

# **BROWN CITY COUNCIL PROCEEDINGS**

**JULY 13, 2009**

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

Pledge of Allegiance led by Mayor Carpenter.

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

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

Motion by CM Lee, second by CM Brown, to accept the Regular Meeting Minutes of June 22, 2009 as presented. Motion carried.

## **PAY BILLS:**

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$16,032.45 (3673-3704), Payroll - \$12,814.41 (4174-4193), Major Street - \$1,590.00 (3652-3655), Local Street - \$450.00 (4117), Sanitary Sewer - \$6,988.25 (2936-2944), Water - \$13,059.41 (1652-1661), Arsenic Abatement - \$100.00 (1096), Storm Sewer - \$74.35 (1051-1052), Equipment - \$589.14 (1192-1196). Motion carried.

Motion by CM Lee, second by CM Jacobson, to pay James P. Contracting, Inc. \$11,542.21 from both the Major Street Fund and \$11,542.21 from the Local Street Fund for road project work, pending City Engineer approval. Motion carried.

CM McIvor and City Clerk arrived at 7:01 p.m.

## **PERSONAL APPEARANCES:**

Mr. Lehn King, City Assessor reviewed the City's 2008-2009 Audit results. He stated that the audit went well and the books are in good order.

**PUBLIC QUESTIONS & COMMENTS:** None.

## **POLICE REPORT:**

Written report reviewed. No questions or comments.

**UNFINISHED BUSINESS:** None.

**PETITIONS & COMMUNICATIONS:** None.

**PUBLIC HEARING:** None scheduled.

**ORDINANCES:** None scheduled.

**RESOLUTIONS:** None scheduled.

### **MANAGER'S REPORT**

1. **Brown City Street Project:** Coordination with the City's (acting) engineer revealed that the engineering plans for John Street are almost complete. Once received, expect to release a Request for Proposals (RFP). They will be due August 6<sup>th</sup> for action by the City Council on August 10<sup>th</sup>. Work must be completed by September 4<sup>th</sup> (prior to school opening on September 7<sup>th</sup>).
2. **Library Contract:** The Library Board is scheduled to meet about July 22<sup>nd</sup>. Plan to discuss the proposed library rental agreement at that time. Hope to present the document to the City Council for action on July 27<sup>th</sup>.
3. **County ATV Ordinance:** The City Manager attended the Public Hearing concerning the adoption of an Ordinance to allow the use of ATVs on Sanilac County Roads (white). A representative from the Michigan State Police provided an overview of the state law. At least two representatives from Townships did not support the Ordinance. No action was taken by the County Commissioners. A copy of the City's Ordinance concerning Low-Speed Vehicles was provided to the Sanilac County News.
4. **Battle of the Bands:** The Brown City Lions Club received permission from the Park Board for a "Battle of the Bands" in the Brown City Park on August 29<sup>th</sup>. The program will take place in the area south of the South Pavilion, begin at about 1 PM and continue until about 9 PM. The Lions Club is responsible for insurance and clean-up.
5. **Thumbworks! Summer Youth Employment:** The City has requested two youth workers to assist the DPW with cutting the weeds in the local ditches, painting and work in the Park. The two individuals are paid for by the federal government as part of a stimulus grant. The City has asked for them to work 40-hours a week for the rest of the summer. The City will provide equipment, such as weed wackers, but pay, benefits, and other expenses are bourn by Thumbworks!
6. **DPW Injury:** On the afternoon of July 1<sup>st</sup>, Henry Owens injured his leg while working at the DPW Garage. The preliminary diagnosis is a tear in his left Achilles tendon. The DPW Foreman does not expect him to be fit for duty for some period of time. The required Workers Compensation paperwork has been filed with MML.
7. **Trees:** The City sent out several RFPs and received three completed ones back. They were opened on July 9<sup>th</sup> at 4:00 PM with the following results (in alphabetical order): Owen Tree Service (Attica) - \$1,400; Raymond's Tree Service (Brown City) - \$1,200; and The Tree Doctor (Brown City) - \$1,900. How does the City Council wish to proceed? **REQUIRES MOTION.**

Motion by CM Brown, second by CM McIvor, to hire Raymond's Tree Service for local tree trimming to be completed at a price of \$1,200.00. Motion carried.

8. **Ordinance 153:** The draft “Wind Energy Systems (WES) Ordinance” was discussed by the Planning Commission at their regular July 2<sup>nd</sup> meeting. They tabled the Ordinance pending receipt of additional information and research.

9. **Electronic Banking:** The banks where the City has accounts offer electronic banking. This will allow the City to check the receipt of electronic transfer of funds (ETFs) and interest payments. Currently, the bookkeeper and Treasurer must wait until the monthly paper bank statements are received in the mail. There is no cost for this service and would assist with maintaining a record of account. Request the City Council authorize the Mayor to sign the appropriate documents. **REQUIRES MOTION.**

Motion by CM Miller, second by CM Lee, to authorize the Mayor to sign documents allowing electronic banking services for the City. Motion carried.

10. **Fourth Street Storm Drain:** The DPW smoke tested the two storm drains located on the north and south sides of Fourth Street between James and Walter Streets. They were found to be connected and the discharge flows to the north between 4194 and 4174 Fourth Street. The storm water is suppose to go to the ditch located on the north side of the old runway; however, since the line is collapsed in several places, no water flows out at all. Following survey and location work by the DPW, the recommendation is to install a six-inch field tile from just north of Fourth Street to the existing ditch. The DPW Foreman estimates the cost at less than \$5,000. If approved, the City will need to get permission from the property owners before work can begin. **REQUIRES MOTION.**

Motion by CM Lents, second by CM McIvor, to approve Fourth Street Storm Drain work to be completed upon easements being granted by necessary property owners. Motion carried.

11. **Utility Bills:** The City sent bills (pink) to each of the landlords in town detailing the additional cost for 6 occupants rather than the number they last reported. Bills ranged from about \$20 up to over a thousand in the case of the larger apartments complexes. Not surprisingly, I was contacted by each of the landlords soon after the bills arrived. They were each told that if they would promise to inform the City of the total number of occupants in their apartments at least one week before the bills were printed for the new quarter, they would not have to pay the extra amount this time; however, if they fail to report in the future, they now knew the additional amount they would be required to pay. Most were agreeable.

12. **Strategic Plan Task Force:** At the last City Council meeting, the Executive Director of the Sanilac Economic Alliance presented an outline for a proposed strategic plan for the City. He recommended that the City Council put together a Task Force of six to ten people to work on the plan. Recommend two Councilmembers, two business owners, two residents, and a representative from the Park Board (Ron Campbell). How does the City Council wish to proceed? Consensus to look for volunteers.

13. **New Fire Truck:** The new Brown City Fire Department pumper is still under construction but nearing completion. Fire Chief Jimmy Groat, Jr., reports that the truck should be delivered next month. The total cost is about \$250,000.

14. **City Attorney:** The City Managers of Brown City, Marlette and Croswell jointly nominated Greg Stremers for the 2009 Michigan Association of Municipal Attorneys (MAMA) Distinguished Municipal Attorney Award. The MAMA Board of Directors is

scheduled to meet July 15<sup>th</sup> and will make a decision by the end of August. The nomination was made because of the exceptional work Greg does for our cities.

**ATTORNEY'S REPORT:**

Attorney Stremers thanked City Manager and neighboring cities for their support in nominating him for the 2009 Michigan Association of Municipal Attorneys.

Attorney Stremers reported that Chief Smith has had ongoing difficulties with a barking dog issue. Stremers will contact the dog's owner via telephone tomorrow in hopes of solving this issue outside of court.

**TREASURER'S REPORT:**

Summer taxes were picked up. System updates were made and bills have been mailed.

**COMMITTEE REPORTS:**

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

**GENERAL CONCERNS OF THE COUNCIL:**

CM Jacobson reported that the weeds at the end of Welles Street need to be cut as well as the land locked lot behind Mr. Beldock.

**MAYOR'S REPORT:** None.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

Motion by CM Jacobson, second by CM Miller, to adjourn at 7:41 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk