

**BROWN CITY COUNCIL MINUTES
SEPTEMBER 25, 2006**

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

Pledge of Allegiance led by City Clerk Pavel.

PRESENT: Mayor Pro-Tem Julie Miller, Councilmembers Ron Wood, Ross McIvor, Mike Lents, Christine Lee, and Leon Blatt. City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

ABSENT: Mayor Laura Carpenter.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION AND APPROVAL OF MINUTES:

Moved by CM Lee, second by CM Blatt, to accept the September 11, 2006 regular meeting minutes as presented. Motion carried.

PAY BILLS:

Moved by CM Lee, second by CM Blatt, to pay the bills in the following funds: General - \$15,304.93, Payroll - \$11,762.09, Major Streets - \$655.50, Local Street - \$62.50, Sewer - \$977.34, Water - \$881.34, Arsenic Fund - \$2,015.00. Motion carried.

PUBLIC QUESTIONS & COMMENTS:

Larry Steigerwald questioning franchise agreement with Comcast. Additional cable service was to be available by June 1, 2006. Service is not available as of yet, although Comcast does continue to work at providing this service. Mr. Steigerwald questions why the contract is being extended. City Manager will review and update council.

PERSONAL APPEARANCES: None scheduled.

DPW REPORT:

Written report reviewed no questions or comments.

OLD BUSINESS:

1. Bullock Project – nearing completion. Surveying has been completed, a formal report has been submitted and being reviewed to proceed with necessary work to be completed. Discussion regarding erosion control necessities.
2. Codification of City Ordinances – Mayor and City Council will each received a copy at the September 25 meeting. Review will continue.

3. Arsenic Abatement – The review of preliminary plans by DEQ is complete.

RESOLUTIONS:

Moved by CM Lee, second by CM Wood, to adopt Resolution 06-08, *a Resolution Of The City Of Brown City To Amend The City's 2006-2007 Budget To Better Reflect Revenues and Expenditures*. ROLL CALL VOTE: Wood-yes, McIvor-yes, Miller-yes, Lents-yes, Lee-yes, Blatt-yes. Motion carried.

City Manager discussed 5-year recreation plan which the Park Board did approve with no changes at their 9-14-06 meeting.

Moved by CM McIvor, second by CM Blatt, to adopt Resolution 06-09, *a Resolution Approving and Park Endorsing the Brown City Community Recreation Plan 2006-2011*. ROLL CALL VOTE: Wood-yes, McIvor-yes, Miller-yes, Lents-yes, Lee-yes, Blatt-yes. Motion carried.

ORDINANCES: None scheduled.

PETITIONS & COMMUNICATIONS:

Moved by CM Blatt, second by CM McIvor, to accept the pre-application building permit for 7140 Lincoln Street to remove and replace shingles. Motion carried.

Letter from the Sanilac County Department of Construction– review of informational letter by City Manager.

PUBLIC HEARING

Mayor Pro Tem Miller opened the Public Hearing at 7:15 p.m., a Public Hearing for a Child Daycare Center Request for 6883 Thelman Avenue.

John Liebler questioned special use permit transfer with property. If the ownership of property changes hands, the special use permit is null and void. Mr. Liebler also questions if maximum number of children being cared for is changed from 6 does this need to be re-approved by the council – yes. Mr. Liebler had specific questions regarding hours for Mrs. Groat. Discussion regarding state and county guidelines.

Mayor Pro-Tem Miller closed the Public Hearing at 7:20 p.m.

Moved by CM Lee, second by CM McIvor, to grant a Special Use Permit allowing a daycare request for 6883 Thelman Avenue. Hours of operation are from 6:00 a.m. to 6:00 p.m., Monday through Friday. Children will be from infancy to the age of 12. ROLL CALL VOTE: Wood-yes, McIvor-yes, Miller-yes, Lents-yes, Lee-yes, Blatt-yes. Motion carried.

MANAGER'S REPORT:

- 1. August 3-4 Flood:** The request for proposals (RFP) required by the Sewer and Water Committee that were due September 21st resulted in submissions from Davis Land Surveying and Engineering and Spicer Engineering. (Wade-Trim, Rowe, Ayres, and Fleis & Vandenbrink declined to bid; no response from Hubbell, Roth & Clark, Inc.) The two proposals are enclosed.

The Inter-County Drain Commission, consisting of two representatives from Sanilac County, one from Lapeer County, and one from the Michigan Department of Agriculture, met on September 20th at City Hall to review Sanilac County's request for a comprehensive engineering study of the Lapeer-Sanilac drain, to include Branch A, from its point of origin in Lapeer County to a point about three miles north of Brown City. Following a unanimous vote, the Commission agreed to contract with BMJ Engineers & Surveyors (the company that produced the 'as built' for the drain) to conduct this study. Work should be complete by the end of October and a second meeting of the Inter-County Drain Commission will follow. After the meeting, the entire group adjourned to the area of the drain south of M-90/Main Street and discussed requirements with the contractor and updated the property owners on either side (Ken Welch and Nancy Ernest). Every effort was made to minimize damage to trees and property. BMJ will also provide an engineered drawing of the railroad culvert.

The Sanilac County Drain Commissioner Jim Bowerman was able to pay for having the drain cleaned between Cade Road and the dollar store. The same contractor also repaired the culvert under M-90/Main Street at MDOT's expense.

- 2. Flood Map Meeting:** FEMA is sponsoring a meeting in Sandusky on September 28th to determine the flood mapping needs of communities in Sanilac and Tuscola Counties. This is an opportunity to learn FEMA's overall mapping objectives and for the City of Brown City to participate in this county-wide project. I plan to attend this Thursday morning meeting. A copy of the FEMA fact sheet is enclosed.
- 3. East Main Street:** The DPW completed lowering two catch basins and installing an additional one on East Main Street. MDOT completed their inspection on September 15th and has scheduled milling to begin on September 25th. The DPW was instructed to open a hydrant early Monday morning to better locate high areas for the contractor. A representative from MDOT is scheduled to be on site during this process.
- 4. Lagoon Windmills:** The DPW completed assembly and installation of the windmill to pump air into Cell #2 of the City's sewage lagoon. The initial report is that the windmill is performing well above expectations.
- 5. Sanilac County EDC:** The regular monthly meeting of the EDC was Thursday, September 14th. The attached three articles by Carol Seifferlein, from the September 20 *Sanilac County News*, provide an excellent summary of the meeting.
- 6. ECMPDR:** The East Central Michigan Planning & Development Region sponsored a meeting of the Regional Economic Development (RED) Team in Midland on September 15th.

The Team received a detailed presentation from James MacConnell, Regional EDA Economic Development Specialist for Michigan, concerning this federal agency. Possibility exists that some federal funding may be available through ECMPDR in the future for the Thumb region. Following the presentation, members of the team voted to prioritize the goals for our region. A copy of the list is in your packet.

7. **DEQ:** The City received a letter from the DEQ Water Bureau on September 6th concerning the results of the “Reconnaissance Inspection” of the City’s wastewater systems conducted on July 7th. The proposed response is enclosed and is due within 30 days (October 5). Also required was a completed EQP 5857 Report of Discharges of Partially Treated Sewage. Apparently this report was due immediately after the event on August 3rd. If there is no objection from the City Council, or any recommended changes, these responses will be mailed to DEQ as soon as possible.
8. **Brown City Clean-Up Days:** Recommend the City Council approve Brown City Clean-Up Days for October 16-18, 2006. If approved, the pick-up of metal bulk items and appliances would be Monday October 16th, and the rest of the bulk pickup will be collected on Tuesday and Wednesday (if required). The DPW is coordinating with Knox Disposal to minimize duplication of effort. **REQUIRES MOTION.**

Council consensus that efforts to eliminate duplication pick-up with Knox Disposal be complete before Clean-Up Days is scheduled.

9. **Hydrant Flushing:** Recommend the City Council schedule hydrant flushing for the week of October 9th. Hydrant flushing will usually take place during the day. Residents may notice some discoloration in the water during this process and are advised not to wash white or light colored cloths during this period. **REQUIRES MOTION.**

Moved by CM Lee, second by CM McIvor, to schedule hydrant flushing for October 9, 2006. Motion carried.

10. **Halloween Hours:** As in the past, recommend the City Council approve Trick-or-Treat hours of 5:30-7:30 PM for Tuesday, October 31st, 2006. The police department will have officers on duty in the evening of both October 30th and 31st. **REQUIRES MOTION.**

Moved by CM McIvor, second by CM Lee, to approve Trick-or-Treat hours for October 31, 2006 from 5:30 p.m-7:30 p.m. Motion carried.

11. **MSU Extension Conference:** Training called “Creating Entrepreneurial Communities” is scheduled for Thursday, October 26th in Lansing. This all-day conference is designed to provide information concerning ways to enhance local business growth and development. Cost is \$75 per person. A brochure is available for your review. Are any members of the City Council interested in attending?
12. **Columbus Day:** City Hall will be open on October 9th.

ATTORNEY'S REPORT:

Continued work with codification of ordinances is ongoing in conjunction with City Manager.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – Committee meeting minutes reviewed from past meeting. Next meeting is scheduled for 10-2-06 at 5:30 p.m.
3. Tax & Finance – Poverty Exemption Form was reviewed by Committee and recommendation to approve was made. City Manager stated that income numbers were slightly different after further investigation, changes were made.

Moved by CM Lee, second by CM Blatt, to accept the proposed Poverty Exemption Form.
Motion carried.

4. Streets & Sidewalks – compliment to DPW for sweeping work that has been completed.
5. Buildings & Grounds –none.
6. Personnel –none.

GENERAL CONCERNS OF THE COUNCIL:

CM Wood discussed concerns for cost cutting that needs to be looked at. Wood also questions if City Manager could use police car versus being paid a \$300.00 travel expense. City Manager contract provides for this payment. CM Wood also discussed expenses associated with Brown City Internet webpage.

MAYOR'S REPORT: None.

PUBLIC QUESTIONS & COMMENTS:

Larry Steigerwald stated that he read that Brown City is going to begin ticketing junk cars without any warning. Suggested that this be pursued.

Larry Steigerwald recommends that council investigate Bud's Corner Restaurant parking situation. Mr. Steigerwald believes that he is not in compliance, no striping has been done to the parking lot either.

City Manager discussed a phone call he received regarding an inquiry he has had for property in the Renaissance Zone. Individual also questioned tax break incentives and/or utility hook-ups as well as selling price. City Manager requesting guidance regarding potential sale of property.

Council consensus to wait to gain more information from potential buyer of property before moving into Executive Session to discuss.

Moved by CM Lee, second by CM Blatt, to adjourn at 8:00 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk