

# **BROWN CITY COUNCIL PROCEEDINGS**

**MAY 11, 2009**

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

Pledge of Allegiance led by May Carpenter.

**PRESENT:** Mayor Laura Carpenter, Councilmembers: Pat Jacobson, Julie Miller (arrival at 7:03 p.m.) Mike Lents, Christine Lee, Ken Brown; City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

**ABSENT:** Councilmember Ross McIvor.

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

## **CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Brown, second by CM Lee, to accept the Regular Meeting Minutes of April 27, 2009 as presented. Motion carried.

## **PAY BILLS:**

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$14,956.46, Payroll- \$11,522.61, Major Street - \$3,782.00, Local Street - \$456.76, Sanitary Sewer - \$1,275.00, Water -\$525.13, Equipment - \$901.89. Motion carried.

Motion by CM Lee, second by CM Jacobson, to make the final payment for engineering services for the Water Treatment Facility invoice to Sanilac County in the amount of \$330.00. Motion carried.

**PERSONAL APPEARANCES:** None scheduled.

**PUBLIC QUESTIONS & COMMENTS:** (Anyone wishing to address the City Council concerning items not on the agenda may do so. When recognized by the Council, please state name and address for the record. Please direct all remarks to the whole City Council. The Council reserves the right to delay any action, if required, until such time as when they are fully informed on the matter.)

**UNFINISHED BUSINESS:** None.

## **PETITIONS & COMMUNICATIONS:**

Motion by CM Brown, second by CM Lee, to approve the pre-application building permit for 7123 Welles Street for demolition of this house. Motion carried.

Motion by CM Brown, second by CM Lee, to approve the pre-application building permit for 4281 Main Street, Hilltop House, for an addition to the existing structure. This permit was approved by the Planning Commission at their 5-7-09 meeting. Motion carried.

**PUBLIC HEARING:** None scheduled.

**ORDINANCES:** None scheduled.

**RESOLUTIONS:** None scheduled.

**MANAGER'S REPORT:**

1. **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, he is also putting together engineering for North Cade Road.
2. **Sewer Reserve Fund:** The paperwork to establish a new account has been completed and the money has been transferred to Exchange State Bank.
3. **Hydrant Flushing:** A reminder that City fire hydrant flushing is taking place this week. The City placed a notice in *The Banner* on May 4<sup>th</sup> and 11<sup>th</sup> informing residents of the schedule and to avoid washing white and light-colored clothes while hydrants are being flushed.
4. **Sanilac Conservation District:** The City delivered a letter requesting a work crew be made available for local projects. A job fair to hire the crews was scheduled for May 5<sup>th</sup> and 12<sup>th</sup> in Sandusky. Once the crews are hired, a work priority list will be put together by the Sanilac Conservation District that should include the City of Brown City.
5. **Brown City Lanes:** Work began on the final demolition and clean-up of the bowling alley on May 7<sup>th</sup> and was generally completed later that same day.
6. **Dangerous Buildings:** Councilmember Ken Brown has volunteered to put together a list of buildings in the City that should be inspected by the Sanilac County Building Inspector to determine if they are in violation of the City's Dangerous Building Ordinance. If they meet the requirements, the City will begin the process of requiring they be repaired or demolished.

CM Miller arrived at 7:03 p.m.

7. **Thelman Avenue:** The eight-inch culvert was successfully replaced in Thelman Avenue on May 5<sup>th</sup>. An attempt was made to insert a new plastic tube inside the culvert connecting Thelman to the Sutter Drain. The effort was not successful due to large amounts of dirt in the line. The DPW Foreman contacted Tri-County Sewer Service which is scheduled to clear the culvert in about two-weeks.
8. **Board of Review:** Al Teryak resigned from the Board of Review on May 6<sup>th</sup> after serving for several years. He has sold his home and is moving to Clarkston. If any of the Councilmembers want to recommend the name of a replacement, please let me know.

- 9. Planning Commission Appointment:** Art Potts has resigned from the Planning Commission and Park Board. The Park Board will meet on May 14<sup>th</sup> and selecting a replacement is on their agenda. For the Planning Commission, Jay Berry – owner of Brown City Elevator – has volunteered to serve on the Commission. At their May 7<sup>th</sup> regular meeting, the Planning Commission passed a motion to recommend that the City Council appoint Jay Berry to the Planning Commission. **REQUIRES MOTION.**

Motion by CM Lee, second by CM Brown, to appoint Jay Berry to the Planning Commission to complete the term of resigned representative, Art Potts. Motion carried.

- 10. Planning Commission Meetings:** The Planning Commission also passed a motion to postpone future Planning Commission meetings if there are no action items on the agenda. Recommend the City Council approve this policy. **REQUIRES MOTION.**

Motion by CM Brown, second by CM Lents, to accept the policy that if there are no action items on the Planning Commission Agenda that no meeting will be held. Motion carried.

- 11. DPW Garage:** The DPW Foreman has requested the installation of a 24' X 36' concrete slab in the front of the salt bin. The estimated cost for this project is \$2,808. The money for this project was included in this year's budget. **REQUIRES MOTION.**

Motion by CM Lents, second by CM Jacobson, that the City Manager send out an RFP for concrete slab work at the City Garage. Motion carried.

- 12. Revenue Sharing:** Governor Granholm issued an executive order on May 6<sup>th</sup> for \$350,000,000 in budget cuts state-wide. This included a reduction of \$41,000,000 in Revenue Sharing with Michigan cities to include Brown City. Revenue Sharing provides approximately 16% of our General Fund Revenues. The Michigan Municipal League estimates that our funding will be cut by about 3.7% which is \$5,798. Having anticipated this cut, the City's Budget was adjusted to reflect this reduction prior to its approval by the City Council last March. If there are no additional cuts, service to our residents should not be affected; however, if the state makes additional cuts, some reduction of services will be necessary.

## **ATTORNEY'S REPORT:**

City Attorney Stremers informed the council that if they are in a situation where the removal of a Dangerous Building is appropriate that he has a standard agreement available to the homeowner if the owner wishes to comply with ordinances and complete necessary work to omit the removal of the structure.

## **POLICE REPORT:**

1. Chief Smith has researched the rules which apply to golf carts and stated that the State of Michigan does not want golf carts on M90 for any reason, even to cross the street. He also reported that questions often arise pertaining to the comparison of golf carts versus mules as well as ATVs. Chief Smith feels it is imperative that a consistent process be enforced. The City Attorney also stated that the City must follow State law.

2. Chief Smith also has investigated the complaints surrounding pit bull dogs on 4<sup>th</sup> Street. All neighbors and the dogs owners have been interviewed. The next time a dog has left the owner's property Chief Smith will be contacted and a citation served. Chief Smith stated that the courts will order the owner to restrain the dog(s) properly or they will be removed and destroyed.
3. Also reported that junk cars were investigated and necessary citations were completed.
4. Chief Smith will begin investigation surrounding grass that is in violation of ordinances due to length.

**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 (McIvor) – None.

**GENERAL CONCERNS OF THE COUNCIL:**

City Manager made the council aware that Attorney Stremers provided last minute paperwork for the DDA last week in order for a transaction to take place.

**MAYOR'S REPORT:** None.

**PUBLIC QUESTIONS & COMMENTS:**

County Commissioner Daws reported that Sanilac County Commissioner meeting time has been changed to 10:00 a.m., still remaining on Thursdays.

**EXECUTIVE SESSION:** None scheduled.

Motion by CM Miller, second by CM Jacobson, to adjourn at 7:21 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk