through December 31, 2011.**
- D. Resolved; pursuant to the City Code and law, the City Council confirms the City Manager's appointment of Glen A. Fonzi, Jr. to the Downtown Development Authority and Brownfield Redevelopment Authority to fill the unexpired term of Kathy Washabaugh said appointment effective through December 31, 2010.**

E. Resolved; pursuant to the City Code and law, the City Council confirms the Mayor's reappointment of Kate Charron and Michael Bergen to the Planning Commission each to a three year term effective January 1, 2010 through December 31, 2012.

F. Authority, the Essexville City Council appoints its City Manager as the City of Essexville's Resolved; pursuant to Article VII of the Restated Articles of Incorporation of the Bay Area Storm Water representative and the Superintendent of Public Works as its alternate representative on the Board of Trustees for the Bay Area Storm Water Authority said appointments to be effective January 1, 2010 through December 31, 2013.

YES: Connelly, Barrow, Chavalía, Link, Mantei, Rehms, Tanner Motion Carried

CITIZEN INPUT

George Whitehouse, 112 Burns Street, asked when the last day is for yard waste pickup.

The Mayor asked if any citizens wished to address the Council, hearing none, he continued with the agenda.

COUNTY COMMISSIONER'S REPORT

Mr. Krygier, County Commissioner, was not in attendance due to a prior engagement teaching at Delta College, therefore, there was no report.

COMMITTEE REPORTS

FINANCE COMMITTEE

PAYMENT OF BILLS

Link, Chavalía:

Resolved; that expense vouchers 13 through 14 totaling \$227,414.24 and payroll voucher 15 totaling \$87,193.75 for a grand total of \$314,607.99 paid as stated.

YES: Link, Chavalía, Barrow, Connelly, Mantei, Rehms, Tanner Motion Carried

PRESENTATION OF FY 2008/2009 AUDIT

Mr. David Gwizdala, from Quast Janke and Company, was in attendance to present the Audit for the fiscal year ended June 30, 2009. He explained some of the different tables in the audit and answered questions from the Council. According to the State of Michigan rating on a scale from 0 to 10, 0 being the best, the City is a 4. He also commended the City Manager and City Treasurer for doing a good job with the City's finances.

Link, Mantei:

Resolved; the City Council receives and accepts the annual audit covering the City of Essexville's fiscal year ended June 30, 2009 said audit prepared by Quast Janke & Company and presented to the City Council at its regular meeting of November 16, 2009 for its review and discussion.

YES: Link, Mantei, Barrow, Chavalía, Connelly, Rehms, Tanner Motion Carried

LEGISLATIVE COMMITTEE

Councilman Chavalía had no report.

MUNICIPAL RELATIONS COMMITTEE

Councilman Barrow had no report.

PARKS AND RECREATION COMMITTEE

Councilman Mantei had no report.

PUBLIC IMPROVEMENT COMMITTEE

Councilman Connelly had no report.

PUBLIC RELATIONS COMMITTEE

Councilman Link had no report.

UTILITY AND SPECIAL COMMITTEE

Councilman Rehmus had no report.

PLANNING COMMISSION

Councilman Link filled in for Councilman Connelly at the October Planning Commission Meeting. Councilman Link reported that the Planning Commission had a public hearing pertaining to the proposed rezoning of properties on Prairie and Smith Streets. The Planning Commission has scheduled a public hearing for the month of November regarding the wind generation ordinance.

DOWNTOWN DEVELOPMENT AUTHORITY

Councilman Chavalia had no report. The Downtown Development Authority did not meet in the month of November.

MAYOR'S REPORT

The Mayor updated the Council on the Neighborhood Watch Meeting that took place on Thursday, October 29th. There were 32 in attendance with 6 being new to the meetings. During the meeting Chief Weiler spoke about the crime in the City consisting of mostly larceny and burglaries, and ways to avoid being a victim of these crimes. Mayor Tanner reported that the Essexville Hampton School Board voted to consolidate their may school elections to November at their regularly scheduled November meeting, which he was in attendance. He attended the Public Hearing prior to the meeting where he spoke to the Board as the Mayor and a tax payer regarding cost savings to the school, tax payers an the City if the Board decided to consolidate. The Mayor said he was approached by a citizen who was concerned about trailers parked in yards for a long period of time and dilapidated houses.

ATTORNEY'S REPORT

The City Attorney reported that he has been working on sewer project contracts and zoning ordinances.

CITY MANAGER'S REPORT

The City Manager reported on his miscellaneous communication to the City Council. **Water Issues.** Mr. Majerczyk has, and will continue, meeting with Ken Miller, Terry Spegel and Robert Belleman on a regular basis to receive updates on the Saginaw-Midland Municipal Water Supply Corporation ("SMMWSC") and to discuss what direction the municipalities need to go concerning their water. **Storm Water Authority:** Mr. Majerczyk will continue serving as Chairman of the Authority with Terry Spegel as Vice-Chairman, Bill Kaiser as Treasurer and Cheryl Ackerman as Secretary. The City needs to street sweep in order to abide by best management practices to prevent polluting the storm water. In the past we have been allowed

to dispose of the sweepings in the City at a designated area. **Problem Properties:** The Housing Hearing Officer's order to repair or demolish the garage at 1500 Borton Avenue was served upon the owners. If they do not comply with the Officer's order City Council will be asked to enforce his order. **Woodside Avenue Redevelopment Project:** Nothing new to report. **NPDES Permit:** The costs incurred to do improvements to the West Bay County Regional Wastewater Treatment Plant may be less than planned. **Industrial Development Projects** Nothing new to report. **Financial/Strategic Planning** Nothing new to report. **Other Reports and Matters:** The Grade Inspection ("GI") meeting has been scheduled for December 8th. Mr. Majerczyk hopes to have bids by February or March of 2010. Essexville will lose more than \$40,000 annually which represents 33% of the City's statutory revenue sharing. The City will receive \$4,000 for the purchase of trees and other materials to enhance Smith Park once the treatment works at the City's wastewater treatment plant is demolished next year. Dan Hansford, Superintendent of Public Works, prepared and submitted the successful grant application to the Michigan Department of Natural Resources ("MDNR").

UNFINISHED BUSINESS

None

NEW BUSINESS

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

The Mayor opened the Public Hearing at 8:45 P.M.

In Attendance:

George Whitehouse, 112 Burns Street
 Tom Bleau, 1102 Woodside Avenue
 David Gwizdala, 1010 Johnson Street, Bay City of Essexville

George Whitehouse, 112 Burns Street, said that the Board of Zoning Appeals has not met at all this year and only once last year, so why the concern of how many members are on the Board of Zoning Appeals.

The Mayor closed the Public Hearing at 8:54 P.M.

CONSIDERATION OF INTRODUCING AND ORDINANCE TO AMEND THE ZONING ORDINANCE

Mantei, Connelly;

Resolved; in consideration of a recommendation by the Planning Commission, input received at a public hearing held by the City Council at its November 16, 2009 regular and organizational meeting and based on its own finding; proposed Ordinance No. 2009-1 "An Ordinance to Amend the Zoning Ordinance of the City of Essexville to Comply with Act 110 of the Michigan Public Acts of 2006, as amended, to Update Administrative References Within the Ordinance and to Make Other Amendments" is hereby first introduced, considered and adopted as an ordinance of the City, subject to final consideration and action by the City Council at a later meeting

YES: Mantei, Connelly, Barrow, Chavalialia, Link, Rehms, Tanner

Motion Carried

CONSIDERATION OF SCHEDULING A PUBLIC HEARING TO AMEND THE CITY'S ZONING MAP

Connelly, Chavalialia;

Resolved; the City Council directs that a public hearing be scheduled to be held during its regular meeting of December 8, 2009 for the purpose of receiving public comment on proposed changes to the City's Zoning Map as recommended by the Planning Commission.

YES: Connelly, Chavalialia, Barrow, Link, Mantei, Rehmus, Tanner Motion Carried

INFORMATIONAL COMMUNICATIONS

Miscellaneous Informational Communications were received for the Council's review.

CITIZEN INPUT

Tom Bleau, 1102 Woodside Avenue, brought up his request to see a manger scene displayed in front of City Hall during the holiday season.

The Mayor asked if any other citizen wished to address the Council, hearing none, he continued with the agenda.

ADJOURNMENT

Rehmus, Connelly:

Resolved; that the meeting be adjourned.

YES: Unanimous voice vote Motion Carried

The meeting adjourned at 9:07 PM

Russell Tanner
Mayor

Sarah J. Wilcox
City Clerk
