

**COUNCIL PROCEEDINGS**  
**CITY OF FLAT ROCK, MICHIGAN**

**MONDAY, May 21, 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 Jones, Council Member Gagne, Tefend, Martin, and Painter.

Absent. Councilman Dropiewski and Wrobel.

05-21-07-1 Motion by Painter supported by Martin to excuse the absent Council Members. Motion carried unanimously.

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

**3. APPROVAL OF MINUTES:**

05-21-07-2 Motion by Gagne supported by Martin to approve the Regular City Council Meeting Minutes of 05/07/07 as submitted. Motion carried unanimously.

**4. CITIZENS TO BE HEARD:**

Mr. Gerald Mathews, 29732 Larches, had addressed Council back on January 16, 2007 regarding the drainage problem in his backyard and asked the Mayor and Council for an update on what is being done. Mr. Mathews asked to go on record stating that "He doesn't want the City to go to any expense of putting in additional drains or grading to alleviate the problem."

Mr. David Dalfonso, 29731 Larches, is a neighbor to Mr. Mathews and he said he has done nothing to alter the grade level that is creating the ponding of water.

Mr. Mathews says that the landscaping timbers have been put in place by Mr. Dalfonso that has created the ponding.

Mr. Gagne asked Mr. Mathews to try and work this issue out with his neighbor by having the grade level lowered so the water flows properly.

Mr. Dalfonso said his timbers do not block the water flow.

Building & Safety Director John Russ stated that he did have the City Engineer survey the property and they will be getting back to us. Mayor Jones requested Mr. Russ to tell City Engineer to get a report back to them at the next Council Meeting so the issue can be settled and that they will wait for that report.

**5. REPORTS FROM DEPARTMENT HEADS:**

Recreation Director Joan Pawlukiewicz reported on the upcoming Kidfest June 2, 11 AM – 4 PM.; Flat Rock Summer Programs will begin on June 11, 2007. Ball fields have (7) seven tournaments scheduled for the summer. St. Roch has rented the ball field in August for a special event. As far as baseball field usage: We have received two sponsorships for two girl teams for \$1,000 and have met with the new coach and given his teams field usage wherever schedules permitted. The new coach hadn't understood scheduling procedures and plans to submit his schedule earlier.

DPS Director Bruce Hammond reported that water service construction on Vreeland Road is underway and should finish up in a couple of weeks. Water mains and meters are being relocated from the rear of houses to the front.

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

Councilman Painter asked for signage to be put in place at the ball fields that say, "No Roller Blading or Skate Boarding".

#### **7. MAYORS COMMENTS:**

Mayor Jones commented on South Huron Valley Utility Authority saying that he had asked an outside attorney to give a legal opinion dealing with Van Buren Twp. taking sewage from the Rouge Sewage System or the Downriver Sewage System and run it or divert it to the SHV System through their new equalization basin. The legal opinion was "NO", Van Buren cannot do this. Mayor Jones said the attorney for SHVUA, Pat McCauley, has taken issue with this legal opinion and is challenging this report. Mayor Jones said he informed Mr. Flaten that the City of Flat Rock will not pay for Mr. McCauley's legal fees while he is defending Van Buren Twp.

Mayor Jones said that Plante Moran and CDM is done with their look back adjustments for 2006 and 2005 and wants them to go back to 2004, 2003 and part of 2002, and if they don't, Mayor Jones said he will ask council to authorize a lawsuit against them. Mayor Jones said meter 8 is a major, major problem and must be corrected.

Mayor Jones said that the City of Flat has received (2) President's Awards from the Michigan Beautification Commission. One was for the Historical Preservation Commission on the renovation of the Smith Hotel which the commission kept and the 2<sup>nd</sup> one was for the new Community Center that architect John Wilkie accepted. Mayor Jones was excited that Flat Rock won two of the eight "Award of Merit" President's Awards.

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

#### **9. UNFINISHED BUSINESS:**

a. Letter from City Planner Terry Croad Re: Transmittal of Planning Commission Recommendation: Bradbury PUD Amendment.

City Attorney David Grunow stated several issues concerning the timeliness of the developers of Bradbury. Since 2002 a bridge over Silver Creek has yet to be started, no street lights, no signage and no landscaping.

Bob Mitchell from Seville Homes addressed these issues. Mr. Mitchell said the bridge has been obstructed by Wayne County several months that pushed it into winter months. Then the contractor that builds bridges was bogged down with other jobs that caused further delays. However it is slated for construction to begin in about 3-5 weeks and completion should take approximately 3 months. Mr. Mitchell said the bridge will be built this summer, the street lighting and signage is being coordinated for the summer as well.

Mr. Mitchell addressed the Bradbury PUD Amendment. He requested that the six foot garage setback requirement be waived and on the permit a maximum of twenty (20) 1,450 sq. ft. minimum ranch units be built to accommodate the home buying market.

Mayor Jones said he would vote for the setback change, but not the square footage change. Mr. Painter said he felt the City of Flat Rock should agree to allow the builder to build (20) twenty homes at the 1,450 sq. foot ranch due to the market demand.

**05-21-07-3** Motion by Jones supported by Painter to approve to remove the six foot garage setback requirement. Motion carried unanimously.

**05-21-07-4** Motion by Painter supported by Tefend to reduce square footage on (20) twenty ranch homes to 1,450 sq. feet based on the contingency that the bridge construction over Silver Creek begins by June 30, 2007; that the check for the street lighting be at City Hall by June 30, 2007; Landscaping begin by June 30, 2007, Street Signs and street lights be ordered by June 30, 2007. Motion failed 3-2 (Jones & Gagne).

b. Letter from City Engineer Russ Wittman Re: Bid Opening Report for Evergreen Street Water Main and Pavement Replacement. (Tabled from 05/07/07 meeting.

Mayor stated that he had to cut \$800,000 out of the Water Dept. budget due to the City's budget deficit, which leaves a \$424,000 Capital Outlay for the coming fiscal year. Council agreed to leave the bid opening report for the Evergreen Street Water Main and Pavement Replacement on the table.

#### **10. NEW BUSINESS:**

a. Letter from Acting Clerk George Mans Re: Mr. Leon Simeck's letter to Mayor and Council regarding potential use of the Youth Center building.

Council was receptive to Mr. Simeck's idea to use the Youth Center building for a Railroad Museum and/or small train layout, but requested him to comeback with a proposal to cover the cost of the building usage.

b. Letter from Acting Clerk George Mans Re: Metropolitan Affairs Coalition Event.

**05-21-07-5** Motion by Jones supported by Gagne to approve Mr. Man's request as stated and to use the funds of \$5,000 earmarked for the Riverfest to be used for this event to showcase the Huron River and the linked Greenways path on Saturday, August 4, 2007 and . Motion carried unanimously.

c. Letter from Woodcreek Park resident, Dan Leach Re: Garage Sales Ordinance allowing different rules for organized larger sales and the signage thereof.

**05-21-07-6** Motion by Jones supported by Tefend to refer Garage Sales Ordinance to City Attorney David Grunow for revision. Motion carried unanimously.

d. Letter from DPS Director Bruce Hammond Re: Household Hazardous Waste Collection, Saturday, June 2, 2007.

**05-21-07-7** Motion by Jones supported by Gagne to approve Household Hazardous Waste Collection day as stated. Motion carried unanimously.

e. Letter from DPS Director Bruce Hammond Re: Permission to change DPS employee work shift from five (8) hour days to four (10) hour days.

**05-21-07-8** Motion by Jones supported by Painter to move forward with the proposal and refer the proposal to City Attorney David Grunow and DPS Director Bruce Hammond. Motion carried unanimously.

f. Letter from City Attorney David Grunow Re: Codification of City Ordinances. Our File No. 98-1669.

**05-21-07-9** Motion by Martin supported by Gagne to approve the minimum of \$16,000 for Codification of City Ordinances. Motion carried unanimously.

**11. CORRESPONDENCE:**

- a. Zoning Board of Appeals minutes of April 9, 2007.

**12. LATE CORRESPONDENCE:**

- a. Thank You note on behalf of Miller-Strawn VFW Post 9363 and Ladies Auxiliary for Council's continued support of their Buddy Poppy Distribution.
- b. Wayne County's Dept. of Public Services permit approving the City of Flat Rock's Memorial Day Parade for Monday, May 28, 2007.

Before going into Closed Session Mayor Jones stated that, "As you all know we have been without a City Clerk and Assistant Clerk for several months because he had been holding off on appointing a City Clerk and Assistant Clerk until the budget is finalized" and tonight with the Council's blessing he asked Council's approval to appoint Lorene Butski as City Clerk. Mrs. Butski will work (3) days per week and be paid an hourly rate equivalent to the Department Head wages with no fringe benefits. The Assistant Clerk's position will be considered when the budget is finished up.

05-21-07-10 Motion by Gagne supported by Martin to appoint Lorene Butski as City Clerk. Motion carried unanimously.

Councilman Painter said he felt the Council was rude to the gentleman (Bob Mitchell) from Seville Homes on the Bradbury Park PUD. Mr. Painter said we might be sending the wrong message to developers.

Mayor Jones said Bradbury is obligated to live up to their agreement on building the bridge and the other PUD requirements.

05-21-07-11 Motion by Gagne supported by Tefend to go into Closed Session at 8:55 P.M. Motion carried unanimously.

Open Closed Session at 9:05 P.M.

**13. ADJOURNMENT:**

05-21-07-12 Motion by Painter supported by Tefend to adjourn the meeting at 9:12 P.M. Motion carried unanimously.

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**RICHARD C. JONES, MAYOR**

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**LORENE BUTSKI, CITY CLERK**

Date: 06-04-07  
Approved