

REGULAR COUNCIL PROCEEDINGS

CITY OF FLAT ROCK, MICHIGAN

MONDAY, MAY 04, 2009

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 Martin, Dropiewski, Gagne, Painter, Tefend and Wrobel.

ABSENT: Mayor Jones.

05-04-01 Motion by Painter supported by Martin to excuse Mayor Jones.

All present voting yes. Motion carried unanimously.

3. APPROVAL OF MINUTES:

05-04-02 Motion by Dropiewski supported by Gagne to approve the regular minutes of April 20, 2009 as presented.

All present voting yes. Motion carried unanimously.

4. CITIZENS TO BE HEARD:

Yomiko Sanford, 25025 Meadows, complained that she was not informed there would be a Little League Parade on Saturday, May 2nd. She said she had an appointment and could not get out of her driveway which led to an altercation with some of the parents present.

Chief Rossow said he did not see the altercation but he did help her get out of her driveway and the Little League has been asked to inform residents when there is going to be a parade.

Councilman Painter said he will contact the Little League president and ask him to call Ms. Sanford.

Ronald Czapski, 23328 Port Street, said he has lived in Flat Rock for 32 years and likes the city. He thanked the police officers, fire department and all the people who make the city run. He stated he is acting as the neighborhood representative for an on-going problem with drainage on Port and Meadows Streets. He said John Russ, Bernie Ciupak and Matt Sype were at the scene today and they all agreed the situation needs to be addressed. The water comes up half way the yard and sits there for days. He said he believes the City Engineer needs to come out and shoot a transit so he can see where the

grade is. John Russ, Building Director, said one of the neighbors has added more dirt in his back yard and recommends shooting the elevation from Dover to the catch basin.

05-04-03 Motion by Martin supported by Gagne to authorize the City Engineer to shoot a grade elevation from Dover west to the catch basin on Port Street.

All present voting yes. Motion carried unanimously.

Mr. Czapski asked when the streets in Pebblebrook would be getting paved. Pro-Tem Martin said paving would be discussed at budget time.

Arlen Fadely, 27054 W. Huron River Drive, inquired about the paving repair on West Huron. Pro-Tem Martin said the contracts are signed and we are waiting for corrected insurance from the contractor. He also asked about special assessment for street paving. City Attorney said the policy has been if the street has never been paved before it is special assessed. If it has been paved before it is not special assessed.

Mr. Fadely said the motorcycle parade in the fall to honor a fireman from Trenton, is completely out of hand. He said he watched it last fall and they have no regard for traffic laws and they did not wear helmets. The unmarked car leading them had no lights on and drove on the opposite side of the street. Police Chief Rossow said he will look into it.

5. REPORTS FROM DEPARTMENT HEADS:

John Russ, Building Director, reported on the K-Mart site. He said the owners went to the Planning Commission in April and got approval for their preliminary site plan and will go back in May for final approval. He said he has drawings in his office of what the facade will look like and from what he sees now it will be a class act. Mr. Russ said that by state law if they bring the building up to code the city demolition order will be eliminated.

Police Chief Rossow announced the Police and Fire Departments will have open house on May 30th from 1-4 pm and a silent auction between 1-3 pm. The Historical Commission will be open that same day and the "Relay for Life" is also on May 30th.

Joan Pawlukiewicz, Recreation Director, passed out a flyer looking for volunteers for the Recreation Department's Community Garden. Home Depot has been out to the center to check out what the center has in mind for the garden and they will come out Thursday, May 27th to put in a community garden. In conjunction with the garden, which will be on the south side of the retention pond, they are putting in a Bocce Ball court on the north side of the retention pond. Joan said all volunteers are welcome.

Bruce Hammond, DPS Director, stated that George Mans has been in touch with Congressman Dingell's office regarding the reconstruction of Vreeland Road from the railroad tracks to I75 and Mr. Dingell's office suggested we submit to be part of the

Surface Authorization Bill that will be before congress this summer. Bruce said they did an extensive questionnaire to come up with a cost (\$3,868,000). The funding will be 80% of that. Flat Rock's share will be around \$500,000 and Woodhaven's share would be \$200,000. They are looking at late September for signing of the bill for 2010 budget year then we will know what our status is. As a reminder, through Wayne County we do have Federal Highway money to do Vreeland Road from Telegraph to the railroad tracks in 2010. That project will get done next year.

Mr. Hammond said we received a grant through the "Clean Michigan Initiative" administered by Wayne County, which includes all downriver communities, through the Downriver Water Shed. The grant is called "Grow Zone Project" – a project to show people how to use native and wild plants to stabilize creek banks, etc. He said there are two projects in Huroc Park – one on the south end of the island and one by the gazebo on Arsenal Road which will be planted by the high school Environmental Science class on May 27th.

City Clerk reminded the public that petitions for Mayor and Council are available in the Clerk's Office Monday through Friday 8:30 to 5:00 and the deadline for filing them is May 12th at 4:00 p.m.

6. REPORTS FROM COUNCIL MEMBERS:

Councilman Painter announced the school will be hosting a baseball and softball tournament and four teams have signed up.

Councilman Gagne said he attended the 33rd District Court meeting on May 28th. He said Flat Rock will receive \$32,388 from the court which is excess of budgeted assessment over expenditures. He explained the 5-year income averaging expires at the end of this year and will then go to percent basis. He said he will have more at a later date regarding protecting city assets in banks.

Councilman Dropiewski stated the Downriver Community Conference (DCC) is looking to pool community resources to go out for bid for some aspects of insurance to see if there are any savings. He will have a report at the next meeting.

7. MAYOR'S COMMENTS: None.

8. UNFINISHED BUSINESS:

Item A – Public Hearing: Single Premise Special Assessment.

Pro-Tem Martin opened the public hearing at 8:14 p.m. Hearing no objections he closed the public hearing 8:15 p.m.

05-04-04 Motion by Gagne supported Dropiewski to approve the special assessment roll and that it be placed on the tax rolls.

All present voting yes. Motion carried unanimously.

Item B – 2nd Reading: Ordinance to amend sec. 18-506 pertaining to Certificate of Compliance for Rental Units.

05-04-05 Motion by Painter supported by Dropiewski to suspend the second reading.

All present voting yes. Motion carried unanimously.

05-04-06 Motion by Painter supported by Dropiewski to adopt Ordinance #406-A as submitted.

All present voting yes. Motion carried unanimously.

9. NEW BUSINESS:

Item A – Annual financial report from 33rd District Court and resolution to accept.

05-04-07 Motion by Painter supported by Dropiewski to accept the report as presented.

All present voting yes. Motion carried unanimously.

Item B – Request to extend the Falling Water PUD.

05-04-08 Motion by Painter supported by Wrobel to deny extending the PUD.

All present voting yes. Motion carried unanimously.

10. CORRESPONDENCE:

Item A – Planning Commission minutes of March 23, 2009.

Item B – Flat Rock Police & Fire Depts.: Silent auction and open house.

05-04-09 Motion by Gagne supported by Painter to go into closed session at 8:20 p.m.

All present voting yes. Motion carried unanimously.

Closed session convened at 8:25 p.m.

05-04-10 Motion by Painter supported by Martin to return to open session at 8:27 p.m.

All present voting yes. Motion carried unanimously.

City Attorney discussed the ongoing dispute with CN Railroad regarding the past due amounts for sewer charges and a proposed resolution of the dispute.

05-04-11 Motion by Tefend supported by Martin to concur with the City Attorney's recommendation regarding settlement of waste water payment from CN Railroad and the Mayor and Clerk are authorized to execute a settlement agreement with Grand Trunk Western Railroad Company, a subsidiary of Canadian National Railway, for sewer charges from 2003 through the first quarter of 2008, for the settlement amount of Three Hundred Thousand (\$300,000.00) Dollars.

All present voting yes. Motion carried unanimously.

05-04-12 Motion by Painter supported by Dropiewski to adjourn the regular meeting at 8:30 p.m.

All present voting yes. Motion carried unanimously.

JAMES E. MARTIN, MAYOR PRO-TEM

LORENE BUTSKI, CMC CITY CLERK

DATE: _____
approved

