

COUNCIL PROCEEDINGS

CITY OF FLAT ROCK, MICHIGAN

MONDAY, SEPTEMBER 18, 2006

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 Members Dropiewski, Gagne, Martin, Painter, Tefend, and Wrobel. All present.

Absent: Council Members (None).

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

3. APPROVAL OF MINUTES:

[09-18-06-1] Motion by Gagne supported by Dropiewski to approve the Regular City Council Meeting Minutes of 9/05/06 as submitted. Motion carried unanimously.

4. CITIZENS TO BE HEARD:

Mr. Michael Cox of 25918 Seneca stated that he would like a reimbursement for expenses he incurred because the Plumbing Inspector of the Flat Rock Building Department officially approved a Tramco pump which was not sufficient for 1 ¼ inch plumbing. The Tramco pump that was installed in March 23, 2000 burned up and he had to replace it with a grinder pump that would be sufficient for a 1 ¼ inch line. The expenses he incurred were for- Snake out and trouble shooting \$420, purchase and install a Grinder Pump \$2,900 and electrical \$43.49 for a total of \$3,363.49.

[09-18-06-2] Motion by Jones supported by Martin to refer to John Russ and David Grunow and to have a report back at the next council meeting. Motion carried unanimously.

Mr. Mike Laney of Rockridge Estates, requested that Arsenal Road be repaved and Canadian National Railroad tracks be repaired. Mr. Laney stated with the increase of traffic on Arsenal Road that the street has become in serious need of resurfacing. Mayor Jones replied Arsenal Road is being looked at by the City Engineer and he is to report to them a cost estimate.

Ms. Carol Mowl, 26587 Stoneway Drive, stated that concerned residents of the Hawthorne Ridge, Arsenal Road, Matilda and Emma Street do not want to see rezoning of this residential area at the Vreeland Road/Telegraph site for

commercial use. Mayor Jones stated that he and Economic Development Director George Mans, City Engineer Russ Wittman and others have a meeting scheduled for tomorrow 9/20/06 with Wayne County and Meijer Representatives. Mayor Jones said that Meijers will probably be taking a harder look at the Kmart site because Wayne County says there are too many problems due to flood plains in the Vreeland Road/Telegraph site for a Meijer's Store.

5. REPORTS FROM DEPARTMENT HEADS:

John Russ said we are moving forward with the Sidewalk Program. The streets being done are both sides of Aspen, both sides of Red Cedar and Tamarack. Residents were sent letters explaining the 50%/50% program; the City pays 50% and the Homeowner 50%. 5 ft. x 5 ft. is the standard size for a cemet flag. One flag is 25 sq. ft x \$3 equals approximately \$75.

George Mans announced that the old Southern Nights site on Telegraph Road has been bought and is in the process of being renovated for an auto parts business.

6. REPORTS FROM COUNCIL MEMBERS:

Eric Painter apologized for not being able to be at the last Council Meeting because he was forced to work. He also expressed his condolences to Brenda Tallman on the passing away of her mother.

Johnathan Dropiewski reminded everyone about the Homecoming Parade this Friday, September 22nd at 5 PM and he also expressed his condolences to the Tallman family.

Kenneth Wrobel commented that he has lived on Arsenal Road most of his life and doesn't like the heavy traffic and says it does need to be replaced after 22 years.

Paul Gagne wanted to know what the stand was on the new video equipment promised to us by Comcast Cablevision which George Mans, Acting Clerk, will report on at the next meeting.

Jim Martin also expressed his condolences to Brenda Tallman on the death of her mother and Sharon Lowe on the passing of her son. He also mentioned the Bike Path at St Roch's that was still gravel which he asks Bruce to check into.

7. MAYORS COMMENTS:

Mayor Jones announced that he would like to appoint George W. Mans as Acting City Clerk in order to take care of official business until City Clerk Dennis Mowbray and Asst. City Clerk Dana Cruse is able to return from medical leave. Mayor Jones said that he had contacted the former Asst. City Clerk Lorene Butski about assisting and training Jevetta Smith on the election procedures in the upcoming election by working three hours a day. He said that she is suppose to return his call tomorrow September 19th, 2006 to let him know if she is available.

09-18-06-3 Motion by Dropiewski supported by Wrobel to appoint George Mans as Acting City Clerk. Motion carried unanimously.

8. BID OPENING REPORTS: (None)

9. UNFINISHED BUSINESS:

- a. Letter from City Attorney David Grunow re: Proposed Sign Ordinance,

File No. 05-4026.

09-18-06-4 Motion to suspend the second reading of the Sign Ordinance File No. 05-4026 by Martin supported by Wrobel. Motion carried unanimously.

09-18-06-5 Motion by Painter supported by Wrobel to approve the Sign Ordinance, File No. 05-4026. Motion carried unanimously.

b. Letter from City Attorney David Grunow re: Conditioning Zoning Ordinance, File No. 05-4113.

09-18-06-6 Motion by Jones supported by Gagne to suspend the 1st reading of the Conditional Zoning Ordinance, File No. 05-4113. Motion passed six to one (1 being Jones). City Attorney David Grunow stated that the ordinance would enable the developer to propose certain use of property under certain zoning conditions. It would be a tool to give the ZBA and the Planning Commission flexibility under our zoning process. Motion carried unanimously.

c. Letter from George Mans to open a Public Hearing to reallocate funds of \$42,000 for the Community Block Grant Funds for 2004-2005.

09-18-06-7 Motion by Gagne supported by Dropiewski to reallocate funds of \$42,000 for the Community Block Grant Funds for 2004-2005 for trunk heated dome warming system for sidewalks. Motion carried unanimously

09-18-06-8 Motion by Martin supported by Dropiewski to place bid in newspaper for trunk heated dome warming system for sidewalks with bid due date of October 10, 2006. Motion carried unanimously.

10. NEW BUSINESS:

a. Letter from Fire Chief William Vack requesting permission to bid for two (2) Stryker 6252 Stair-PRO Stair Chairs for use on the ambulances.

09-18-06-9 Motion by Gagne supported by Tefend to approve Fire Chief William Vack to bid (2) Stryker 6252 Stair-PRO stair chairs for use on the ambulances. Motion carried unanimously.

b. Invoice from Downriver Community Conference asking for payment of DCC Membership Dues 2006-2007 of \$4,750.

09-18-06-10 Motion by Dropiewski supported by Gagne to approve the invoice from Downriver Community Conference payment of DCC Membership dues for 2006-2007 of \$4,750. Motion carried unanimously.

c. Invoice from Downriver Mutual Aid asking for DMA Membership Dues 2006-2007 of \$5,643.21.

09-18-06-11 Motion by Dropiewski supported by Gagne to approve the Membership Dues for Downriver Mutual Aid of \$5,643.21 for 2006-2007. . Motion carried unanimously.

d. Mayor Jones re: South Huron Valley Utility Authority.

Mayor Jones in a thirteen minute presentation went into detail explaining that the South Huron Valley Utility Authority sewer system is presently operating at or near capacity during the rainy seasons. He explained that a few years ago the City of Flat Rock was threatened with a lawsuit by the attorneys for the SHVUA if they ever allowed anyone to tap into the Flat Rock sewer or service areas.

Mayor Jones brought attention to the public that Berlin Township is preparing to build retention ponds in the north end of Berlin Twp. that would send drain water into an already over capacitated system. Mayor Jones strongly believes that if and should this action take place that the results would be flooded basements for the residents of Flat Rock during the rainy seasons. He stated that in a recent meeting the engineer for the SHVUA told the Technical Committee that this system was never designed to run at full capacity. Mayor Jones also stated that the 1984 Agreement is the agreement adopted by the SHVUA that prohibits Berlin Township from dumping this new service into the present system.

Mayor Jones requested that City Council authorize City Attorney David

Grunow to file a lawsuit to keep the SHVUA from violating the 1984 Agreement. 09-18-06-12 Motion by Jones supported by Tefend to go ahead and authorize City Attorney David Grunow to file a lawsuit to prohibit the violating of the 1984 Agreement of the South Huron Valley Utility Authority. Motion carried unanimously.

Mayor Jones also request Council to authorize City Attorney David Grunow to file another lawsuit against the SHVUA Resolution Policy that would prevent communities from taking legal action against the SHVUA. We should not give up the right to take the SHVUA to court.

City Attorney David Grunow informed the Mayor and Council that he already had been given the approval to file this lawsuit in a previous meeting.

11. CORRESPONDENCE:

- a. Letter from Woodhaven Fire Chief, Janet R. Sikes, thanking Chief Vack and the Flat Rock Firefighters for all the assistance they provided at their fatal fire on Wednesday, September 6, 2006.

12. ADJOURNMENT:

08-21-06-13 Motion by Dropiewski supported by Martin to adjourn meeting at 8:30 P.M. Motion carried unanimously.

RICHARD C. JONES, MAYOR

DENNIS R. MOWBRAY, CITY CLERK
By George W. Mans, Acting Clerk

Date: _____
Approved

09-18-06-RGCC