

**COUNCIL PROCEEDINGS**

**CITY OF FLAT ROCK, MICHIGAN**

**MONDAY, FEBRUARY 5, 2007**

The regular meeting of the Flat Rock City Council convened at the Municipal Building on the above date at 7:30 p.m.

**1. PLEDGE OF ALLEGIANCE:**

**2. PRESENT ON ROLL CALL:** Mayor Pro-Tem Dropiewski, Council Member Gagne, Martin, Painter, Tefend and Wrobel.

Absent. Mayor Jones

02-05-07-1 Motion by Painter supported by Martin to excuse the absent member Mayor Jones. Motion carried unanimously.

Mayor Pro-Tem Dropiewski announced that he spoke with Mayor Jones Friday afternoon and he is home and recuperating well from quadruple bypass surgery and in good spirits. He wished him a speedy recovery and a quick return to city hall.

**ALSO PRESENT:** Treasurer Brenda Tallman, DPS Director Bruce Hammond, Building Director John Russ, City Attorney David Grunow, Police Chief Steve Tallman, Fire Chief Bill Vack, Recreation Director Joan Pawlukiewicz, Economic Development Director and Acting Clerk George Mans, and Clerk Receptionist Jevetta Smith.

**3. MOMENT OF SILENCE & TRIBUTE TO CITY CLERK DENNIS R.**

**MOWBRAY:** Mayor Pro-Tem Dropiewski asked everyone to observe a moment of silence in memory of the passing away of our City Clerk, Dennis R. Mowbray on Wednesday, January 31, 2007, from heart and kidney failure. He was 56 years old and served as City Clerk 11 years. . He contributed also to the community by serving on the Planning Commission for 9 years and Tax Increment Finance Authority for 11 years. Mr. Dropiewski said Mr. Mowbray would be sorely missed in the community.

Mr. Dropiewski announced that we would be working on a plan/tribute to honor Mr. Mowbray in another way at a later time.

**4. APPROVAL OF MINUTES:**

02-05-07-2 Motion by Gagne supported by Martin to approve the Regular City Council Meeting Minutes of 01/16/07 as submitted. Motion carried unanimously.

**5. CITIZENS TO BE HEARD:**

Mr. Steve Smith. Hawthorne Ridge Subdivision, wanted to bring to the Council's attention the Inkster Road entrance on lot #1. He said he wasn't sure if it was a city issue, builder issue or developer issue because the lot is 35 ft. wider than all the other lots in the area. He stated that right now the builder owns it and the lot is up for sale and asked if there should be an easement on the lot. He

said there is a lot of equipment on the lot, a Boulder Landscaping sign, Sprinkler System sign, meter and light. Mr. Smith said according to the plot there is suppose to be an easement, but there is not one right now and he could see it getting ugly and becoming n eye sore if and when the property is sold.

Building & Safety Director John Russ stated that he had spoken to Hawthorne Subdivision Association last week and the lot is platted 125 ft across. He said he talked to Sam Laduca about the situation and he is going to be talking to MJC people about having that lot split and turn that property over to the association.

Mr. Smith also asked about the Matilda bridge across Telegraph Road entrance and the curb that was changed to an even sharper and steeper turn than before construction. He said when turning off Telegraph onto Matilda East, it's almost impossible to keep from hitting vehicles coming West off Matilda to Telegraph. DPS Director said it is all going to be replaced when they reconstruct Telegraph Road in the next year. Mr. Smith asked, if in the meantime it would be possible to reposition the curve for safety purposes and to lay a little cement down until the Telegraph Road project.

Mr. Smith also inquired about no parking signs off Arsenal Rd. at the Hawthorne Ridge Subdivision entrance. Police Chief Tallman stated that the signs will be returned when the building of the four houses are finished.

Mr. Glen Smith, a Flat Rock Auxillary Police member, asked what the status was with the Auxiliary Police now and in the future. Police Chief Steve Tallman stated that the group is being disbanded; there has been no activities or meetings and the group has been totally inactive and that the City stopped approximately one year ago their donation of \$50 a month. The Chief said he has badges and uniforms out right now that say Flat Rock Police Department on them and that he would like them back. He told Council that he would send a letter to each of inactive members and request the items back. The Chief said he would like to incorporate this new group and get more people involved. He said there is also liability issues and feels the group needs to be replaced with another citizens group called Citizens Emergency Response Team pushed by Homeland Security. When the group begins, applications and interviews will be taken at which time it will be open to any Auxiliary Police person and any Flat Rock citizen who would like to apply.

Mr. Gordon Chevalier, 279 West Telegraph, stated that he appeared before Council twelve years ago and again tonight because he believes the City of Flat Rock departments are run by racial bigots and department heads that practice discrimination based on race. He stated recently that two department heads had made "bigoted and racial" slurs. Chevalier said he's in an interracial marriage and has lived in the city for 12 years and has fostered African American children.

While responding to Chevalier's complaint about Flat Rock Bagging (his neighbor) installing a 1,000 pound propane tank without a permit, Building & Safety Director John Russ allegedly asked Chevalier, "Does a black family live at your residence or has there ever been a black family living at your address?"

Chevalier stated that the other department head Police Chief Stephen Tallman stated to him that, "The January (7<sup>th</sup>) Council Meeting will not take place this Monday because of Martin Luther King Day, OR AS SOME WOULD LIKE TO CALL IT, JAMES EARL RAY DAY".

Chevalier said that in the alleged incident involving Russ, his wife and another employee from the Building Department overheard it. Chevalier said that Municipal employees were present when Tallman allegedly said his remark in public.

Chevalier said he would like for Council to invoke a resolution or similar tool for the express purpose of investigating the facts. City Attorney David Grunow said as mandated by the city's charter, he would investigate Chevalier's complaints. He said after he investigates the complaint that he will make recommendations to the council and as to what discipline, if any, should be delivered by Mayor Richard Jones. Mr. Grunow stated to Mr. Chevalier that he would be in touch with him in the very near future.

02-05-07-3 Motion by Painter supported by Gagne to allow the City Attorney David Grunow to investigate Mr. Gordon Chevalier's complaint. Motion carried unanimously.

#### **6. REPORTS FROM DEPARTMENT HEADS:**

Fire Chief Bill Vack stated that he would like to bring to everyone's attention a safety concern regarding this severe cold weather and people using alternative or auxiliary heating devices like stoves and ovens that can make for a very dangerous situation. The Fire Department has had two fires in the area with stoves and ovens. If using wood burners make sure you use seasoned wood and that chimneys are cleaned in a timely manner.

Councilman Wrobel mentioned that pets need to be sheltered from this severe cold weather. If you see pets setting out in this cold weather, call Animal Control and she will take care of sheltering them from this cold weather.

#### **7. REPORTS FROM COUNCIL MEMBERS:**

Councilman Martin stated that the Ordinance Officer gave Council a nice report, but had concerns about violations rewritten on court tickets. Ordinance Officer Debbie Wilkens explained that they have 14 days to pay on city ticket, if they don't pay the city one, they have 14 days to pay on a court ticket, and if they don't pay the court ticket they have 14 days to pay on a rewritten court ticket. Chief Tallman stated that this is a Municipal Civil Infraction.

Councilman Gagne extended condolences to the Mowbray family and best wishes to Mayor Jones for a quick recovery. He also said that he attended the DCC and DMA Meeting last Thursday. He mentioned that the new legislation passed on cable franchises and that they may cancel free access...if you want it you will have to pay for it and that the monthly fees would increase. Mayor from Riverview informed the different communities their fees for the use of the landfills would go up.

Councilman Wrobel stated that Van Buren has built a big giant retention hole that he believes will be used for sewage storage and then in low periods pumped into the sewage system. He also stated that he is not the biggest advocate for corporate welfare, but the Auto Alliance pays 43% of the City of Flat Rock taxes, 30% of water rates; brings 2.6 million a year on the city's general fund and pays on a Community Center bond close to \$1 million a year.

Councilman Painter said he may miss the Council Meeting on February 20<sup>th</sup> as he will be returning from vacation. He also said that he will miss the March 5<sup>th</sup> meeting because he will be working as the Flat Rock High School Athletic Director hosting the basketball districts. Mr. Painter said he missed the last council meeting but reviewed the video and it showed that he was lambasted for asking questions about the money in reference to the Community Center. He

stated that as a Councilman it is his job to ask questions and he will continue to do so. He stated that nothing is wrong with loaning money to the Community Center to get it going and his hope is that the Community Center flourishes.

Mr. Painter suggested that any city employee be given the privilege to free banquet facilities at the Community Center at death. He said he was glad to hear that the Mowbray family was offered this service.

02-05-07-4 Motion by Painter supported by Gagne to offer any city employee's family free banquet facilities at the Community Center upon the death of an employee. Motion carried unanimously.

#### **8. MAYORS COMMENTS:**

Mayor Pro-Tem Dropiewski informed everyone that DCC is offering utility assistance for needy families that meet the financial income requirements. If you need the phone number you may call the City Clerk's Office. Also, in review of the new Homeland Security regulations of having a passport when flying out of the country...you must have a passport to get back into the U.S. A reminder to everyone that the City Clerk's Office is providing passport agent processing service and is open to process passports between 9 AM – 4:30 PM, Monday thru Friday...and even has the equipment to take passport pictures. Mr. Dropiewski also congratulated DPS Director Bruce Hammond on the good job the department is doing on keeping the road cleaned during this season of bad weather.

#### **9. BID OPENING REPORTS:** (None)

#### **10. UNFINISHED BUSINESS:**

a. Letter from Barbara Fedon, Historical Preservation Commission Re: Payment Application #2636-06 to Phoenix Contractors for \$42,655.

02-05-07-5 Motion by Gagne supported by Painter to approve the payment of \$42,655 to Phoenix Contractors as requested. Motion carried unanimously.

b. Letter from Acting City Clerk, George Mans Re: Splitting Election Precinct #4.

02-05-07-6 Motion by Tefend supported by Martin to take the item off the table. Motion carried unanimously.

02-05-07-7 Motion by Tefend supported by Gagne to approve splitting Precinct #4 as requested. Motion carried unanimously.

c. Letter from Acting Clerk George Mans Re: Permission to transfer 334 registered voters from Precinct #2 to Precinct #3.

02-05-07-8 Motion by Martin supported by Tefend to approve transferring 334 registered voters from Precinct #2 to Precinct #3 as requested. Motion carried unanimously.

d. Letter from Recreation Director Joan Pawlukiewicz Re: Permission to waive bid process for senior bus/mini van.

Recreation Director Joan Pawlukiewicz told Council that she has done her homework and checked with Ford, GM and Chrysler and GM and Ford has gone out of the mini van business. She needs to part with the old bus before the parts go bad and has received a proposal from a dealership for \$9100 for the type of mini van they need with a trade in of the old bus. Ms. Pawlukiewicz says that she feels that this proposal is the best she'll get with being able to trade in the old bus. She has been dealing with a resident of our community who is familiar with our needs and has come through with a very good deal. With the mini van the Senior Coordinator will be able to drive it and let the seats down in the back for transporting groceries for the senior citizens.

02-05-07-9 Motion by Tefend supported by Gagne to approve request of

waiving the bid process for the senior bus (mini van). Motion carried unanimously.

e. Letter from DPS Director Bruce Hammond Re: Permission to bid on repair of ice rink chiller.

Mr. Hammond said that he feels that the tubes inside the chiller are suffering from a manufacturing defect that caused holes to occur in the metal tubing and he would like to bring this to the manufacturer's attention. He said the system has only been used for four three months seasons. 1<sup>st</sup> Option: Replace all tubes. The tubes have an operating life of 15 to 20 years with an estimated cost of \$40,000. 2<sup>nd</sup> Option: Install a different type of chiller known as a stainless steel plate and frame which is much smaller than our present system. The plate and frame chillers have been used in the dairy industry for many years and are a proven technology which have no tubes that will not wear out; have less maintenance and no chance of failures. The disadvantage is it is more expensive with an estimated cost of \$90,000, but an operating life of 30-40 years.

02-05-07-10 Motion by Martin supported by Gagne to approve DPS Director's request of placing bids out on the two processes to repair the ice rink chiller and to check on insurance coverage. Motion carried unanimously.

f. Letter from City Attorney David Grunow Re: Command Officers Association of Michigan Agreement.

02-05-07-11 Motion by Martin supported by Gagne to approve the Command Officers Association of Michigan agreement for July 1, 2005 through June 30, 2008. Motion passed 4-1 (1-Dropiewski) Painter abstaining because is wife is in COAM union.

#### **11. NEW BUSINESS:**

a. Lettering from Mayor Richard Jones Re: Re-appointments to Commissions.

02-05-07-12 Motion by Gagne supported by Martin to approve the Mayor's request for re-appointments. Motion carried unanimously.

b. Letter from Sue Farrar, Chairperson of the Beautification Commission Re: Permission to bid filling of 140 hanging baskets for spring and summer.

02-05-07-13 Motion by Tefend supported by Martin to approve the the request for the hanging baskets. Motion carried unanimously.

#### **12. CORRESPONDENCE:**

a. Planning Commission Minutes for December 18, 2006.

#### **13. ADJOURNMENT:**

02-05-07-14 Motion by Painter supported by Martin to adjourn the meeting at 8:30 P.M. Motion carried unanimously.

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**JONATHAN DROPIEWSKI, MAYOR PRO-TEM**

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**GEORGE W. MANS, ACTING CITY CLERK**

Date: 02-20-07  
Approved