

BROWN CITY COUNCIL PROCEEDINGS

AUGUST 24, 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.

ABSENT: None.

Additions, Deletions and Corrections to Agenda: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Brown, second by CM McIvor, to accept the Regular Meeting Minutes from August 10, 2009 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General \$16,910.22 (3752-3765), Payroll \$10,969.67 (4225-4236), Major Street \$60.00 (3662), Sanitary Sewer \$800.22 (2956-2958), Water \$7,209.96 (1680-1686), Equipment Fund \$1,462.62 (1199-1200). Motion carried.

PERSONAL APPEARANCES: None scheduled.

PUBLIC QUESTIONS & COMMENTS: None,

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

UNFINISHED BUSINESS:

1. 4322 Main Street: Install 6' privacy fence on west property line.

CM Brown and CM Lents investigated the fence to be installed and discussed the request.

Rockford Komondy from 4322 Main Street presented her survey and discussed her intentions for the installation of her fence.

Motion by CM Lents, second by CM Brown, to accept the pre-application building permit for 4322 Main Street to install a 6' privacy fence on the west property line provided that nothing is installed on neighbor's property and the fence is extended to the garage. Motion carried.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARING: None scheduled.

RESOLUTIONS: None scheduled.

ORDINANCES: None scheduled.

MANAGER'S REPORT:

1. **Brown City Street Project:** Councilmember Mike Lents, City Staff, and the (acting) City Engineer met with the Vice-President of Pro-Line Asphalt on August 12th to review requirements. The Contractor began work on the John Street Project on August 18th. The street is expected to be completed by September 4th.
2. **Medical Marihuana Training:** The Sanilac County Prosecuting Attorney sponsored a program that provided information for law enforcement concerning Michigan's new medical marihuana law. The law is relatively complex and will provide some distinct challenges for law enforcement. There are also some areas of the law which will require judicial interpretation that is still pending. The short version is that any juvenile or non-ID carrying person in possession will be arrested and charged. The "arrestee" must then prove in court (affirmative defense) that they are authorized to possess the drug or be convicted.
3. **Fourth Street Storm Drain:** The City's (acting) engineer is currently drawing up the formal easements for the Fourth Street Project. Once signatures are obtained, the work can be contracted.
4. **Windmills:** Thumbworks! sponsored a class for contractors interested in installing and maintaining "utility scale wind energy systems." I attended the class to determine if any zoning related issues would be included in the presentation. None were. However, the Michigan State University Extension Office is sponsoring training on "Planning and Zoning for Small Energy Conversion Systems" in Lapeer on Wednesday, September 16th. Are any of the City Councilmembers interested in attending this training?
5. **Hilltop House:** The DPW completed the 2" water tap between the water main and the curb on Main Street on August 17th. Fritz Builders (the Contractor) is now completing the lead into the house. A bill for \$8,354.50 was presented to the Contractor for the work.
6. **Park Tree:** Following a complaint by a resident, the City inspected a tree on the border of the Park and south of Grant Street. The tree should be removed. The Park Board met on August 13th and decided to remove the tree. The City contracted with a local tree removal firm and the tree will be removed on or about August 28th.
7. **Dangerous Buildings:** Letters were sent to the owners of 4190 and 4182 Maple Street requesting that they immediately contact the City Manager and explain why there has

been no apparent progress on these two properties. The City Attorney has been requested to obtain an "Investigative Search Warrant" naming Sanilac County Department of Construction as the enforcing agent for 4179 Maple and 4437 Vine Street.

8. **Emergency Generator:** The local electrician will provide an estimate for this project as will a couple of additional firms.
9. **Battle of the Bands:** Scheduled to take place in the Brown City Park on August 29th. The event is being sponsored by the Brown City Lion's Club.
10. **Soffit Repair:** Jim's Carpentry submitted a bid for soffit and fascia repair to City Hall for a cost just under \$1,400.00. Council consensus to hire Jim's Carpentry to complete repair work to City Hall.
11. **Water Tower Inspection:** Dixon Engineering provided a quote of \$1,195.00 for a complete internal and external inspection of the water tower.

Motion by CM Lents, second by CM Lee, to hire Dixon Engineering to complete internal and external inspection of the water tower. Motion carried.

ATTORNEY'S REPORT:

Attorney Stremers stated that warrants are being obtained for inspection on the dangerous buildings in town.

TREASURER'S REPORT:

Written report reviewed. No questions or comments.

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:

City Clerk questioned if the Mayor was able to vote at the last Regular Meeting pertaining to the request for liqueur license because there was not a tie vote. City Attorney stated that the City Charter does allow for the Mayor to vote in the mentioned situation.

MAYOR'S REPORT

1. Mayor Carpenter read a thank you note from Mary Gunn.
2. Reminder that Mayor Exchange Day with Algonac is August 26, 2009.

PUBLIC QUESTIONS & COMMENTS:

Larry Steigerwald discussed his concern for a travel trailer parked in the front yard for a length of time by a resident in his neighborhood.

Larry Steigerwald questioned CM Miller on her reasoning for the vote she cast in the last Regular Scheduled Council Meeting pertaining to the liquor license request.

Ellen Brown stated that she has had her travel trailer in her yard for about one month because it is being prepared for travel and cleaned. She and her husband are also having a second driveway built for this trailer.

Keith Redlin discussed his concern for a fence being installed between him and his neighbor, but is glad that the fence is being installed to the garage.

County Commissioner Daws provided updates regarding County business and happenings.

EXECUTIVE SESSION: None scheduled.

Motion by CM Lee, second by CM Brown, to adjourn at 7:42 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk