

**BROWN CITY COUNCIL PROCEEDINGS  
OCTOBER 24, 2005**

Meeting called to order by Mayor Pro-Tem Julie Miller at 7:00 p.m.

Pledge of Allegiance led by City Clerk Kelly Pavel

**PRESENT:** Mayor Pro-Tem Julie Miler, Councilmembers Frank Lukacs, Eugene Navock, Ross McIvor, Christine Lee, and Leon Blatt; City Manager Clint Holmes, City Attorney Gerard Garno, City Clerk Kelly Pavel.

**ABSENT:** Mayor Laura Carpenter

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

Moved by CM Lee, second by CM McIvor, to accept the October 10, 2005 Minutes as presented. Motion carried.

Moved by CM Lee, second by CM Blatt, to pay the bills in the following funds: General - \$24,328.68, Payroll - \$17,642.09, Major Street - \$5,128.00, Local Street - \$2,075.75, Sewer - \$13,002.21, Water - \$21,198.18, Investment - \$21,015.38. Motion carried.

**PUBLIC QUESTIONS & COMMENTS** – None.

**PERSONAL APPEARANCES:** None scheduled.

DPW Report – Reviewed by council, no questions.

**OLD BUSINESS:**

1. Bullock Project – awaiting response from Mr. Bullock's attorney.
2. International Union of Operating Engineers Local 324 – see below.
3. Status of Llink Technologies Contract – SCEDC Director Benish is finalizing.

**PETITIONS & COMMUNICATIONS:** None.

**PUBLIC HEARING:** None scheduled.

**ORDINANCES:** None.

**RESOLUTIONS:**

Resolution 05-15 – Resolution of the City of Brown City to approve the 2006 Streetscape Project Contract with the Michigan Department of Transportation (MDOT Contract Number 05-5386.) Background provided by City Manager Holmes, his suggestion was to table until the resolution until an updated contract with proper dollar figures is received from MDOT.

Moved by CM Lukacs, second by CM Lee, to Table Resolution 05-15. Motion carried.

#### **CITY MANAGER'S REPORT:**

- 1. Llink Technologies Parking Issues:** Since the company has expanded much faster than expected, an acute parking problem has developed. Mr. Rick Knill, President of Llink Technologies, met with me to discuss potential solutions. There are a couple of long-term solutions available to Llink, but a more immediate alternative is needed. MDOT was contacted to determine if a crosswalk could be placed between the parking lot at Xplorer, across M-90, to Llink and/or if the speed limit can be adjusted. One other possibility is making Opportunity Drive a one-way street going south and put in diagonal parking. Is this something the Streets and Sidewalks Committee should meet to discuss so a recommendation can be made to the City Council?

Streets and Sidewalks Committee Meeting was scheduled for 10/28/05 at 11:00 a.m.

- 2. 2005 Street Program:** Boddy Construction has essentially completed work on James and First Streets. A total of five concerns/complaints: Two were concerns that higher curbs may increase storm water (6933 and another on James Street). The (acting) City Engineer of Davis Land Surveying and Engineering was contacted, and he in turn contacted their on-site representative Mike Lents to investigate this concern and discuss with the property owners. The third complaint was about the abrupt end of First Street by one of the firefighters. The DPW is to grade the dirt at the end of the street and erect a sign that says, "Road Ends." The fourth issue is the abrupt drop off going into the driveway behind Little Texas/Radio Shack. Options are being reviewed. The fifth complaint was that the patch on Reed Street is not thick enough, the Engineer will investigate. Another item was that was brought to the City's attention by the Engineer is that one of the pieces of Boddy's equipment ruptured a hydraulic line causing a spill onto the new asphalt. Apparently there was no damage, but Boddy Construction was notified in case there are future problems. The 2005 Street Program is complete except for the final engineer's inspection (and of course paying the bill).
- 3. Arsenic Abatement Project:** Rowe Engineering has provided a contract, and it has been forwarded to the City Attorney for review. They wish to meet with representatives of the City the last week in October to begin the analysis process in order to meet the February 1 DEQ deadline. While initial meetings with a consultant are usually confined to administration and operations, there could be policy questions involved. Therefore, do members of the City Council or Sewer and Water Committee wish to participate in this meeting?

Water and Sewer Committee Meeting was scheduled for 10/28/05 at 10:00 a.m.

- 4. Main and Maple Street Trees:** Miss Dig has marked the tree planting areas and Steinkopf's Nurseries & Farms was notified that they may plant the trees at any time. I would expect this to be completed within the next few days. The City has requested separate bills so that MDOT can reimburse the City for the Main Street trees. Of note,

Steinkopf is providing trees that are larger in diameter than originally contracted for, but at the same price.

5. **Methodist Church Parking Lot Lease:** The agreement with the Church is pending.
6. **Post Office Sidewalk:** The owner of Tom's Ultimate Concrete was again contacted to satisfactorily complete the landscaping associated with the 2005 City Sidewalk Project. He also agreed to inspect the crack in the new sidewalk at the Post Office and make a recommendation to the City concerning courses of action. A response is still pending.
7. **Police Hiring:** An advertisement was run in the Sanilac County News on October 5<sup>th</sup> and 12<sup>th</sup> resulting in the receipt of eight applications for part-time police officer. Of those, five were selected for an interview. Two of these interviews have been completed, and the rest are being scheduled by Chief Smith. We plan to hire between two and four additional part-time officers.
8. **Community Recreation Plan:** Of the Requests for Proposals given out, the City received eight responses. Three declined to participate and the remaining five were reviewed by the Park Board. A special committee was appointed and consists of select members of the current Park Board. They will make a recommendation to the City Council. A copy of the spread sheet is in your envelope; the Proposals are available for review.
9. **MDOT Training:** The half-day MDOT class titled "The 2005 Transportation Information & Input Program for Rural Elected Officials" took place October 12<sup>th</sup> in Cass City. A copy of the summary spreadsheet listing upcoming projects is attached.
10. **Ordinance Codification:** American Legal Publishing was contacted to determine the status of the ordinance codification project. Preliminary work, such as scanning and ordinance listing, has been completed and work continues on the editing. They expect to provide a draft copy by the end of November.
11. **Brown City Area Fire Authority:** The Department is having their annual Christmas party on Saturday, December 3<sup>rd</sup>. I need to know before Friday if you plan to attend so I can give a count to the fire chief for planning.

## **ATTORNEY'S REPORT:**

1. Still awaiting a signed release from Mr. Bullock.
2. International Union of Operating Engineers Local 324 contract has been reviewed and revised. Contract has been forwarded to Union, awaiting response.
3. Proposed Severance Package Addendum to City Manager Holmes' contract has been reviewed with one minor change made.
4. MDOT Contract has been reviewed, recommendation that an indemnification clause be added.

5. Rowe Inc. Contract has been reviewed, numerous concerns, written recommendation will be forwarded to City Manager.
6. Past Llink contract discussed, consensus that \$25K from the City for utilities, such as water and sewer connections, was in kind and not cash.
7. Note that there is a discrepancy in clocks inside and outside of City Hall. Suggestion that clocks are adjusted properly, especially when meeting times are posted for public involvement.

**COMMITTEE REPORTS:**

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – committee meeting was scheduled for 10/28/05 at 9:00 a.m.
4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – International Union of Operating Engineers Local 324 Agreement has been forwarded to Union, awaiting response.  
Discussion regarding recent Annual Review and Adjustments to City Manager at-will-status agreement. Committee recommendation to grant City Manager Holmes a 4 % wage increase and a six (6) month severance package.

Moved by CM Lukacs, second by CM Lee, to grant City Manager Holmes a 4% wage increase as well as a six (6) month severance package, effective 11/16/05. Motion carried.

**GENERAL CONCERNS OF THE COUNCIL:**

Moved by CM Lee, second by CM Blatt, to close the library on 11/8/05 due to the General Election. Motion carried.

City Attorney Garno reported that research has revealed that in the case of a Mayor Pro-Tem acting, Mayor Pro-Tem does have the right to cast votes as part of normal council proceedings.

**MAYOR'S REPORT:** None.

Moved by CM McIvor, second by CM Lee, to adjourn at 7:34 p.m.

Respectfully submitted,

Kelly Pavel  
City Clerk