

City of Corunna
Regular Council Meeting
Monday, April 19, 2010

Present: Kerridge, Mehigh, Jessen, Reichert, Haskins, Sarrazin.

Absent: Johnson (excused).

Guests: Joe Sawyer, City Manager; Merilee Lawson, Assessor/Planner; Judy Horton; Debbie Bentley; Keith & Diane Johnson; Bob Morehouse; Gary Granger; Helen Granger, The Independent; Julie Mattera, The Argus Press; Paul Rogers; and other concerned citizens.

The meeting was called to order in the council chambers of Corunna City Hall by Mayor Kerridge at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Jessen moved, Reichert seconded to approve the previous regular meeting minutes dated April 5, 2010 as presented.

Roll call vote:

Yes: Jessen, Reichert, Haskins, Sarrazin.

No: None.

Abstain: Mehigh.

Motion CARRIED

AGENDA APPROVAL: Jessen moved, Sarrazin seconded to approve the agenda with the following changes: Move Item No. 1 to 1A and add Item No. 1) Consider Excusal of Councilperson Dawn Johnson from the April 19, 2010 Council Meeting Due to a Death in the Family.

Roll call vote:

Yes: Reichert, Haskins, Sarrazin, Mehigh, Jessen.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Mehigh moved, Sarrazin seconded to approve the vendor disbursements dated April 16, 2010 as presented.

Roll call vote:

Yes: Haskins, Sarrazin, Mehigh, Jessen, Reichert.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Keith Johnson, 211 Hastings Street, stated he read in the paper that the Dam

Committee has several hundred names, but it was only going to be used as a sounding board. He further stated that is alright, but when it comes down to doing something to the dam, the council better concentrate on the people here. He started the river clean up with Jim Miner in 1969, but if he had a \$100 from everyone in the 41 years who told him how much the river meant to them, he could have bought the city a new dam. The reality is the people here do not

care. Last year, he was the only one from Corunna helping with the river clean up except for the person they got from the jail to make sure he did not trip and drown, but that person could not swim. The people here do not care and it is like his grandmother used to say “people of words are not of deeds is like having a garden full of weeds”, which he really believes. He further stated as far as the dam is concerned, he was a party to all that. When the city told the owner of the dam property that it was going to condemn the building on the property, he threatened to sue the city, but he decided to sell the property to the city for \$17,000. Mr. Johnson advised he asked the owner why he was selling the property to the city so cheap and was told an insurance company had told the property owner that the dam needed a lot of repair and if the dam should fail, the owner would have to assume all of the costs for everything that happened down river and the insurance company would no longer insure him. The city bought the dam and is now stuck with it, and he hopes the city council will take a good look at all of the alternatives.

Paul Rogers introduced himself and advised he is running for Valde Garcia’s senate seat who is term limited. He has lived in Howell his whole life and has been on the Howell city council since 1993 and has served as Mayor and Mayor Pro-Tem. He has also owned his own business for 20 years.

CONSIDER EXCUSAL OF COUNCILPERSON DAWN JOHNSON FROM THE APRIL 19, 2010

COUNCIL MEETING DUE TO A DEATH IN THE FAMILY: Jessen moved, Mehig seconded to excuse Councilperson Dawn Johnson from the April 19, 2010 council meeting due to a death in the family.

Roll call vote:

Yes: Haskins, Sarrazin, Mehig, Jessen, Reichert.

No: None.

Motion CARRIED

CONSIDER APPOINTMENT OF CORY LAMROUX TO THE CORUNNA SOFTBALL

COMMISSION: Sarrazin moved, Jessen seconded to appoint Cory Lamroux to the Corunna Softball Commission serving at the pleasure of the council for an indefinite term.

Roll call vote:

Yes: Sarrazin, Mehig, Jessen, Reichert, Haskins.

No: None.

Motion CARRIED

7:15 P.M. PUBLIC HEARING TO CONSIDER ORDINANCE NO. 10-03, AMENDMENTS TO CHAPTER 42 FIRE PREVENTION AND PROTECTION, ARTICLE IV. COST

RECOVERY, SECTIONS 42-121 DEFINITIONS, 42-122 FAILURE TO REMOVE AND

CLEANUP AND 42-126 EXEMPTIONS: Jessen moved, Mehig seconded to leave regular session and go into a public hearing to consider Ordinance No. 10-03, Amendments to Chapter 42 Fire Prevention and Protection, Article IV. Cost Recovery, Sections 42-121 Definitions, 42-122 Failure to Remove and Cleanup and 42-126 Exemptions.

Roll call vote:

Yes: Jessen, Reichert, Mehigh, Sarrazin, Haskins.

No: None.

Motion CARRIED Time was 7:15 p.m.

Mr. Sawyer explained the ordinance has been reviewed by the city attorney at the request of the fire board and has been revised to clarify areas that may contradict each other. There were no public comments. Sarrazin moved, Jessen seconded to leave the public hearing and return to regular session.

Roll call vote:

Yes: Reichert, Jessen, Sarrazin, Haskins, Mehigh.

No: None.

Motion CARRIED Time was 7:17 p.m.

Sarrazin moved, Jessen seconded to adopt the following ordinance, Amendments to Chapter 42 Fire Prevention and Protection, Article IV. Cost Recovery, Sections 42-121 Definitions, 42-122 Failure to Remove and Cleanup and 42-126 Exemptions as printed:

ORDINANCE NO. 10-03

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 42, FIRE PREVENTION AND PROTECTION, BY CHANGING ARTICLE IV. COST RECOVERY, SECTIONS 42-121 DEFINITIONS, 42-122 FAILURE TO REMOVE AND CLEANUP AND 42-126 EXEMPTIONS, OF THE CITY OF CORUNNA CODE.

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

ARTICLE IV. COST RECOVERY

SECTION 1. Sec. 42-120. PURPOSE

The purpose of this ordinance is to enable the CITY OF CORUNNA and CORUNNA-CALEDONIA FIRE DEPARTMENT to require reimbursement from:

- A. Those responsible for (either intentionally, accidentally, or as a result of actions by others) or owning or controlling property affected by, the leaking, spilling releasing or allowing certain hazardous substances or materials to escape containment, or for damaged and/or downed power lines, electric service lines, gas mains, gas service conduits, water mains, sanitary sewer mains, storm sewer mains, occupancy leads, telephone lines, cable television lines, traffic signals or signs; thereby requiring the City and/or its agents, to provide emergency containment, cleaning, and/or disposal of hazardous substances or materials, or for the securing and prudent monitoring of the site of an accident or natural disaster, including those involving public or private utilities.
- B. Those responsible for (either intentionally, accidentally, or as a result of actions by others) or owning or controlling property affected by or involved in an emergency incident including airports, bomb threats, powered and non-powered aircraft, recreational vehicles,

trailers, agricultural machinery, powered and non-powered watercraft, motor vehicle fires, illegal fires, extrication from vehicles, aircraft or watercraft involved in accidents, and accident related clean up.

SECTION 2. Sec. 42-121. DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCIDENT INCLUDING NATURAL DISASTER.

Accident including natural disaster means an unforeseen or unexpected happening or occurrence which of itself causes great harm or damage, or which creates the potential for great harm or damage to individuals and/or property, and which requires immediate and prudent securing and monitoring by the City of Corunna, and/or agents of the City, to reduce the potential for such damage, but not including emergency incidents.

BOMB THREAT.

Bomb threat means the verbal or written threat of a bomb or other explosive device which if discharged as threatened would (1) violate a federal, state or local law, or (2) cause property damage and/or personal injury or death.

DANGEROUS OR HAZARDOUS SUBSTANCES OR MATERIALS.

Dangerous or hazardous substances or materials means any substance (including gases or vapors) which if spilled, leaked, or otherwise released from its container, is dangerous or harmful to the environment or human or animal life, health, or safety, or otherwise constitutes a danger, threat, or nuisance to the public health, safety or welfare. Hazardous materials shall include, but not be limited to, such substances as chemicals and gases, explosives, radioactive materials, petroleum or petroleum based products, poisons, biologic agents, flammable, combustibles, hazardous wastes, or corrosives. The Fire Chief or the Chief's designee shall have reasonable discretion to determine whether any particular substance constitutes a hazardous material.

EMERGENCY INCIDENT.

Emergency incident means a bomb threat, vehicle fire, an illegal fire, extrication from vehicles involved in accidents, and accident related clean up.

EMERGENCY RESPONSE.

Emergency response means the providing, sending and/or utilization of public works, police, fire and/or rescue services by the City of Corunna at an emergency incident or at an incident involving release of a dangerous or hazardous substance or material, or an accident requiring immediate and prudent securing and monitoring by the City and/or agents of the City.

EXPENSE OF AN EMERGENCY RESPONSE.

~~A. The expense for an emergency incident shall be according to a fee schedule adopted by the Corunna City Council.~~

~~A.B. For all other emergency responses, The direct~~ **Expense of an emergency response means the actual** costs incurred by the City of Corunna in making an appropriate emergency response to an accident or incident, including the costs of providing police, firefighting and rescue services, public works and/or other City personnel, or the services of other agents of the City, at the scene of an incident or accident. Related administrative costs, which for agents of the City shall be 15% of the actual charge to the City, accruing after the occurrence of such incident or accident are also included. Such costs and expenses shall include the salaries or wages, workers compensation benefits, and fringe benefits of the personnel responding to the incident or accident and the costs of equipment and materials used. **The expense for an emergency incident shall be according to a fee schedule adopted by the Corunna City Council and may be changed from time to time pursuant to Chapter 38 of the Corunna City Code and such changes shall not require a formal amendment of this ordinance. The same shall be displayed in the City of Corunna Clerk's office and shall be available for distribution upon request at a nominal copy cost fee.**

ILLEGAL FIRE.

Illegal fire means a fire set or determined to have been set in violation of a federal, state or local law and shall include an arson fire, a fire set in violations of a "no burning" ban or order and/or a fire set without a required permit.

RESPONSIBLE PARTY.

Responsible party means any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity or any other legal entity responsible for an emergency incident or any owner, tenant, occupant or party in control of real and/or personal property from which, onto which or related to which there is a public safety or fire emergency incident and their heirs, estates, successors and assigns.

SECTION 3. Sec. 42-122. DUTY TO REMOVE AND CLEAN UP

It shall be the duty of any person, firm, corporation, public or private utility, or any other entity directly or indirectly causing, contributing to, or allowing the leakage, spillage or any other release of dangerous or hazardous substances or materials or owning or controlling property affected thereby or requiring the securing and monitoring of sites or locations of accidents and/or natural disasters, including downed power lines and electric service lines, ruptured gas mains, gas service conduits, water mains, occupancy leads, telephone lines, or cable television lines, to immediately secure, monitor, and clean up the area or locations in such manner that the area or location involved is fully restored to the condition existing prior to such occurrence.

The City shall have no duty to contain, clean up or dispose of any release of hazardous substances or materials, or other materials, but in emergency situations the Fire Chief or Chief of Police, or their designees, shall have the authority to take whatever action is reasonably necessary to protect the health, safety, and welfare of the general public including securing and monitoring sites of accidents or providing for or arranging for the containment, removal

or clean up of any hazardous substances or materials. The City shall inspect the site to insure that cleanup has been fully completed.

SECTION 4. Sec. 42-123. FAILURE TO REMOVE AND CLEAN UP

Any person or entity failing to comply with Section ~~342-122~~, and/or where a non-emergency incident, emergency response is provided by the City, shall be liable to the City and shall reimburse the City for all costs and expenses, including the costs incurred by the City or any agents the City engages, for the complete abatement, clean up, restoration and/or securing of the affected area.

SECTION 5. Sec. 42-124. SUBMITTAL OF BILL

The City of Corunna shall, within ten days of receiving itemized costs incurred for an emergency response, submit a bill for the same by first class mail or personal delivery to any person or entity liable for these expenses as previously enumerated under this chapter. The bill shall require full payment within 30 days from date of billing.

SECTION 6. Sec. 42-125. ENFORCEMENT

If any person or entity fails to reimburse the City of Corunna as above provided, the City shall have the right to bring an action in the appropriate court to collect such costs. If such person or entity is the owner of real property affected or partially affected by the release of hazardous materials, or requiring emergency security or monitoring, the City shall have the right to add any and all costs of clean up, restoration and/or of any emergency response, to the tax roll of such property and to levy and collect such costs in the same manner as provided for the levy and collection of real property taxes against said property.

SECTION 7. Sec. 42-126. EXEMPTIONS

The following properties and services shall be exempt from the foregoing charges:

~~A. False Alarms~~

B.A. Fire involving City buildings, grounds and/or property.

~~C.B.~~ Fire Service performed outside the jurisdiction of the City, under a mutual-aid contract with adjoining municipalities.

~~B. Residents that own real property in City of Corunna.~~

SECTION 8. Sec. 42-127. SAVINGS

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Secs. 42-128 – 42-160 Reserved

FEE SCHEDULE

For emergency responses to emergency incidents, the fee schedule shall be the following:

SQUAD SUPPORT VEHICLE:	\$250.00/hr
ENGINE/PUMPER:	\$350.00/hr
TANKER:	\$275.00/hr
FIRE FIGHTER WAGE:	\$ 13.00/hr
FIRE FIGHTER FULLY EQUIPPED:	\$ 50.00/hr
ADMINISTRATION FEE:	15% of total bill
VEHICLE FIRE:	One Engine, One Tanker & up to 8 Fire Fighters
EXTRICATION FROM VEHICLES:	Two engines, One Support Vehicle & up to 10 Fire Fighters
ACCIDENTS/SCENE CLEAN UP/STAND-BY:	One Engine, One Support Vehicle & up to 6 Fire Fighters
DOWN POWER LINE:	Two Engines, One Support Vehicle & up to 8 Fire Fighters
ILLEGAL FIRES:	\$500.00 flat fee The actual cost as specified under “Expense of an Emergency Response”
BOMB THREAT:	The actual cost as specified under “Expense of an Emergency Response”

When adopted by the City Council, the fee schedule shall be and are hereby incorporated herein. Said fee schedule and waiver of fees from said schedule as set forth in Section 42-126 hereof may be changed from time to time pursuant to Chapter 38 of the Corunna City Code and such changes shall not require a formal amendment of this ordinance.

SECTION 9. SEVERABILITY

This Ordinance and the several sections, subsections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part of clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 10. COPIES AVAILABLE

This Ordinance may be purchased or inspected in the City Clerk's Offices, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 11. CONFLICTING ORDINANCES REPEALED

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

SECTION 12. EFFECTIVE DATE

This Ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

Roll call vote:

Yes: Reichert, Mehigh, Jessen, Haskins, Sarrazin.

No: No.

Motion CARRIED

CONSIDER AFSCME LOCAL 1059 CONTRACT EXTENSION: Jessen moved, Mehigh seconded to extend the AFSCME Local 1059 contract for one year. Councilperson Jessen advised the date on the letter of agreement should be changed to April 19, 2010 instead of March 29, 2010. Mr. Sawyer stated the council's contract approval date will be printed under the employer signature line.

Roll call vote:

Yes: Haskins, Jessen, Mehigh, Sarrazin, Reichert.

No: None.

Motion CARRIED

CONSIDER REVISIONS TO THE COUNCIL RULES OF PROCEDURE: Mr. Sawyer explained changes were made in order to clean up the language for the committees or commissions that may have changed by an ordinance revision. He is recommending the SATA Board of Directors be changed to appoint members at large to serve on the board, but it also specifies that if the council or mayor desires to sit on the board, they would supersede any member at large appointment. He also explained the Monument Committee is being added as a new item to the rules of procedure. Sarrazin moved, Reichert seconded to adopt the revised Council Rules of Procedure of April 19, 2010 and to correct all typographical errors as noted.

Roll call vote:

Yes: Sarrazin, Mehigh, Jessen, Reichert, Haskins.

No: None.

Motion CARRIED

CONSIDER APPOINTMENT OF BOB BUSCHMAN TO THE SATA BOARD: Mr. Sawyer advised Mr. Buschman is a city resident and is a member of the Board of Review and Board of Appeals. He is also a former SATA driver and is familiar with the organization. Reichert

moved, Jessen seconded to appoint Bob Buschman to the SATA Board seat vacated by Charles Spring.

Roll call vote:

Yes: Reichert, Mehig, Sarrazin, Haskins, Jessen.

No: None.

Motion CARRIED

WORLD WAR II MEMORIAL DISCUSSION: Mr. Sawyer gave a brief history of the memorial.

He advised the memorial was established 65 years ago as an honor roll for those lost in World War II. There was discussion about putting a permanent marker on the courthouse lawn, but since it was for Corunna residents only, the county did not want it there. On May 7, 1945, the city council approved the erection of honor roll in McCurdy Park and it was formerly dedicated on November 11, 1945. There has been some debate about what the word "vicinity" means and it is clear from the names on the memorial that it was not just for Corunna residents. The honor roll was erected to list the names of the Corunna boys and girls who were in the service of their country and also the names of the sons and daughters of the families who are getting their mail out of this city. The monument committee is recommending the following criteria for determining who should be added to the memorial: (1) Permanent address for mailing purposes of Veteran (or parent(s) of Veteran) at time of service entry in the Corunna Postal District; (2) Permanent address for mailing purposes of Veteran (or parent(s) of Veteran) at time of service entry in Caledonia Charter Township (formerly known as Caledonia Township); (3) Attended and/or Graduated Secondary &/or High School from Corunna Shiawassee Street School/Corunna High School; or (4) Internment of Veteran in Corunna Pine Tree Cemetery. He further advised this will be an annual event and there may be a year that no one gets engraved on the memorial due to no applications. He explained 22 applications were received and there is space for 22 names on the front side of the memorial. The committee will be discussing over the next year how it wants to handle the post war veterans who settled in Corunna. He thanked Debbie Bentley for all of her hard work in gathering and verifying the names for inclusion on the monument. Debbie Bentley stated it has been a very good process and feels she has gotten to know the men being added. Since the process started, three of the men have passed away. She further stated Great Lakes Monument has agreed to engrave all of the names free of charge. She also stated there is going to be a small ceremony the Friday before Memorial Day to recognize the names being added to the memorial. Councilperson Haskins asked what it would normally cost to engrave the names on the memorial. Ms. Bentley advised one company told her \$200 for each name. Another company told her \$14 per letter plus there would be a site charge. Jessen moved, Sarrazin seconded to adopt the following Resolution No. 041910-02, World War II Memorial Criteria Resolution:

RESOLUTION NO. 041910-02

WORLD WAR II MEMORIAL CRITERIA RESOLUTION

WHEREAS, in April of 1945, Mayor of Corunna Lee Janssen named a committee consisting of Alderman Harry Eldridge who was appointed as chairman along with Fern Strawsine, Chas. W. Taphouse, E. D. Devereaux and Sheriff Ray Gellatiy for the purpose of erecting a handsome and suitable Honor Roll bearing the names of the Corunna boys and girls who were

in the service of their country AND also the names of the sons and daughters of the families who are getting their mail out of this city, and

WHEREAS, the members of the committee came to an agreement with the Younkers Memorial Co. of Lansing for the erection of a Kentucky Stone Memorial with the names of the young men and ladies sandblasted into the stone at a cost of about \$2,500, and

WHEREAS, on May 7th, 1945 at a meeting of the Corunna Council it was moved by Wallace and supported by Walker that an Honor Roll for service men and women from Corunna be erected at McCurdy Park with a vote of all yeas, and

WHEREAS, on November 11th, 1945 (Armistice Day), a ceremony was held to dedicate said Honor Roll which was "Erected in Honor Of the Men and Woman of Corunna And Vicinity Who Served in World War II", and

WHEREAS, the Corunna City Council desires to set forth a process by which names may be added to the Honor Roll and establish the criteria required for inclusion, not inconsistent with the original intent.

THEREFORE BE IT RESOLVED that the criteria for inclusion on the World War II Monument be as follows: Proof of Military Service During World War II (as per criteria established for membership in the Veterans of Foreign Wars) plus the addition of One (1) or more of the following: (1) Permanent address for mailing purposes of Veteran (or parent(s) of Veteran) at time of service entry in the Corunna Postal District; (2) Permanent address for mailing purposes of Veteran (or parent(s) of Veteran) at time of service entry in Caledonia Charter Township (formerly known as Caledonia Township); (3) Attended and/or Graduated Secondary &/or High School from Corunna Shiawassee Street School/Corunna High School; or (4) Internment of Veteran in Corunna Pine Tree Cemetery.

NOW, THEREFORE BE IT FURTHER RESOLVED that additional criteria may be established at the discretion of the Corunna City Council. All applicants must provide written documents to establish that the proper criteria exist. Applications and supporting documentation must be submitted by the annual deadline and verified prior to engraving. Engravings shall be performed annually in the month of May. Subject to available donations each year, applicants may be required to pay all or a portion of the engraving cost.

RESOLUTION DECLARED ADOPTED.

Roll call vote:

Yes: Haskins, Jessen, Sarrazin, Reichert, Mehig.

No: None.

Motion CARRIED

Sarrazin moved, Reichert seconded to approve the following Resolution No. 041910-03, Resolution Recommending the Inclusion of World War II Veterans on the World War II Memorial in 2010:

RESOLUTION NO. 041910-03

RESOLUTION RECOMMENDING THE INCLUSION OF
WORLD WAR II VETERANS ON THE WORLD WAR II MEMORIAL IN 2010

WHEREAS, the Corunna City Council has received a recommendation from the World War II Memorial Committee to engrave additional names of World War II Veterans on said memorial, and

WHEREAS, the Corunna City Council has found that the World War II Veterans being recommended for inclusion on the World War II Memorial have met the criteria for inclusion, and

WHEREAS, the Corunna City Council approves the following World War II Veterans to be memorialized on the World War II Memorial in 2010: Edward J. Bebiak, John Bebiak, Frank L. Bendall, Fredrick V. Bernat, Arlo J. Butcher, Lester E. Darnell, Arnel J. Davis, Martin D. Gardner, Edward A. Hilden, Alvin E. Honke, Louis W.A. Hosking, William A. Hosking, Russell L. Mallery, Ralph L. Mallory, Fredrick J. Miller, Otis E. Moiles, Max L. Noe, William F. Nolph, Harold W. Phillips, Jr., Robert L. Rust, Wayne G. Zambiasi and Glen A. Zimmerman.

NOW, THEREFORE BE IT PROCLAIMED that the Corunna City Council wishes to forever memorialize the World War II Veterans from Corunna and vicinity who served their country with great honor and dignity in its time of need by engraving their names alongside the previous recognized World War II Veterans currently memorialized on the World War II Memorial.

RESOLUTION DECLARED ADOPTED.

Roll call vote:

Yes: Haskins, Sarrazin, Mehig, Reichert, Jessen.

No: None.

Motion CARRIED

7:30 P.M. PUBLIC HEARING FOR TO CONSIDER ORDINANCE NO. 10-04, AMENDMENTS
TO CHAPTER 42 FIRE PREVENTION AND PROTECTION, ARTICLE II. FIRE

PROTECTION SERVICE FEES, SECTIONS 42-37 THROUGH 42-41: Jessen moved, Reichert seconded to leave regular session and go into a public hearing to consider Ordinance No. 10-04, Amendments to Chapter 42 Fire Prevention and Protections, Article II. Fire Protection Service Fees, Sections 42-37 through 42-41.

Roll call vote:

Yes: Sarrazin, Reichert, Mehig, Haskins, Jessen.

No: None.

Motion CARRIED Time was 7:45 p.m.

Mr. Sawyer explained the ordinance has been reviewed by the city attorney at the request of the fire board and has been revised to clarify areas that may contradict each other. Keith Haskins asked if the fire department bills Consumers when it goes out on runs involving

them. Councilperson Haskins advised yes. Mr. Johnson advised Consumers used to have a down wire program and he wondered how they shifted their responsibility over to the municipalities. Councilperson Haskins stated when the firemen arrive and need wires to be taken down, they have to wait for Consumers to arrive. There were no additional public comments. Jessen moved, Mehig seconded to leave the public hearing and return to regular session.

Roll call vote:

Yes: Mehig, Jessen, Sarrazin, Reichert, Haskins.

No: None.

Motion CARRIED Time was 7:49 p.m.

Sarrazin moved, Jessen seconded to adopt the following Ordinance No. 10-04 an ordinance to amend the Code of Ordinances of the City of Corunna, Michigan, Chapter 42, Fire Prevention and Protection, Article II. Fire Protection Service Fees by changing Sections 42-37 through 42-41, of the City of Corunna Code:

ORDINANCE NO. 10-04

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 42, FIRE PREVENTION AND PROTECTION, ARTICLE II. FIRE PROTECTION SERVICE FEES BY CHANGING SECTIONS 42-37 THROUGH 42-41, OF THE CITY OF CORUNNA CODE.

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

ARTICLE II. FIRE PROTECTION SERVICE FEES

SECTION 1. Sec. 42-36. Fee imposed.

The owners of premises within the city shall pay a fee for the provision of fire protection services by the Corunna-Caledonia fire department.

SECTION 2. Sec. 42-37. Residential and agricultural premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, agricultural machinery.

An owner of a residential and agricultural premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, or agricultural machinery shall pay a service fee for each provision of fire protection services (including water and cost of materials) by the Corunna-Caledonia Fire Department to that premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, or agricultural machinery. The service fee shall be set forth pursuant to chapter 38 of the Corunna City Code.

When a particular service rendered by the Corunna-Caledonia Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is involved shall be

liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 3. Sec. 42-38. Business, school, church and government premises.

An owner of a business, school (excluding personal property occurring on school premises), church or government premises shall pay a service fee for the first hour of provision of fire protection services by the Corunna-Caledonia Fire Department as set forth pursuant to chapter 38 of the City Code. Thereafter, the owner shall pay the actual cost of the provision of fire protection services (including water, **manpower, emergency response vehicles**, and cost of materials). ~~up to a maximum set amount service fee, as set forth pursuant to chapter 38 of the Corunna City Code.~~

When a particular service rendered by the Corunna-Caledonia Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 4. Sec. 42-39. Industrial premises.

An owner of an industrial premises shall pay a service fee for the first hour of provision of fire protection services by the Corunna-Caledonia Fire Department to that premises as set forth pursuant to chapter 38 of the City Code. Thereafter, the owner shall pay the actual cost of the provision of fire protection services (including water, **manpower, emergency response vehicles**, and cost of materials). ~~up to a maximum set amount service fee, as set forth pursuant to chapter 38 of the Corunna City Code.~~

When a particular service rendered by the Corunna-Caledonia Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 5. Sec. 42-40. Other services.

Persons residing within or outside of the City of Corunna shall pay a service fee to the Corunna-Caledonia Fire Department for responding to a lift assist that is not in conjunction with a dispatched fire complaint, unauthorized grass and brush fires, hazardous material clean-up services, and false alarms. The service fee shall be set forth pursuant to chapter 38 of the Corunna City Code. **The unpaid fees plus any late charges will be subject to collection.**

When a particular service rendered by the Corunna-Caledonia Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department, and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 6. Sec. 42-41. Non-resident service fee.

Persons residing outside of the City of Corunna shall pay a service fee for each provision of fire protection services (including water, **manpower, emergency response vehicles** and cost of materials) by the Corunna-Caledonia Fire Department. The service fee shall be set forth pursuant to chapter 38 of the Corunna City Code. The unpaid fees plus any late charges will be subject to collection.

When a particular service rendered by the Corunna-Caledonia Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is involved shall be liable for the payment of the full charge for such services. The interpretation and application of this section is hereby delegated to the fire chief of the Corunna-Caledonia Fire Department,

and his/her decision shall be final, subject only to appeal, within the time limits provided herein for payment, to the Corunna-Caledonia Fire Board of Appeals and this section of the ordinance shall be administered so that the charges shall only be collected from persons and property who benefit from the service.

SECTION 7. Sec. 42-42. Deposit of payments.

All payments shall be made to the Corunna-Caledonia fire department, which shall deposit the payments in a capital improvement fire fund created for that purpose.

SECTION 8. Sec. 42-43. Payment due date; late penalty.

Payments are due upon receipt of a billing from the Corunna-Caledonia Fire Department. Any billing not paid in full within 90 days from the due date shall carry interest on the unpaid balance at the rate five percent per annum.

SECTION 9. Sec. 42-44. Unpaid fees; creation of lien.

(a) On September 1 of each year, the Corunna-Caledonia fire department shall notify the city treasurer of unpaid fees within the city. On October 1 of each year, the city treasurer shall certify such fees to the county treasurer who shall cause them to be entered upon the next city and county tax roll against the premises to which such services shall have been rendered and against which such fee has been placed. Such installments shall be a lien on the premises as of the due date thereof and shall be collected and the lien shall be enforced in the same manner as provided in respect to taxes assessed upon the roll.

(b) On September 1 of each year, the Corunna-Caledonia fire department shall notify the deputy clerk of unpaid fees from the owners of premises, airport premises, motor vehicles, aircraft, recreational vehicles, trailers, powered and non-powered watercraft, agricultural machinery, business, schools, churches, governments, and industrial premises who do not reside within the city. On October 1 of each year, the deputy clerk shall certify such fees and forward such fees to a collection agency for the sole purpose of collecting unpaid fire run fees to which such services shall have been rendered and against which such fee has been placed. The unpaid fees plus any late charges will be subject to collection.

SECTION 10. Sec. 42-4345. Waiver of fees.

Fees for the provision of services by the Corunna-Caledonia Fire Department to the following locations shall be waived if the service provided is to search for missing clients, patients or children, assist in accident reconstructions, traffic control, assist in transporting patients or other non-fire related services:

- (1) Pleasant View (Shiawassee County Medical Care Facility).
- (2) All group homes located within the city.
- (3) Owosso Police Department.
- (4) Corunna Police Department.
- (5) Shiawassee County Sheriff's Department.
- (6) Corunna Area Ambulance.
- (7) Michigan State Police.

SECTION 11. FEE SCHEDULE.

FALSE ALARMS	\$300.00 and/or total costs incurred up to \$500.00
LIFT ASSISTS	\$300.00 and/or total costs incurred up to \$500.00
BOMB THREATS	\$300.00 and/or total costs incurred up to \$500.00

When adopted by the City Council, the fee schedule shall be and are hereby incorporated herein. Said fee schedule and waiver of fees from said schedule as set forth in Section 42-45

hereof may be changed from time to time pursuant to Chapter 38 of the Corunna City Code and such changes shall not require a formal amendment of this ordinance.

SECTION 12. SEVERABILITY CLAUSE.

This ORDINANCE and the several sections, sub-sections, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present of future legislation or court decree, the balance of the ORDINANCE shall not be affected thereby.

SECTION 13. CONFLICTING ORDINANCES REPEALED.

All ORDINANCES previously adopted and inconsistent with the provisions of this ORDINANCE are repealed, and in the case of inconsistencies, to the extent of such inconsistencies, are hereby repealed.

SECTION 14. COPIES AVAILABLE.

This ORDINANCE may be purchased or inspected in the City Clerk's Offices, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 15. EFFECTIVE DATE.

This ORDINANCE shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

Roll call vote:

Yes: Jessen, Reichert, Sarrazin, Mehig, Haskins.

No: None.

Motion CARRIED

CONSIDER RESOLUTION NO. 041910-01, A RESOLUTION DESIGNATING A CERTIFYING OFFICER: Mr. Sawyer advised the Downtown Development Authority is in the process of submitting a grant application to the Michigan Economic Development Corporation for their façade improvement program. There is no cost to the city and the property owners have to put up the match dollars. He further advised the state requires a resolution designating a certifying officer which has to be approved by the city council. In addition, any grant will come to the city council for approval. Sarrazin moved, Reichert seconded to adopt the following Resolution 041910-01 Designating a Certifying Officer:

CITY OF CORUNNA
(Shiawassee County – Michigan)

RESOLUTION DESIGNATING A CERTIFYING OFFICER
041910-01

WHEREAS, the Corunna Downtown Development Authority is in the process of making an application to the Michigan Economic Development Corporation requesting CDBG funding

for façade improvements to various buildings within the Downtown Development Authority District, and

WHEREAS, the City of Corunna hereby declares that Joseph Sawyer will be the designated Certifying Officer on all necessary documents required for such application.

IN WITNESS WHEREOF, the City of Corunna, Shiawassee County, Michigan, by its City Council has caused this Resolution to be enacted this date.

Roll call vote:

Yes: Sarrazin, Reichert, Mehig, Jessen, Haskins.

No: None.

Motion CARRIED

2010/2010 BUDGET RECOMMENDATIONS: Mr. Sawyer reviewed the 2010/2011 budget recommendations. Mr. Sawyer advised his effort this year is to maintain the status quo and move forward, which the city will be doing. The city's budget reflects \$9.3 million dollars in revenues and \$8.7 million dollars in expenditures. He further advised a water/sewer rate is done every year and the sewer budget determines the rate structure. The overall rate structure will remain the same except the first 1,000 gallons that use to be included in the water/sewer base rate charge is being recommended for elimination. It is being proposed to lower the sewer commodity rate from \$3.15 to \$3.05 per 1,000 gallons and the water commodity rate from \$2.50 to \$2.10 per 1,000 gallons. If you are a large water user, you would pay less, but if you are a 1,000 per month user, you would pay more. The budget also includes the seven percent increase that the City of Owosso just implemented. He also advised if the city council had any questions to bring them up during the budget work sessions.

ROUNDTABLE DISCUSSION: Councilperson Reichert advised he was happy to be involved in the World War II Memorial.

Councilperson Haskins advised Debbie Bentley did a wonderful job with the memorial and it was great to learn about the veteran's being added to the memorial.

Councilperson Sarrazin advised he had nothing to discuss.

Councilperson Jessen advised he had nothing to discuss.

Councilperson Mehig advised he had nothing to discuss.

Mayor Kerridge advised the Grille on Main restaurant is doing wonderful. He further advised on May 4, 2010 at 12:30 p.m., he is being locked up for Muscular Dystrophy and the proceeds will send kids from Shiawassee County to camp so he is looking for some bail money.

Mr. Sawyer advised on May 3, 2010, the VFW Poppy Queen will be here so remember to bring a dollar.

ADJOURN: Jessen moved, Reichert seconded to adjourn.

Roll call vote:

Yes: Reichert, Sarrazin, Jessen, Haskins, Mehigh.

No: None.

Motion CARRIED Time was 8:28 p.m.

Charles Kerridge, Mayor

Nichole L. Cowdrey, Clerk/Treasurer