

**BROWN CITY COUNCIL PROCEEDINGS
JUNE 9, 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, Council members: Pat Jacobson, Julie Miller, Ross Mclvor, Mike Lents, Christine Lee and Ken Brown. City Manager Clint Holmes, City Attorney Doug Touma and City Clerk Kelly Pavel.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

City Manager added one additional bill under "Pay Bills" for Arsenic Plant #2. Also added an additional pre-application building permit under "Petitions and Communications" for 4330 Main Street.

Motion by CM Brown, second by CM Mclvor, to accept the Regular Meeting Minutes of 5-19-08 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$17,712.39, Payroll - \$24,777.51, Major Streets - \$228.21, Local Street - \$395.45, Sanitary Sewer - \$4,596.98, Water - \$3,398.49, Equipment Fund - \$1,717.85. Motion carried.

Motion by CM Lee, second by CM Brown, to pay bills for Arsenic Plant #2, to Huron Consultants in the amount of \$3,042.50. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

PERSONAL APPEARANCES:

1. Scott Western – Candidate for Sanilac County Drain Commissioner.

Mr. Western spoke to the council pertaining to his quest for the Sanilac County Drain Commissioner position.

POLICE REPORT:

Written report reviewed by council. No questions or comments.

UNFINISHED BUSINESS:

1. 7030 Welles Street Basement Flooding – Line televised – No leaks detected.
2. Motorcycle Club Park Use Scheduling – Park Board approved their use for the weekend of August 9th.

No updates on either Unfinished Business item per City Manager.

PETITIONS & COMMUNICATIONS:

1. 7086 Maple Valley Road: Install basement and manufactured home (lot is zoned 'Industrial'.)

CM Brown explained that the Planning Commission denied the 7086 Maple Valley Road pre-application building permit.

2. 4330 Main Street, request to widen driveway.

Motion by CM Brown, second by CM Miller, to accept the pre-application building permit for 4330 Main Street to widen their driveway by 4' toward the house. Motion carried.

PUBLIC HEARING: None Scheduled.

ORDINANCES: None scheduled.

RESOLUTIONS:

City Manager stated that a Public Hearing needs to be held to Review Resolution 08-09 - A Resolution Approving the Initiation of a Project to Significantly Reduce Storm Water Intrusion into the City's Sanitary Sewer System at this time.

Motion by CM Miller, second by CM Lee, to schedule a Public Hearing on June 23, 2008 at 7:15 p.m. to review Resolution 08-09. Motion carried.

MANAGER'S REPORT:

1. **Walter Street Drainage:** The DPW ordered the 440' of 12" plastic culvert and catch basin for the Water Street project. Once we receive final verification of the ditch elevations from Davis Land Surveying, we should be able to schedule the project.
2. **Michigan Agricultural Commodities:** MAC wants to vacate the railroad easement that is located on the east side of their property. MAC is requesting a motion from the City Council stating they have no objection to their vacating this easement. A copy of the request letter and original agreement are attached (orange). A review by the City Attorney resulted in a recommendation that the

original property owner (Robert Kohler) also sign a release. The City Attorney further recommended that MAC be responsible for drawing up the legal papers. How does the City Council wish to proceed?

Council wishes to not act on this vacating of railroad easement at this time.

3. **2007-2008 City Financial Audit:** Lehn King and representatives from his office conducted a detailed financial audit of the City, Library and Fire Authority June 2-4. No significant problems were noted and Mr. King will provide a detailed report to the City Council during the June 23rd meeting.
4. **City Hall Sign:** Flying Colours is assisting the City in the design of a replacement sign on the north and east sides of City Hall. The Library is considering paying for a portion of the signs but have requested review of the design before they are purchased. The signs will be 4' X 4' on ¼-inch aluminum plate. The estimated cost for both is about \$400. A copy of the proposed design is available for your review.
5. **Land Use Ordinance Training:** The Chairman of the Planning Commission, City Attorney and I attended a 4-hour class taught by MSU Extension concerning the new Michigan Planning Enabling Act and Michigan Zoning Enabling Act. The new law will take effect September 1, 2008. Apparently, the City will need to modify our ordinance concerning the Planning Commission as well as issues concerning the Zoning Board of Appeals. Changes to the City's land use ordinance must be completed by 2011.
6. **Brown City Fire Hall:** The City received notification, on behalf of the Fire Department, that the Fire Hall mortgage is now paid in full. This will make available approximately \$15,900 per year to apply toward either equipment purchases or reducing overall costs to the Fire Authority members.
7. **Water Treatment Facility:** The new contractor for the SCADA system has fixed the problems at Well #3 and solved the communications issue between Wells #3 and #4. There is still a problem with the software for the alarm system, but the new software should be here soon. The new contractor seems to be working out well and is much more responsive than the previous one.
8. **MML Fund Loss Control Services:** A visit from the MML for our workman's compensation policy revealed that the City's rating is staying consistently high meaning we should continue to receive lower rates. Two items that they wish the City to address are improving documentation of safety training for the DPW and completion of a survey. Both issues will be resolved shortly.
9. **Noxious Weed Control:** City Manager has had various requests for properties which are in violation of the Noxious Weed Ordinance. These properties are being addressed.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT:

City Treasurer explained interest issues with City Taxes.

COMMITTEE REPORTS:

1. Police (Miller) – none.
2. Water and Sewer (Lents) – Committee meeting May 29th at 5:30 PM. Review of 5-29-08 Committee Meeting Minutes
3. Tax and Finance (Lee) – none.
4. Streets and Sidewalks (Jacobson) – Reminder to review road paving.
5. Building and Grounds (Brown) – CM Brown discussed discussion which took place at the Planning Commission Meeting regarding changing zoning map. He explained his thoughts to not make changes to this.
6. Personnel (McIvor) – none.

GENERAL CONCERNS OF THE COUNCIL:

-CM Miller reminded council that a Blood Drive will take place tomorrow 6-10-08 at the VFW Hall.

-Discussion regarding Huron Consultants review of the Exchange State Bank project. City Manager stated that infractions to the plan have been communicated to Phelan Associates.

-CM Jacobson thanked the Police and Fire Departments, City Hall and City Manager for all their assistance in making Brown City Days successful.

-CM Jacobson also asked if a plan is in place for individuals, such as the recent carnival workers who were in town, to take cover in natural disaster events, such as a tornado.

-CM McIvor stated that a new bowling alley project is getting closer to beginning.

MAYOR'S REPORT:

1. Mayor Exchange – change date to Wednesday June 18.
2. Use of BCCS transportation.

PUBLIC QUESTIONS & COMMENTS:

Bill Walters applauded the Festival Committee for another successful Brown City Days.

Motion by CM Brown, second by CM Lents, to adjourn at 7:34 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk