

**ESSEXVILLE CITY COUNCIL
REGULAR MEETING
December 8, 7:00 PM
COUNCIL CHAMBERS**

Mayor Tanner called the REGULAR MEETING of the Essexville City Council held on December 8, 2009 to order at 7:00 PM.

Mayor Tanner led the Pledge of Allegiance.

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

CONSENT CALENDAR

Connelly, Rehmus:

Resolved; the Consent Calendar be approved as presented.

- A. Resolved; the minutes as prepared by the City Clerk of the City Council’s November 16, 2009 regular meeting are approved.**
- B. Resolved; pursuant to the City Code and law, the City Council hereby confirms the City Manager’s reappointment of Robert Jaenicke to the Downtown Development Authority to a four year term effective January 1, 2010 through December 31, 2013.**
- C. Resolved; pursuant to applicable law and its own policy, the City Council authorizes the Board of Review for the City of Essexville to consider and grant, where appropriate, requests for exemptions from taxation of real property for homesteads of persons in poverty based on the 2010 federal income and poverty guidelines.**
- D. Resolved; 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”, which was first introduced and read at the November 16, 2009 regular and organizational meeting of the City Council is hereby adopted as an ordinance of the City of Essexville.**

YES: Connelly, Rehmus, Barrow, Chavalía, Link, Mantei, Tanner

Motion Carried

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 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, there was no report.

COMMITTEE REPORTS

FINANCE COMMITTEE

PAYMENT OF BILLS

Link, Chavalia:

Resolved; that expense vouchers 16 through 17 totaling \$158,980.31 and payroll voucher 18 totaling \$69,459.51 for a grand total of \$228,439.82 paid as stated.

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

LEGISLATIVE COMMITTEE

WIND ENERGY SYSTEMS

Councilman Chavalia stated that the Legislative Committee will be meeting in January regarding permitting wind energy systems within the City.

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 stated that the Citizen of the Year has been chosen and that the recipient will be presented the award at the January City Council Meeting.

UTILITY AND SPECIAL COMMITTEE

Councilman Rehmus said that Bangor Township recently started charging for fire calls. He said that the City should look into doing something like this as well to recover costs.

PLANNING COMMISSION

Councilman Connelly reported the Planning Commission did meet where they discussed wind energy systems

DOWNTOWN DEVELOPMENT AUTHORITY

Councilman Chavalia reported that the City Clerk swore in Mr. Fonzi and Mr. Hydorn, the new Board Members of the DDA . The Board decided to discontinue the holiday lighting contest due to lack of interest. There will be a meeting scheduled for January 14th to discuss the strategic plan.

MAYOR'S REPORT

The Mayor stated that this year's expenses for Mayor Exchange were cut in half compared to last year. He asked Councilman Chavalia to thank the DDA, on behalf of the Mayor and City Council, for their financial support that made Mayor Exchange possible.

ATTORNEY'S REPORT

The City Attorney had no report.

CITY MANAGER'S REPORT

The City Manager reported on his miscellaneous communication to the City Council. **Water Issues.** The out city customers are waiting on the City of Bay City to put together a Request for Proposal. **Storm Water Authority:** The next meeting is scheduled for December 16, 2009. **Problem Properties:** The Council went over the City Treasurer's report regarding properties where occupancy has been revoked due to water service to the dwelling being terminated. **Woodside Avenue Redevelopment Project:** Nothing new to report. **NPDES Permit:** The project is moving forward and the interest rate on the loan will be dropping to 3.25%. The City needs to exercise their intention to buy into West Bay County Regional Waste Water Treatment Plant by December 30, 2009. The Council, by resolution, authorized Mr. Majerczyk to provide notice to West Bay County regarding this matter. Mr. Majerczyk has a mini conference scheduled for tomorrow with the Bond Council and City Attorney. **Industrial Development Projects** Nothing new to report. **Financial/Strategic Planning** Nothing new to report. **Other Reports and Matters:** The Grade Inspection("GI") meeting was held today at City Hall. The work will begin in June of 2010. There is a railroad meeting scheduled for this Thursday. The annual Christmas potluck lunch is scheduled for Friday, December 18th at 12:00 p.m. at the Department of Public Works Facility. The City and Department of Public Works offices will be closed on Thursday, December 24, Friday, December 25, Thursday, December 30 and Friday, January 1 in observation of the Christmas and New Year's holidays.

CONSIDERATION OF AUTHORIZING THE CITY MANAGER TO EXERCISE THE CITY OF ESSEXVILLE'S INTENTION TO BUY INTO WEST BAY COUNTY REGIONAL WASTE WATER TREATMENT PLANT.

Rehmus, Mantei:

Resolved; the City Council authorizes the City Manager to give written notice to the Director of the Bay County Department of Water and Sewer that the City of Essexville intends to purchase capacity and connect to the West Bay County Regional Waste Water Treatment Plant pursuant to the terms and conditions set forth in the "Fifth Amendment to the Bay County West Side Regional Sewage Disposal System Contract" dated October 1, 2008.

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

At the request of the City Manager, the City Council passed the following resolution:

UNFINISHED BUSINESS

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE ZONING MAP.

The Mayor opened the Public Hearing at 8:03 P.M.
In Attendance:

Tom Bleau, 1102 Woodside Avenue
Doug & Vicki Johnson 1404 Prairie Street

Doug Johnson, 1404 Prairie Street said his only concern about the re-zoning of properties on Smith and Prairie Streets is the possible raise of taxes. He said that he would like them rezoned so he can build a new garage and that he appreciates all the work that has been done to get these properties rezoned.

John Connelly, 10 W. Sharlear, commented on a letter from a resident concerned that the rezoning would bring strangers and more traffic into the area. He can not see how changing the zoning of the properties from B-1 to Residential Office and a separate parcel to Mixed Use would affect the current traffic of cars and patrons into the area.

The Mayor closed the Public Hearing at 8:14 P.M.

CONSIDERATION OF INTRODUCING AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF ESSEXVILLE

Connelly, Link;

Resolved; in consideration of a recommendation by the Planning Commission, input received at a public hearing held by the City Council at its December 8, 2009 regular meeting and based on its own finding; proposed Ordinance No. 2009-2 "An Ordinance to Amend the Zoning Map of the City of Essexville to Change the Zoning Designations of Certain Properties located on Prairie and Smith Streets Within the City of Essexville" 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: Connelly, Link, Barrow, Chavalía, Mantei, Rehms, Tanner Motion Carried

NEW BUSINESS

CONSIDERATION OF SCHEDULING A HEARING ON THE FINDINGS AND ORDER OF THE HOUSING HEARING OFFICER RELATED TO 1500 BORTON AVENUE

Link, Barrow:

Resolved; pursuant to the City Code the City Council hereby schedules January 12, 2010 as the date for a show cause hearing to determine whether to dismiss, modify or enforce the Housing Hearing Officer's findings and order to repair or demolish a structure located at 1500 Borton Avenue.

Further resolved, the City Manager is directed to give notice to the owners of the property located at 1500 Borton Avenue pursuant to the requirements for providing such notice as set forth in the City Code and law.

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

CONSIDERATION OF AUTHORIZING THE PURCHASE OF A NEW PATROL VEHICLE WITH RELATED EQUIPMENT FOR USE BY THE DEPARTMENT OF PUBLIC SAFETY.

Link, Mantei:

Resolved; based on the City Manager’s finding that there is no advantage to City to seek competitive bids, the City Council authorizes the City Manager to issue a purchase order in an amount not to exceed \$22,500 to Signature Ford of Perry, Michigan for the purchase of a 2010 Ford police patrol vehicle for use by the Department of Public Safety.

Further resolved, the 2004 Ford police patrol vehicle identified as City equipment number 81 is declared as surplus and the City Manager is authorized to dispose of said vehicle in accordance with the City Charter, policy and law.

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

INFORMATIONAL COMMUNICATIONS

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

CITIZEN INPUT

Tom Bleau, 1102 Woodside Avenue, wanted to wish the Council a Merry Christmas, Happy New Year, and he is glad to see that City Hall is closed in observance of Christmas.

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

ADJOURNMENT

Rehmus, Barrow:

Resolved; that the meeting be adjourned.

YES: Unanimous voice vote Motion Carried

The meeting adjourned at 8:42 PM

Russell Tanner
Mayor

Sarah J. Wilcox
City Clerk
