

**BROWN CITY COUNCIL PROCEEDINGS
APRIL 27, 2009**

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

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter, Councilmembers: Pat Jacobson, Julie Miller, Mike Lents, Christine Lee. City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

ABSENT: Councilmembers Ross McIvor and Ken Brown.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Jacobson, to accept the Regular Meeting Minutes of 4-13-09 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Miller, to pay the bills in the following funds: General - \$41,255.55, Payroll - \$12,745.84, Major Street - \$224.20, Local Street - \$224.20, Sanitary Sewer - \$1,002.72, Water - \$842.98, Arsenic Abatement - \$14,631.97, Equipment - \$1,528.25. Motion carried.

Motion by CM Lee, second by CM Miller, to approve the invoice for the Phase III Sewer Project in the amount of \$73,227.00 and forward to Sanilac County for payment from the bond proceeds. Motion carried.

PERSONAL APPEARANCES: None scheduled.

PUBLIC QUESTIONS & COMMENTS:

Ray Nogowski and Scott Krampien addressed the City Council with their concerns for a neighbor who has two Pit-bull dogs which are contained only by a cyclone fence. Dogs are on other neighbor's property and are following people who are walking. The dog came very close to biting one of Mr. Krampien's friends while visiting his home, he was held off with a golf club. The owner does not appear consciences in controlling the dogs and the are concerned for people's safety. City Manager will speak with Chief Smith and pursue action as needed.

DPW REPORT: Written report reviewed. No questions or comments.

UNFINISHED BUSINESS: None.

PETITIONS & COMMUNICATIONS: None scheduled.

PUBLIC HEARING: None scheduled.

ORDINANCES: None scheduled.

RESOLUTIONS:

1. **Resolution 09-04** – A Resolution Formally Acknowledging the Approval of Name, Organizational and Bylaw Changes for the East Central Michigan Planning & Development Regional Commission (orange).

City Manager explained the City of Brown City's role as a member of the ECMP&D Regional Commission.

Motion by CM Miller, second by CM Lee, to adopt Resolution 09-04, *A Resolution Formally Acknowledging the Approval of Name, Organizational and Bylaw Changes for the East Central Michigan Planning & Development Regional Commission*. ROLL CALL VOTE: Jacobson-yes, Miller-yes, Lents-yes, Lee-yes, Mclvor-absent, Brown-absent. Motion carried.

MANAGER'S REPORT:

1. **Phase III Sewer Rehabilitation Project:** Michigan Pipe Inspection completed work on Phase III (south of Main Street) and the portion of Phase I west of St Marys Street. Total cost of the Project was \$200,000. Of that, \$165,909.91 was spent on cleaning, televising and grouting, and the remainder went toward bond fees, Sanilac County service fee, and associated administrative costs. A formal report is being prepared for submission to DEQ.
2. **Brown City Street Project:** The City Engineer has completed the survey work on John and Walter Streets. He is completing the engineering for John Street which should be available soon. At the request of the City, no engineering work is being done for Walter Street pending a decision on replacement of the associated water main. Recommend scheduling a meeting of the Sewer and Water Committee to discuss this project, the Lincoln Street Storm Water Project, and storm drainage on Thelman Avenue. *CM Lents suggests that these projects be tabled until monies are available to do a more thorough job.*
3. **Consumer Confidence Report:** Each year, the EPA and DEQ require that the City publish a formal report detailing the quality of our water and the purity tests that were done. A copy must be printed in *The Banner* and posted on the City's Webpage. A copy of the report was in the April 20th edition of *The Banner* but unfortunately left out the last sentence on the report. The Banner will re-print the report. Once published, copies are sent to DEQ and the Sanilac County Health Department. A copy is enclosed for your review (legal blue).
4. **Main Street Clock:** Rhodes Electric installed a new motor and repaired some wiring. As a result, the Main Street clock in front of City Hall is now fully operational.

5. **Sewer Reserve Fund:** The paperwork to establish a new account has been completed and a Resolution of the City Council and the appropriate signatures are required. The interest rate being paid is about 1.50%, or about ten times more than Bank of America. Once the paperwork is complete for the new account, the account with Bank of America will be closed and the money transferred. The City Council will need to make a motion designating the Mayor, City Clerk, City Treasurer and Administrative Assistant as signers, and approve the "Resolution of Lodge, Association or Other Similar Organization" (green) and authorize the Mayor to sign the document on the City's behalf? REQUIRES MOTION.

Motion by CM Miller, second by CM Lee, to direct Mayor, City Clerk, Treasure and Administrative Assistant to sign necessary paperwork to establish a new account for the Sewer Reserve Fund and approve the "Resolution of Lodge, Association or Other Similar Organization" and authorize the Mayor to sign the document on the City's behalf. Motion carried.

6. **Downtown Sidewalks:** The Brown City Fire Department washed off the sidewalks and gutters from the Bus Barn east to Little Texas on the evening of April 20th between about 6 and 10:30 PM. They planned to do some additional work on April 26th.
7. **Hydrant Flushing:** The DPW Foreman has requested the City Council approve hydrant flushing for May 11-15. If approved, the City will place a notice in *The Banner* on May 4th and 11th informing residents of the schedule and to avoid washing white and light-colored clothes while hydrants are being flushed. REQUIRES MOTION.

Motion by CM Miller, second by CM Lee, to flush fire hydrants May 11-15, 2009. Motion carried.

8. **Brown City Clean-Up Days:** Staff is beginning to get inquiries concerning the schedule for Clean-Up Days. Last year they were June 17th & 18th. The DPW Foreman is recommending Tuesday and Wednesday June 16th and 17th. REQUIRES MOTION.

Motion by CM Miller, second by CM Jacobson, to schedule Clean-Up Days for June 16 and 17, 2009. Motion carried.

9. **Sam's Club Community Grant:** Representatives from Sam's Club presented the City with an Application for Community Grant. The new philosophy of the company is to direct grants to smaller communities. Unless the City Council wishes to propose a higher priority project, plan to submit the application for funds to offset the cost of remodeling the old Pool Pavilion. *Council consensus to utilize grant monies for the project.*
10. **Well #3 Water Treatment Facility:** A representative from Huron Consulting presented the City with a complete set of as-builts for Water Treatment Plant #3. They are available for review at the DPW Garage. Additionally, they were tasked to gather the information necessary to create a Request For Proposals for the natural-gas fired emergency generator proposed for Well #3. If there is no objection from the City Council, the RFP will be released as soon as the necessary information is available.

11. **Brown City Days:** The Festival Commission has worked very hard to raise the funds and coordinate the planning for the June 4-7 Brown City Days. A copy of the events schedule is enclosed in your packets (legal white).
12. **Tree Replacement:** Tom's Ultimate Concrete was contacted to replace the dead trees Downtown with concrete. He can do the work; however, we are trying to identify the correct color. Also, the tree in front of the coffee shop and Mr. Ed's seems to be surviving. Does the City Council wish to continue with cementing all four locations? *Council discussion to possibly use a contrasting color to fill tree areas instead of trying to make an actual match to existing brick color.*
13. **Cade Road:** The City received a letter from the owner of the 20 acres located immediately east of Cade Road and north of Autumn Gold. The letter stated that, "In regards to the property we own on Cade Rd., the north end of town, corn will no longer be planted there per your concern. Instead we would like to plant barley, which grows shorter than hay before it is harvested. This will be harvested once a year. If weeds become a concern the property will be disked for weed control."
14. **Sanilac Conservation District:** The City received a letter saying that six-person crews would be available for local projects. Recommend requesting the crew to clean the ditch that runs from Mapleview Estates west of Maple Valley Road to the point just north of Wood Trucking. They may also be available for painting the interior of City Hall. Are there any other projects or alternative projects the City Council would like to request. The letter was received April 24th and an answer is required to Sanilac Conservation District by Tuesday, April 28th.
15. **Brown City Lanes:** A copy of the letter requesting final clean-up was sent to Mr. and Mrs. Kautz and Mr. McIvor. The letter (lavender) was reviewed by the City Attorney prior to mailing and included a copy of City Ordinance § 91.06 Dangerous Buildings.
16. **Police Availability:** The Chief will be on vacation from April 24th through May 3rd. The first week of May, Officer Stracener will be attending (no-cost) training in Lansing provided by the Michigan State Police. The Chief will be working nights that week.
17. **Brown City Days Fireworks:** The Chairperson of the Festival Commission, Patricia Jacobson, received the permit application for the annual fireworks display. This permit requires City Council approval before submission to the state. **REQUIRES MOTION.**

Motion by CM Miller, second by CM Lee, to approve the permit for the June 6th Brown City fireworks. Motion carried.

ATTORNEY'S REPORT: No new business to report.

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:

CM Miller addressed existing Golf Cart Ordinance. Stated that she receives various complaints from time to time that members of the council and/or their families are not following the Golf Cart Ordinance. City Manager will investigate.

MAYOR'S REPORT:

Motion by CM Miller, second by CM Lee, to accept the Proclamation for Public Service Recognition Week 2009 as presented. Motion carried.

PUBLIC QUESTIONS & COMMENTS:

Update by Sanilac County Commissioner Daws.

EXECUTIVE SESSION: None scheduled.

Motion by CM Miller, second by CM Lee, to adjourn at 7:40 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk