

## COUNCIL PROCEEDINGS FOR MARCH 08, 1999

Meeting called to order at 7:00 PM by Mayor Ken Brown.

Pledge of Allegiance led by City Clerk Julie Miller.

PRESENT: Councilmembers: Laura Carpenter, Jerry Johnson, Marvin Ford, Mike Lents, Judy Murray, Kelly Pavel; Mayor Ken Brown, City Clerk Julie Miller, City Manager Clint Holmes, City Attorney Marilyn Zimmerman.

Moved by CM Pavel, supported by CM Carpenter to approve the Minutes of February 22, 1999 as written. Motion Carried.

### PUBLIC HEARING:

Discussion on setting a date to hold a PUBLIC HEARING for Truth in Taxation Schedule. Discussion on 3 options for water tower, 1. Repair, 2. Repair and add meters, 3. New Tower and Meters. Discussion on 1 mill increase would bring in approximately \$16,594.00.

Moved by CM Pavel, supported by CM Murray to hold a PUBLIC HEARING on March 22, 1999 at 7:15 PM for Resolution No. 99-03 that states: A resolution formally scheduling a Public Hearing in accordance with state law concerning the proposed City Fiscal Year 1999-2000 Budget and increasing the Millage rate for Tax Year 1999. ROLL CALL VOTE: Pavel- yes, Murray-yes, Lents-yes, Ford-yes, Johnson-yes, Carpenter-yes. 6-yes, 0-no, Motion Carried.

PUBLIC QUESTIONS AND COMMENTS: NONE.

PERSONAL APPEARANCES: NONE.

### PETITIONS AND COMMUNICATIONS: Pre-Application Building Permits:

1. Moved by CM Carpenter, supported by CM Pavel to approve the 12x14 sunroom addition to the back of the house for Donald and Ellen Goshorn, 7164 Lincoln Street. Motion Carried.

2. Discussion on Pre-Application Permit for John Marsh, for 4115 Main Street. Council discussed having adequate parking and gave Mr. Marsh a list of stipulations from the County that need completion. Attorney read an ordinance that required Mr. Marsh to have a site plan with proposed parking for a multiple dwelling home and recommended that he take the plans to the Planning Commission. Council recommended that he first find his property line and move on from there.

Moved by CM Carpenter, supported by CM Johnson for Mr. John Marsh to take a set of site plans for the 4115 Main Street property to the Planning Commission.

Motion Carried.

Attorney recommended that he follow the City of Brown City Zoning Ordinance.

**ORDINANCES:**

Attorney reported that the Revisions for Chapters 1- 4 are complete but do to formatting problems were not yet available for the Council. She assured the Council they would be in a packet form and available to them by next Monday.

**RESOLUTIONS:** See 99-03 ABOVE.

**REPORTS AND RECOMMENDATIONS:** NONE.

**PAY BILLS:**

Moved by CM Murray, supported by CM Ford to pay the bills as presented in the following funds: General Fund: \$13,507.13; Payroll Fund: \$11,347.79; Sanitary Sewer Fund: \$1,103.13; Major Street Fund: \$419.92; Local Street Fund: \$419.93; Water Recreation Fund: \$39.37; Investment Fund: \$22,392.60. Motion Carried.

**ATTORNEY'S REPORT:** NONE.

**COMMITTEE REPORTS:**

**Buildings and Grounds:**

CM Carpenter reported that she received a call from Virginia Park questioning what she can do about all the snowmobiles in her yard on private property. Attorney recommended that she call the police.

**Personnel:** CM Johnson requested the committee meet after the Council Meeting tonight. Committee agreed.

**Police:** CM Ford reported that the committee had met and recommended going into Executive Session to discuss a personnel issue.

**Water and Sewer:** CM Lents requested a meeting for the committee. Committee agreed to March 9, 1999 at 7:00 PM.

**Tax and Finance:** None.

**Streets and Sidewalks:** CM Pavel reported that the bids for the 1999 sidewalk project had been opened and gave Council a price sheet of the bids.

Moved by CM Pavel, supported by CM Carpenter to enter into a contract with Hinojosa Construction of Croswell for the 1999 sidewalk paving project. Motion Carried. Hinojosa Construction representative was present and complemented the Council on their congenial manner and a job well done.

Discussion to determine that the firm's credibility had been checked.

City Clerk Julie Miller reported that the Election Commission met and that they recommend appointing Pat Hahnefeld, Elva Walker, Kathleen Loutzenhiser and Julie Miller, with Eva Gottler as an alternate, to work on the April 5, 1999 election.

Moved by CM Ford, supported by CM Pavel to appoint Pat Hahnefeld, Elva Walker, Kathleen Loutzenhiser and Julie Miller, with Eva Gottler as an alternate, to work on the April 5, 1999 election. Motion Carried.

#### OLD BUSINESS:

Mayor stated that the City needs to appoint a representative to the Fire Authority. The current representative is the Mayor.

Moved by CM Ford, supported by CM Johnson to re-appoint Mayor Ken Brown as the City's representative to the Fire Authority. Motion Carried.

#### MANAGER'S REPORT:

1. Manager reported on Sanitary Sewer Infiltration: Based on analysis by the DPW, there is still significant infiltration of storm water into the sanitary sewer. DPW is gathering bids from companies that can inspect, VHS tape, and grout. Costs will drive rate of repair for the entire system. Request Sewer and Water Committee review. Not included in the 99-00 budget.

2. Sanitary Sewer Lift Station Pumps: Hydro Dynamics will dismantle and inspect pumps for \$1,100.00. Additional repairs could add up to \$8,000.00. Pumps have not been overhauled in at least 10 years. (Council discussed that the prior Manager assured them this had been done in at least the last 3.) DPW estimates that pump throughput is less than expected and overhaul may increase pump capacity. Manager recommended to approve and schedule as soon as possible. Included in the 99-00 budget.

Moved by CM Ford, supported by CM Pavel to approve the inspection and repairs needed for the lift station pumps. Motion Carried.

Council discussed possibly having auxiliary pump as backup.

3. Manager reported on a wind-powered aerators for the Sanitary Sewer Lagoons which could speed up the break-down of solids by increasing circulation in settling ponds #1 and #2. Cost is approximately \$11,000.00 for two. Peck purchased system for their lagoons. Request Sewer and Water committee to review. Included in 99-00 budget. Council discussed getting information from other companies for price comparison. CM Ford to look into this.

4. Street Pavement Cracks: Manager reported that a representative from Scodeller Construction prepared a bid to perform crack repairs on several of those streets paved over the past 1-3 years. Company uses a hot rubber/asphalt/polyester compound to seal cracks, reducing number of future potholes and road deterioration. Work carries a two year guarantee.

5. Public Hearing Scheduled earlier in meeting for 99-00 budget.

6. Softwinds Subdivision: Dan Tobey brought plans to commence work on Softwinds. Plans were forwarded to Jones & Henry Engineers for analysis. Anticipate they will be submitted for approval at the next Planning Commission meeting (April 1, 1999).

Manager reported that Tobey would be charged for the Engineer's fee (approximately \$400).

7. Brown City Mobile Home Park: Mayor, DPW Supervisor, DPW Foreman, two representatives from DEQ, the Park Owner (Jim Wirth) and Manager met last Tuesday to discuss status of Park. DEQ stated that the City had approved the Park in 1993 and DEQ had issued necessary permits. They were automatically renewed by DEQ and are good until 2003. Owner expects Park to be complete by that date. Council discussed water meters being mandatory and lot sizes and requested that the plans be brought back for new approval.

8. Water Tower: Research revealed that the cost of a new water tower would run about \$2.00/per gallon. To replace our current tower would be about \$400,000.00, to increase to 300,000 gallons would be about \$600,000.00. Estimated cost for current required repairs is about \$200,000. To replace, increase and add meters about \$750,000.00. No decision made.

9. Personnel Committee needs to schedule a meeting to review requested wage increases for 1999-2000, modifications to Employee Handbook and employee evaluations. Meeting scheduled for March 15, 1999 at 7:00pm.

10. Executive Session: After Managers report.

11. Manager reported that the Brown City Days Planning Committee met and would like to become a non-profit group. Their next meeting is Tuesday March 23, 1999.

12. Manager reported that the Cystic Fibrosis Foundation requested approval to collect door to door in September. Council requested that they follow all ordinances and get all required permits.

#### EXECUTIVE SESSION:

Moved by CM Johnson, supported by CM Ford to go into Executive Session for a Personnel issue concerning "Application of Employment" at 8:44 PM. Roll Call Vote: Pavel-yes, Murray-yes, Lents-yes, Ford-yes, Johnson-yes, Carpenter-yes. 6-yes 0-no Motion Carried.

Mayor requested the Public to leave for the Executive Session.

Mayor invited the Public to return.

Moved by CM Ford, supported by CM Pavel to come out of Executive Session at 8:59 PM. Roll Call Vote: Pavel-yes, Murray-yes, Lents-yes, Ford-yes, Johnson-yes, Carpenter-yes. 6-yes 0-no Motion Carried.

Moved by CM Carpenter, supported by CM Murray to extend the Council meeting past the two hour deadline. Motion Carried.

Moved by CM Ford, supported by CM Pavel to rescind resolution 99-02 which hired a full-time police officer for the City. Motion Carried.

Question as to whether he can continue as a part-time Police Officer. Council recommended that he not be used at all due to inability submit to the Physical Exam that's required for him to be hired and put on duty. Attorney recommended consulting with Labor Attorney Mary Cauley or Elvis Easter. CM Pavel recommended not bending any rules. Council recommended to offer the employee the chance to fulfill physical exam and if he resigns okay, if not talk with Labor Attorney Elvis Easter.

Manager to check if physicals within the last 2 years qualify for us, or if these Officers need to acquire a new physical. Also to check if M-DOT physicals qualify for DPW.

Moved by CM Ford, supported by CM Johnson to advertise for full-time officer first by person to person and then in paper. Motion Carried.

MAYOR'S REPORT: NONE.

Moved by CM Johnson, supported by CM Ford to adjourn at 9:18 PM. Motion Carried.

Respectfully submitted,

Julie P. Miller  
City Clerk