

**BROWN CITY COUNCIL PROCEEDINGS  
JUNE 14, 2010**

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

Pledge of Allegiance led by Mayor Carpenter.

**PRESENT:** Mayor Carpenter, Council members: William Walters, Julie Miller, Ross McIvor, Pat Jacobson, Christine Lee, Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Greg Stremers, City Clerk Kelly Pavel.

**ABSENT:** None.

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

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Miller, second by CM Jacobson, to accept the Regular Meeting Minutes of May 24, 2010 as presented. Motion carried.

**PAY BILLS:**

Motion by CM , second by CM , to pay the bills in the following funds: General - \$20,442.66 (4155-4184), Payroll - \$11,524.94 (4575-4587), Major Street- \$276.60 (3688-3689), Local Street - \$472.35 (4135-4136), Sanitary Sewer - \$2,880.16 (3036-3040), Water - \$8,839.58 (1797-1808), Arsenic Abatement - \$73.72 (1125), Storm Sewer - \$254.96 (1065), Equipment - \$6.77 (1240). Motion carried.

**PERSONAL APPEARANCES:** None Scheduled.

**PUBLIC QUESTIONS & COMMENTS:**

Fire Chief Jim Groat discussed the upcoming 911 Emergency Services Millage and its importance. There will be serious consequences if this system is not updated. If this mileage fails, hopefully the county will be able to assist in carrying the service, and also the Brown City Fire Authority will have expenses in upgrading their system.

County Commissioner Jamie Daws reported that the county Equalization Director retired and someone is in the process of getting proper certification to take this position over.

**POLICE REPORT:**

Written report reviewed. No questions or comments. City Manager reported that City Police force did attend taser training in Sandusky last week which was mandatory.

**UNFINISHED BUSINESS:** None Scheduled.

**PETITIONS & COMMUNICATIONS:** None Scheduled.

**RESOLUTIONS:** None Scheduled.

**PUBLIC HEARING:** None Scheduled.

**ORDINANCES:** ORV Ordinance 72.00. First reading and scheduling of Public Hearing if required. Samples are enclosed Sanilac County and Brown City.

City Manager explained the ORV Ordinance 72.00 and mentioned that the Chief of Police does not support adopting ORV Ordinance 72.00.

Council consensus that there is no interest in adopting ORV Ordinance 72.00.

**MANAGER'S REPORT:**

1. **Lagoon Test Wells:** A representative from DNRE (DEQ) was here last week to review the results of the past several years from the ground water monitoring wells located adjacent to the City's lagoons. Currently, the City is testing the wells monthly for two potential contaminants at a cost of \$360 per year. DEQ is requiring we begin testing for nitrate nitrogen, nitrite nitrogen, ammonia nitrogen, sodium, chloride, conductivity and total phosphorus. However, they would only require an annual, rather than monthly, testing. The DPW Foreman recommends testing twice this year (once after each lagoon is dumped) to have baseline information from both the spring and fall. Future testing will probably only be done in the fall.
2. **Risk Management:** The Michigan Municipal League Workers Compensation Risk Management Specialist visited the City on June 9<sup>th</sup>. The cost associated with the injury of the DPW employee is in excess of \$40,000. As a result, the City's payment multiple increased, which will drive up premiums for the next three years (about \$200 per year). He then met with the DPW Foreman to ensure that City Policies were complete and up to date. He has provided updates for the areas of concern noted (electrical lock-outs and confined-space entry).
3. **RR Traffic Count:** The City received an (unfunded) request from the State of Michigan to provide counts of the number of vehicles that cross the railroad tracks at Second, St Marys, First and James Streets. The report requires a special count for school busses. The bus count was completed by the school, and the Brown City Police Department has been tasked with providing the rest of the traffic counts (to include emergency and HAZMAT vehicles). Report is due next week.
4. **Park Grant:** The Park Board has submitted a grant request to DNRE to dredge the pond, build some trails and install a dry hydrant for the Brown City Fire Department. A representative from DNRE visited the City on June 3<sup>rd</sup> and was provided a tour of the Park by staff. This is the first time since the Park Board began submitting a request for

this project (annually since 2002) that an individual has come to the City to evaluate the project. Winners of the DNRE grants will be announced in December.

5. **Brown City Skateboard Park:** At their June 10<sup>th</sup> meeting, the Park Board decided to turn one (of the two) tennis courts into a skateboard area. The first step will be to construct a piece of equipment called a half-pipe. The estimated cost is about \$3,500. If the project is successful, the Board plans to add additional equipment in the future. Construction is expected to begin in about two weeks. Once complete, this will provide a safer environment for skateboarders, and help alleviate concerns by local merchants about skateboarders in downtown areas. The Board would appreciate any contributions made for this project.
6. **Unoccupied Houses:** The DPW continues to identify which unoccupied houses in the City require lawn maintenance to keep them in compliance with the City Ordinance. Currently, the mowing will cost the property owner an average of about \$62.50 and a tax lien will be used to reimburse the City for associated costs and penalties. Currently, the number of houses being serviced is about dozen.
7. **City Financial Audit:** The annual audit of the City's financial records was completed on May 27<sup>th</sup>. Overall, the City is in good condition, and no significant problems were noted. A formal report will be provided by the auditors to the City Council at the June 28<sup>th</sup> meeting.
8. **Board of Director Election Ballot:** The City received an election ballot from the Michigan Township Participating Plan. The only name on the ballot is Councilmember Bill Walters. A copy of the ballot is enclosed. The ballot must be completed and forwarded prior to June 20<sup>th</sup>. **REQUIRES MOTION.**

Motion by CM Jacobson, second by CM Loutzenhiser to vote for William Walters for the open position on the Michigan Township Participating Plan Board of Director Election Ballot. Motion carried.

9. **Library Grant:** City Staff is assisting the Brown City Library with a grant application for two additional computers. Anticipate the request will be successful.
10. **DTE Energy:** Registered letters were sent to the Mayor, Clerk and City Manager concerning a potential strike by DTE Employees. A copy of the letter is enclosed.
11. **DDA:** The DDA meeting scheduled for May 25<sup>th</sup> failed to achieve a quorum. The meeting was rescheduled for Tuesday, June 15<sup>th</sup> at 7:00 PM in the library.
12. **MML Convention:** The Michigan Municipal League's Annual Convention is September 21-24 in Dearborn. Are any members of the City Council interested in attending?
13. **Brown City Post Office:** The Postmaster has requested that a sign be posted stating "5 minute parking" to free up the one available parking spot in front of the post office. This

space is often used by Harrington Inn customers. This requires council approval for the installation.

Motion by CM Lee, second by CM Jacobson, to erect a sign in front of the one available parking spot in front of the Brown City Post Office stating "5 minute parking". Motion carried.

**ATTORNEY'S REPORT:**

1. 4437 Vine Street.- update and a move to Circuit Court would be required. Discussion regarding tax payments and clean up and securing this site.
2. Mapleview Estates utility billing – meeting with park manager on 6-15-10 to review utility billing and delinquent bills.

**TREASURER'S REPORT:**

City Treasurer has requested Lapeer County tax roll delivery.

**COMMITTEE REPORTS:**

1. Police – none.
2. Water & Sewer – review of minutes from 6-1-10 committee meeting

Motion by CM Walter, second by CM Loutzenhiser to hire Layne- Northern at the fee of \$26,365.96 to complete the overhaul of Well #4 as part of the City's Five Year Capital Improvement Plan. Motion carried.

Motion by CM Walters, second by CM Loutzenhiser to hire Severn-Trent at the fee of \$78,477.00 to replace the exhausted absorption media in the Well #4 arsenic abatement equipment. Motion carried.

Discussion regarding the storm water fee currently collected which was set in 1963 in the amount of \$2.00 per quarter.

Public Hearing Scheduled for July 12, 2010 at 7:15 p.m. to discuss an increase in the storm water fee.

3. Tax & Finance – none.
4. Streets & Sidewalks – CM Jacobson reported a complaint from a citizen regarding incomplete mowing on vacant property. Also, a request to replace a faded speed limit sign on Maple Valley Road near Slaughterhouse Road.
5. Buildings & Grounds – none.
6. Personnel – none.
7. Festival Committee – CM Jacobson thanked all departments involved in the success of Brown City Days.

**GENERAL CONCERNS OF THE COUNCIL:** None.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Miller, second by CM McIvor, to adjourn at 7:45 p.m.

Respectfully submitted,

Kelly Pavel  
City Clerk