

BROWN CITY COUNCIL PROCEEDINGS
November 10, 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, Mike Lents, Julie Miller, Ross McIvor, and Christine Lee. City Manager Clint Holmes, City Attorney Doug Touma, City Clerk Kelly Pavel.

ABSENT: CM Ken Brown.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

1. At the request of the City Clerk, add Jonathan Marks under "Personal Appearances."

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Jacobson, to accept the Regular Meeting Minutes of October 27, 2008 as presented. Motion carried.

PAY BILLS:

1. Motion by CM Lee, second by CM Jacobson, to pay the bills in the following funds: General - \$12,447.52, Payroll - \$11,986.44, Major Street - \$104,056.17, Local Street - \$104,137.36, Sanitary Sewer – \$6,696.00, Water - \$8,098.73, Equipment - \$470.88. Motion carried.
2. Motion by CM Lee, second by CM Miller, to pay the Street Project Retention of \$23,084.42 to James P Contracting when recommended by the (Acting) City Engineer. Motion carried.
3. Motion by CM Lee, second by CM Miller, to approve the bill for the Phase III Bond Expense of \$12,500 and forward to Sanilac County for payment. Motion carried.

PERSONAL APPEARANCES:

1. Life Scout Jonathan Marks requested permission from the City Council to conduct his Eagle Scout Project. He plans to hold a fundraiser and install one to four benches along the shore of the pond in the Community Park. He also handed out information to the Mayor and each of the City Councilmembers concerning the types of benches and possible placement locations. He was told that he would need permission from the Park Board because they owned the property and the City only leased it.

Motion by CM Miller, second by CM Lents, to recommend the Park Board to approve the project. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT:

Written report reviewed. No questions of comments.

UNFINISHED BUSINESS: None.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARING: None scheduled.

ORDINANCES: None scheduled.

RESOLUTIONS: None scheduled.

MANAGER'S REPORT:

- 1. Phase III Sewer Rehabilitation Project:** The City contacted Michigan Pipe to determine the schedule for the Phase III Sewer Rehabilitation Project. They plan to start the cleaning process on November 17th and the grouting on November 19th.
- 2. 2008 Street Rehabilitation Program:** The project was essentially completed on November 6th. Payment for 90% of the project was forwarded to the contractor. The City is holding the remaining 10% to ensure completion of the project, final payment of sub-contractors, and successful final engineering inspection. The (Acting) City Engineer provided a punch-list to the contractor and continues routine inspections.
- 3. Maplevue Estates Water Meter:** The City was contacted by two contractors that specialize in water meter pits. Each contractor was given the opportunity to inspect the location and learn details concerning the City's requirements. A bid was received from Ron Bretz Excavating of Lapeer for \$19,674.07. Two bids were received from Genesee Bay Contractors: \$41,500.00 for complete replacement and \$27,500.00 to use portions of the existing vault. How does the City Council wish to proceed? **REQUIRES MOTION.**

Motion by CM Lee, second by CM Lents, to award the contract for the installation of a water meter to Bretz Excavating of Lapeer for \$19,674.07. Motion carried.

- 4. Maple Valley Road Lift Station:** The one motor has been removed for overhaul and is currently being repaired by Hydro-Dynamics, parts had to be special ordered causing the delay. Expect completion of the overhaul and installation the week of November 10th.

5. **Tree Removal/Trimming:** The 2008 Brown City Tree Program is complete. The owner of 6955 Walter Street requested evaluation of the trees in front of their residence and for the City to determine whether the trees were on the City right-of-way. The DPW measured the distance and determined they were the City's responsibility. Raymond's Tree Service provided an estimate of \$725.00 to remove both trees. **REQUIRES MOTION.**

Motion by CM Lents, second by CM Lee, to remove the two trees at the southeast corner of First and Walter Streets and award the contract to Raymond's Tree Service in the amount of \$725.00. Motion carried.

6. **Cell Tower:** The City was notified that the Nextel cell tower was transferred to a company called TowerCo Assets. The existing contract, and required payments, will remain in effect.
7. **Pot Belly Pig:** A resident has asked if owning a pot belly pig as a pet is legal under City ordinances. §92.06 (D) prohibits "Any domestic animal, as defined in §92.02, other than dogs, cats, rabbits, hares, and birds that are household pets, such as canaries and parakeets;". However, when the ordinance was written, having a pig as a pet may not have been anticipated by the City Council. Consultation with the City Attorney revealed that his interpretation of the Ordinance would prohibit a pig. Does the City Council consider a pot belly pig a domestic animal or a pet?

The issue was discussed at length by the City Council. The consensus of the Council and the City Attorney was that pigs are not allowed under City Ordinance §92.

8. **Bullet Resistant Vest Program:** The Department of Justice has awarded the City with a grant of \$1,303.50 toward the purchase of three bullet resistant vests for the City's police officers. This is a reimbursement program. The agreement in the past is that if any of the officers leave City employment in less than 24 months, the City's portion of the cost of the vests will be prorated and billed to the officer.
9. **Finance Committee Meeting:** The City Council Finance Committee needs to meet to review the mid-year 2008-2009 Budget Amendment. Copies of the proposed Amendment will be provided to the members of the Committee at Monday's City Council meeting in order to include the most recent figures. When does the Committee wish to meet?

The Finance Committee will meet on Thursday, November 13th at 6:00 PM in the City Library.

10. **Gannett Directories:** The company has notified the City that they plan to begin distribution of the 2009 Sanilac County telephone directory in the near future.

11. Election Day: Overall, the election went well. A special commendation to Barb Stimson – Election Coordinator, Kathleen Loutzenhiser – Co-Chairperson and Betty Hicks – Co-Chairperson for their hard work and for making the process as smooth as possible. Thanks also to the other election workers: Eleanor Hillman, Myrtle Kohn, Jeanne Morrison, Brenda Murray, Renee Nason, Bud Render, Nicole Sanchez, Sarah Steigerwald, and Lorraine Utter.

12. Veterans Day: City Hall will be closed on Tuesday, November 11th for Veterans Day. However, the Festival Commission meeting will still take place on that day at 6:30 PM in the Library.

ATTORNEY’S REPORT: None.

TREASURER’S REPORT: None.

COMMITTEE REPORTS:

1. Police (Miller) – none.
2. Water and Sewer (Lents) – none.
3. Tax and Finance (Lee) – none.
4. Streets and Sidewalks (Jacobson) – none.
5. Building and Grounds (Brown) – none.
6. Personnel (Mclvor) – none.

GENERAL CONCERNS OF THE COUNCIL:

1. City Clerk Kelly Pavel stated that the Exchange State Bank finally planted the required tree.
2. CM Mclvor was asked about the status of the Bowling Alley clean-up. He stated that the final insurance payout was still pending but should be resolved within 30 days.

MAYOR’S REPORT: None.

PUBLIC QUESTIONS & COMMENTS:

Motion by CM Miller, second by CM Lee, to adjourn at 7:32 PM. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk