

## **COUNCIL PROCEEDINGS FOR MARCH 13, 2000**

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

Pledge of Allegiance led by Councilmember Judy Murray.

**PRESENT:** Councilmembers: Laura Carpenter, Frank Lukacs, Judy Murray, Julie Miller, Kelly Pavel; Mayor Ken Brown, City Manager Clint Holmes, City Attorney Marilyn Zimmerman, City Clerk Barbara Seidel.  
Absent: Councilmember Mike Lents.

### **CORRECTION/APPROVAL OF MINUTES:**

Moved by CM Pavel, supported by CM Carpenter, to approve the minutes of February 28, 2000, as submitted. Motion Carried.

### **PAY BILLS:**

Moved by CM Murray, supported by CM Carpenter, to pay the bills as presented in the following funds: General fund \$13,640.87; Payroll fund \$12,553.33; Investment fund \$23,052.05; Sanitary Sewer fund \$300.48; Local Street fund \$150.15; Major Street fund \$150.15. Motion Carried.

**OLD BUSINESS:** City Industrial Park/Economic Development Corporation: City Manager reported that in order to purchase property through a Community Development Block Grant (CDBG) that a tenant for the property must already be available. He will continue to research possible sources of funding for a CIP.

**PUBLIC QUESTIONS AND COMMENTS:** None.

**PERSONAL APPEARANCES:** Thomas Traciak of ACI Finance discussed the various loan and bond options available to the City for proposed water system projects. The top three are a USDA Rural Development Loan, Michigan Municipal Bond Authority and the County Conduit Bond. Mr. Traciak suggested that the City define and detail the projects and then go after possible grant monies to get the project completed at one time. The City Manager stated that until EPA/MDEQ releases the new maximum contamination levels for Arsenic in drinking water, that the total amount of money required for water system projects is unknown.

### **RESOLUTIONS:**

1. Resolution #00-04. A resolution of the City of Brown City to amend the City's 1999-2000 Budget to better reflect revenues and expenditures. Moved by CM Murray, supported by CM Pavel, to adopt Resolution #00-04. Roll Call Vote: Carpenter – yes, Lukacs – yes, Miller – yes, Murray – yes, Pavel – yes. Absent – CM Lents. 5-yeyes, 0-nays, 1-absent. Motion Carried.
2. Resolution #00-05. A resolution of the City of Brown City to close industrial drive to traffic for an equipment display on March 15, 2000. Moved by CM Pavel, supported by CM Miller, to adopt Resolution #00-05. Roll Call Vote: Carpenter – yes, Lukacs – yes,

Miller – yes, Murray – yes, Pavel – yes. Absent – CM Lents. 5-yetas, 0-nays, 1-absent.  
Motion Carried.

**PUBLIC HEARING:** None.

**PETITIONS AND COMMUNICATIONS:** Consent Agenda:

1. Charles Zuhlke, 4074 Main Street – porch. (Resubmission).
2. Brown City United Missionary Church, 6931 George Street-24’x24’ garage.
3. John Roach, 4304 Maple Street-24’x24’ garage.
4. Lewis Hughes, 4265 Second Street-roof repair.
5. Veterans of Foreign Wars, 7108 Maple Valley Road-replace roof shingles.
6. Alexander Teryek, 4466 Chelsea Lane-12’x12’ deck.

Moved by CM Carpenter, supported by CM Lukacs, to approve the six Pre-Application Building Permits on the consent agenda. Motion Carried.

**ORDINANCES:** Section 14.2300 of Chapter 14, grant of a limited, non-exclusive, revocable franchise to Nordic Electric of Ann Arbor. Introduced by CM Lukacs. Public hearing set for March 27, 2000.

**COMMITTEE REPORTS:**

Buildings and Grounds: Carpenter: Committee minutes for Buildings and Grounds meeting held 03/01/00 are available for review.

Personnel: Lukacs: None.

Police: Miller: Moved by CM Miller, supported by CM Carpenter, to hire James C. Dent and Amanda Manning as part-time police officers to replace resigning officers Heather Parks and Russell Nowiski. Motion Carried.

Sewer and Water: Lents: Absent. Committee minutes for Sewer and Water meeting held 02/28/00 are available for review.

Tax and Finance: Murray: Public hearing to set millage rate and approve 2000-2001 City Budget scheduled for 03/27/00.

Streets and Sidewalks: Pavel: Moved by CM Pavel, supported by CM Carpenter, to accept bid from Hinojosa Construction of Croswell to complete 2000 Sidewalk Project. Motion Carried. The Hinojosa Construction bid was the second lowest bid received by the City, but due to prior satisfactory workmanship completed in a timely fashion, their bid was accepted to complete the 2000 Sidewalk Project.

**ATTORNEY’S REPORT:**

Church Property Annexation/Act 425. City Attorney Marilyn Zimmerman received a letter concerning the annexation from Burnside Township Attorney T. Denney. The township is requesting a percentage of any property taxes received by the City from this property during a 50-year period. The City is willing to grant this for a 30 year term since this was the agreement made during a previous annexation, and the City’s policy should be consistent. City Attorney to

submit a letter explaining why Brown City desires a 30-year Term of Agreement to Mr. Denney for review at Burnside Township's next regular meeting on March 20, 2000.

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

- 1. EMMIE TOOL AND DIE:** An agreement was reached between George Emmie and Tim Worth for the Brown City Manufactured Home Park to allow Mr. Emmie to connect a sewer line into their system across from his property. However, Mr. Worth will not agree to connecting into the Park's water system. D&G Underground provided an estimate of \$20K to run a 6" main down the westside of Maple Valley Road to provide water for consumption and fire protection. City Manager tasked to research funding sources.
- 2. CADE ROAD FIRE HYDRANT:** The Fire Chief has requested that rather than placing the fire hydrant at the end of the Cade Road water main, that it be placed adjacent to Cade Road. Estimated cost (materials and labor) is approximately \$600-\$700. His concern is routing of hoses if fire suppression is required for a house north of Belview Road. The Council stated no objection to locating the fire hydrant adjacent to Cade Road.
- 3. GEMSTONE ESTATES:** (formerly Softwinds) Gildner Engineering delivered plans for a significant redesign of this subdivision. \$250 paid. Plans being reviewed by the City Engineer. Review should be complete and plans returned prior to the next Planning Commission meeting on March 16<sup>th</sup>. Anticipate the owner, Gemcraft Homes, will break ground as soon as permits are in place.
- 4. PLANNING AND ZONING CLASS:** Evening class in Marlette on March 22 discussing Planning Commissions, Zoning Board of Appeals, and related topics. The City has reserved one seat for the City Manager.
- 5. BROWN CITY AREA FIRE DEPARTMENT:** The Insurance Services Office (ISO) in cooperation with the International Association of Fire Chiefs and the Commission on Fire Accreditation International forwarded to me (via Chief Wood) detailed questionnaires for the City and the four townships that form the BCAFD. Forms were completed and mailed. Information is used to reevaluate the current insurance rating for fire within the district. Following analysis by ISO, we should be notified as to whether a change might be warranted.
- 6. BCAFD POLICY AND PROCEDURES MANUAL:** Following a series of annual requests from Michigan Community Underwriters insurance company (and a personal visit by Agent John Gandolfi) concerning the requirement that a policy and procedures manual be developed and implemented for the BCAFD, the City Manager developed the manual. The draft was submitted to the BCAFD officers last Fall, and their review completed Feb 21<sup>st</sup>. The BCAFD Authority Board approved the Manual on February 22, and the final version was mailed to the insurance carrier.

- 7. DPW HIRES:** The City hired Timothy W. Verbeke and William E. Ryckman to work at the DPW. Both have CDL's and passed a physical. Gary Gorsline's last day was March 10<sup>th</sup>, following his retirement physical. He was presented with a plaque and a gift certificate for Zehnder's in Frankenmuth.

Moved by CM Carpenter, supported by CM Lukacs, to hire T. Verbeke and W. Ryckman as full-time DPW employees. Motion Carried.

- 8. BUDGET:** A copy of the proposed 2000-2001 City of Brown City Fiscal Year Budget is available for public review and comment at City Hall.
- 9. PETITION FOR AMENDMENT TO ARTICLE IV, "LET LOCAL VOTES COUNT":** The Michigan Municipal League desires to place an amendment to the Michigan Constitution on the November ballot. The amendment would require the State Legislature to pass by a 2/3 majority (rather than simple majority as is the case now) any legislation that would reduce the authority of local governments. 320,000+ signatures are required to place this amendment on the fall ballot. No action by Council.
- 10. POLICE ACADEMY SPONSORSHIP:** An individual requested sponsorship to the police academy. Admission to the academy requires either an Associate's Degree or sponsorship by a community police department. City Manager to research term of obligated service for sponsorship and develop suitable contract.

**MAYOR'S REPORT:**

- 1.** Fire Authority Budget Addition. Stated that this year's apportioned funding for the BCAFD for the City was 22,539.67. This amount has been included in the FY 2000-2001 Budget and will be recommended for approval with the budget at the next Council meeting.
- 2.** The Mayor received a letter from citizen Ben Meeks in regards to establishing a bike/rollerblade trail in the park, and acquisition of a fast food franchise for the City. Mayor has prepared a letter in response to Mr. Meeks to answer his questions.

Moved by CM Lukacs, supported by CM Murray, to adjourn at 8:57 PM. Motion Carried.

Respectfully submitted,

Barbara J. Seidel  
City Clerk