

**BROWN CITY COUNCIL PROCEEDINGS**  
**May 12, 2008**

Meeting called to order at 7:00 p.m. by Mayor Laura Carpenter.

Pledge of Allegiance led by Mayor Carpenter.

**PRESENT:** Mayor Laura Carpenter, Councilmembers: Pat Jacobson, Julie Miller, Ross McIvor, Mike Lents, Christine Lee, and Ken Brown; City Attorney Gregory Stremers, City Manager Clint Holmes, City Clerk Kelly Pavel.

**ABSENT:** None.

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:** None.

One item added under Petitions and Communications per City Manager.

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Brown, second by CM McIvor, to accept the Regular Meeting Minutes of April 28, 2008 as presented. Motion carried.

**PAY BILLS:**

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$13,9310.52, Payroll - \$12,52176, Major Street - \$272.08, Local Street - \$257.07, Sanitary Sewer - \$514.92, Water - \$385.96, Arsenic Abatement - \$15,057.19, Equipment - \$363.16. Motion carried.

**PUBLIC QUESTIONS & COMMENTS:** None.

**PERSONAL APPEARANCES:** None Scheduled.

**POLICE REPORT:**

Written report reviewed. No questions or comments.

**UNFINISHED BUSINESS:**

1. 7030 Welles Street Basement Flooding – Line televised – No leaks detected – No additional information.
2. Motorcycle Club Park Use Scheduling – Park Board approved their use for the weekend of August 9<sup>th</sup>. See Park Board Minutes for May 8<sup>th</sup> (orange).

**PETITIONS & COMMUNICATIONS:**

1. 4120 Second Street – Erect 18' X 33' above ground swimming pool.
2. 6914 James Street – Demolish shed.

Motion by CM Brown, second by CM Lents, to accept the pre-application building permit for 4120 Second Street to erect an 18' X 33' above ground swimming pool. Motion carried.

Motion by CM Brown, second by CM Lee, to accept the pre-application building permit for demolition of shed at 6914 James Street. Motion carried.

**PUBLIC HEARING:** None Scheduled.

**ORDINANCES:** None scheduled.

**RESOLUTIONS:** None scheduled.

**MANAGER'S REPORT:**

1. **Brown City Fire Authority:** The Authority met for their regularly scheduled meeting on May 6<sup>th</sup>. The focus of the meeting was a public hearing to determine if 12 sections of Flynn Township currently located in the Marlette Fire Department area of responsibility could transfer to the Brown City Fire Authority. The meeting was well attended by residents living in the area under discussion as well as by the Marlette Township Supervisor and the Marlette Fire Chief. Marlette's position is that if the transfer is made, they will charge \$1,000 per hour to assist the Brown City Fire Department for any calls to that area. That amount would probably be billed to the Brown City Fire Authority. Since, as a member of the Authority, Brown City is responsible for a percentage of associated costs, City Council discussion of the issue is appropriate. The Flynn Township Trustees' next meeting is scheduled for May 13<sup>th</sup>.
2. **Downtown Development Authority:** The Brown City DDA met on May 7<sup>th</sup>. The group met with a representative from Michigan Community Development and Consulting concerning the process associated with developing a plan to help improve the downtown and local business climate. The logic of beginning this process now is to have a plan in place for when the economy begins improving. A meeting to discuss the initial report will take place after Brown City Days.
3. **Resident Injury:** A local resident reported falling and injuring herself on the sidewalk at 4126 Main Street. The incident was evaluated by the City's insurance carrier and they are taking it for action.
4. **Cross Connection Inspection:** The DPW Foreman reported the completion of the inspection of businesses. All required repairs should be complete within one month.
5. **Hydrant Flushing:** A reminder that City-wide hydrant flushing will begin on May 19<sup>th</sup>. The entire process should be complete within about five days. There may be some discoloration in the water during this period. Flushing should take place primarily during the day. A notice is being published in the Banner and is posted on the City's website.
6. **Bond:** Phase III consists of about 10,200 feet of 8" and 10" sanitary sewer lines. TV Inspection and cleaning is estimated at \$1.15 per foot. Pipe joints are located approximately every eight feet for an estimated total of 1,275 joints. If 50% of the joints

require repair (the amount for Phase II), an estimated total for Phase III is \$68,467.50 plus a \$300-\$500 trip charge. Phase I is about 16,075 linear feet with 2,010 joints. If TV Inspection and cleaning is required plus repairs to 50% of the joints, the cost is estimated at \$107,931.25 plus trip charge. Total estimated cost is \$176,398.75 plus bond fees of approximately \$20,000.

CM Brown suggests that a Water and Sewer Committee Meeting be held to discuss bond information. CM Lents suggests that committee not report back to Council until the June, 2008 meeting, allowing adequate time for investigation.

Water and Sewer Committee meeting scheduled May 29, 2008 at 5:30 p.m.

- 7. Walter Street Drainage:** The DPW shot grades and determined that an underground culvert is potentially the best solution to resolve the drainage concerns at the north end of Walter Street. This would require the installation of about 440' of 12" plastic culvert and a catch-basin on the corner of Fourth and Walter Streets. Estimated cost for this project is \$4,000 including labor, equipment and materials. How does the City Council wish to proceed? **REQUIRES MOTION.**

CM Lents suggests that grades be checked by another party to make sure this is the proper procedure. City Manager suggests the Davis Engineering would most likely be able to provide numbers as well. Neighbors will be notified of the possible work to be done in the area.

- 8. Water Quality Report:** This report required by the EPA and DEQ must be developed and published prior to July 1<sup>st</sup> of each year. A copy of the 2007 Report appeared in the May 5th issue of the Banner and is posted at City Hall and on the City's website. Copies of the report are available at City Hall and will be mailed to DEQ and the Sanilac County Health Department. A copy is included in your packets (white).
- 9. Michigan Agricultural Commodities:** MAC plans to vacate the railroad easement that is located on the east side of their property. Potential use of this easement is construction of a rail spur or siding to the City's portion of the Renaissance Zone. MAC is requesting a motion from the City Council stating they have no objection to their vacating this easement. The reason for their action is to make available property to expand their storage facilities in the future.
- 10. Exchange State Bank:** The bank is hosting an Open House for elected officials and local business owners on Wednesday, May 14<sup>th</sup> from 5-8 PM. The official ribbon cutting and grand opening is scheduled for Monday, May 19<sup>th</sup> at 9 AM. Huron Consulting is reviewing the final grading to ensure that it is in accordance with the approved plans.
- 11. Demolition of Barn on Renaissance Zone:** Eli Slabaugh is proposing to demolish the barn on the Renaissance Zone at no charge, he simply wants the material. The concrete slab would stay and he proposes that the job could be complete within 90 days. A Hold Harmless Agreement could be prepared by City Attorney for signature by Mr. Slabaugh if the City so chooses.

Motion by CM Miller, second by CM Jacobson, to allow Mr. Slabaugh to demolish the barn on the Renaissance Zone and remove all materials, as well as sign a Hold Harmless Agreement before work begins. Motion carried.

**ATTORNEY'S REPORT:** None.

**TREASURER'S REPORT:**

Discussion regarding receipt and delivery of checks for taxes.

**COMMITTEE REPORTS:**

1. Police (Miller) – none.
2. Water and Sewer (Lents) – none.
3. Tax and Finance (Lee) – none.
4. Streets and Sidewalks (Jacobson) – Committee meeting scheduled for May 14, 2008 at 10:00 a.m. A tree in front of Marion's Studios needs to be removed.
5. Building and Grounds (Brown) – Sign in front of Vandewarkers is blocking the view when seen from the stop sign on Buby Street. City Manager will address issue.
6. Personnel (McIvor) – none.

**GENERAL CONCERNS OF THE COUNCIL:**

CM McIvor discussed area between Tri-County Bank Mortgage Center and the BP Station be worked up and area finished.

**MAYOR'S REPORT:**

1. Mayor's Exchange with Algonac is scheduled for Thursday, June 19<sup>th</sup>. Representatives from Algonac will visit Brown City this year and our elected officials will visit them next year. What events/schedule does the City Council wish included for the visit?

Council provided possible events for the Mayor Exchange Day with Algonac.

**PUBLIC QUESTIONS & COMMENTS:**

Motion by CM Brown, second by CM Miller, to adjourn at 7:54 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk