Present: Mayor, Lee McNew; Councilmembers Bill Lembke, Jon Cabot; Attorney, Dan Christ; Sgt. Jim Prosser for the Police Department; Building Official, Leon Genre; Clerk, Rosalie Lake
Absent: Councilmembers Karl Storrie, David Haines (attended final portion)
Visitors: Jim Howlett, Heidi Hoyles, Gretchen Adler

Mayor McNew opened the meeting at 7:02 and led the Pledge of Allegiance. She requested approval of the Minutes of the Closed Session of December 9, 2008. Minutes were approved as submitted. Minutes of the regular meeting of December 9, 2008 were considered and approved as corrected.

The Mayor submitted for appointment renewed and new members of the Environmental Board for terms from January 2009 to December 2011: Starr Foster, John Schimpke, Brad Rachwal and Dennis Mitchell. Councilmember Cabot moved to approve the appointments. Councilmember Lembke seconded. Motion carried unanimously. The Mayor submitted for appointment renewed members of the Planning Commission for terms from January 2009 to December 2011: Forrest Milzow, Bill Lembke and Heidi Hoyles. Councilmember Cabot moved to approve the appointments. Councilmember Lembke seconded. Motion carried unanimously. The Board of Review appointment is waiting for a recommendation from Ray Siwiec.

The Clerk gave her report. After reviewing the materials to be codified, American Legal Publishing Co. has submitted an estimate to update the Ordinances, incorporating the 15 ordinances enacted over the last four years. The range is estimated between $1800 and $2300 for approximately 108 pages. In 2004, 11 ordinances enacted between 2000 and 2004, comprising 36 pages, were codified for $1436. Councilmember Cabot moved to approve up to $2300 for the codification of the Ordinances. Councilmember Lembke seconded. Motion carried unanimously. The Clerk indicated that 22 households receive “The Angelus” by mail and do not receive the residents’ listserv.

Resident Comments: Julie Frakes inquired about the publishing of the City Directory. Mayor McNew will contact Joyce Lund about it.

Sgt. Jim Prosser gave the Police Department report. Chief Roehrig will be meeting with Dick Lund and Bill Rogers this week to discuss a surveillance system for the City. The final section of the Police Manual was reviewed, Emergency Vehicle Operation to the end. Several language corrections were made and Sgt. Prosser made clarifications as necessary. Councilmember Cabot moved to approve, as corrected, the last section of the Police Department Manual. Councilmember Lembke seconded. Motion carried unanimously. Chief Roehrig will maintain copies at the Police Department.
Sgt. Prosser reported that ATVs were on the ice and their operators were spoken to by the police officer. They were guests of the Wheelers and they were cooperative. He reviewed the rest of the report. Treasurer Frakes has called to try to get information on payments to Marty Gaynor. If the termination goes in favor of the City, the City will be reimbursed for payments made.

Planning Commission: Building Official, Leon Genre, brought copies of letters written to the Chases and to Mr. Greenlee. Because of the weather, he has not insisted that Mr. Greenlee remove the retaining walls, but Mr. Greenlee knows that they have to be removed. Mr. Genre is meeting with the architect for the Derocher property. They hope to be ready for the February Planning Commission meeting. The architect is well aware that he must conform to the natural grade. When the basement of the demolished home was removed, a mess was left behind. Retaining walls will need to be placed. The architect is aware of all ordinances that apply. Kieft Engineering will be the engineer on the site. Grading on the site will be difficult because of what was left there. Drainage will be problematic. Dry wells may be needed. Mr. Genre indicated that Doug Derocher owns the lot to the east and he plans to move the lot line on the east side to make it all work. Kieft engineering will do a survey.

Forrest Milzow approves payment of Code Enforcement invoices, but he needs more specific information on them. Mr. Genre is working on approving the invoices for complete information before they are sent to the City. He suggested separate line items for zoning and inspections. Mr. Genre and Brian Oppmann are looking at fees charged to see where adjustments could be made to more adequately cover costs.

City Property: Bill Lembke reported that the City Hall had no power for five days. The pipes froze and the well and furnace could have been destroyed by low power. Councilmember Cabot suggested a small stand-by generator for the City Hall. Heidi Hoyles will speak with Mike Schaller about it.

Treasurer, Julie Frakes, reviewed all of the quarterly financial reports and the warrants for December. Councilmember Lembke moved to approve the reports noting those warrants over $500. Councilmember Cabot seconded. Motion carried unanimously.

Mrs. Frakes indicated that 99 of 169 parcels have paid winter taxes.

Three new part-time police officers have been hired. This will lower the amount of overtime pay, but there will be some uniform expenses.

The two CDs purchased in December were purchased at the rate of 4.95% as approved.

Mrs. Frakes recommended moving two savings accounts not covered by the FDIC to NOW accounts earning 0.5% that will be covered by FDIC. Councilmember Cabot moved to approve relocating these accounts. Councilmember Lembke seconded. Motion carried unanimously.

Regarding sweep accounts, the investment pool, itself, is not rated although each individual asset that makes up the pool is rated. Assets held in the investment pool are all
Mayor McNew advised the Council that Police Chief Roehrig has asked for time off in February and March to attend to personal matters. He has provided a plan for his absence. The Mayor and Councilmember Cabot will meet with the Chief to discuss his absence.

Councilmember Haines had done research on the fireworks display. The fireworks have traditionally been provided by Zambelli International. Dr. Haines compared Zambelli to Michael Freeland’s company ACE Pyro. Zambelli is old in the business. ACE Pyro is newer in the business. There are space limitations at the Kresge property; a provider is limited to 6” shells. ACE Pyro would shoot from a barge, similar to two pontoon boats, as opposed to firing from land, and could shoot 10” shells. They need 70’ of perimeter for each 1” of shell. Boats viewing would need to remain at a distance from the barge. With ACE Pyro there would be more ordinance; with Zambelli, a bigger finale. Most of the debris comes from hand firing. ACE Pyro uses electronic firing which is cleaner. It uses no plastic, only paper. There is a certain amount of paper that blows off. ACE Pyro would be responsible for permits and liability. Dr. Haines commented that ACE Pyro has a very esthetic sense with the display. ACE Pyro is available on the 4th of July. Councilmember Cabot feels that the fireworks show has fallen off since it was moved from the Island. He was interested in trying something new. Dr. Cabot moved to proceed with ACE Pyro for the 4th of July fireworks. Councilmember Lembke seconded. Motion carried unanimously. Dr. Haines will get a formal contract to Attorney Christ to review.

Environmental Quality Board: A meeting is scheduled for February 4th to discuss fishing and weed issues. A notice will be put in the ‘Angelus’. Councilmember Haines asked whether there were concerns about the fish population. Jim Howlett indicated that a speaker at a former Environmental Quality Board meeting had felt that certain populations were in jeopardy. A request was made for Clinton River Watershed Council membership dues. Councilmember Haines and Gretchen Adler inquired what the membership does for the City. Mayor McNew read from the Watershed Council’s materials a description of its work and goals. Councilmember Cabot moved to approve $450 for the dues. Councilmember Haines seconded. Motion carried unanimously.

Roads: Mayor McNew indicated that tri-party agreements need to be considered. The work done on North Lake Angelus Road and Gallogly Road has made a huge difference. Storm sewers or drainage on North Lake Angelus Road could be considered for tri-party funds. More stone may be needed in those areas as well. Gravel should be maintained as it has been so beneficial.

Attorney Christ spoke to the ability of the City to pass rules to regulate fishing or boating stating that a municipality is permitted to regulate the rights of riparian owners. The DNR has superior authority to regulate where there is navigable access to the lake. Mr.
Christ wished to obtain a copy of the deed restriction signed by Lake Angelus property owners. The City may be able to preclude from use the guests of owners without the owner being present. Mr. Christ recommended starting with a water rule rather than a regulatory ordinance.

Mayor McNew announced the Lake Angelus Walk-Around to be held on Sunday, February 8th from 1-4 pm ending at the McNew home for refreshment.

There being no further business, Councilmember Cabot moved to adjourn the meeting. Councilmember Lembke seconded. Motion carried unanimously. The next regularly scheduled meeting will be held on February 10, 2009 at 7 pm.

Approved: Respectfully submitted,

Lee McNew, Mayor Rosalie Lake, Clerk