

COUNCIL PROCEEDINGS FOR MARCH 27, 2000

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

Pledge of Allegiance led by Councilmember Mike Lents.

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

CORRECTION/APPROVAL OF MINUTES:

City Attorney M. Zimmerman requested two corrections to the Minutes of March 13, 2000:

- (1) Streets and Sidewalks Committee Report should reflect that: 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.
- (2) In the Attorney's Report, the last sentence should read: 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.

Moved by CM Lukacs, supported by CM Pavel, to accept the minutes as corrected. Motion Carried.

PAY BILLS:

Moved by CM Murray, supported by CM Lukacs, to pay the bills as presented in the following funds: General fund \$7,535.33; Payroll fund \$12,017.64; Investment fund \$26,294.00; Sanitary Sewer fund \$16,753.54. Motion Carried.

OLD BUSINESS: City Manager Holmes reported that the Sanilac County Economic Development Corporation Director is getting information together regarding Community Development Block Grants.

PUBLIC QUESTIONS AND COMMENTS: Mrs. Eva Gottler, representing the Red Cross Blood Drive, presented City Manager Clint Holmes with a "1st Time Blood Drive" shirt.

PERSONAL APPEARANCES: Bob Armstrong of WMIC/WTGV radio presented the City the option of prime advertising space in the 2000 Activity Guide, to promote Brown City Days, local businesses and the water slide and pool. The City was offered the center of the Activity Guide with 60 thirty-second radio spots for \$599.00. Mr. Armstrong stated that WMIC will need the proof sheet for the advertising by May 10, 2000.

Moved by CM Lukacs, supported by CM Carpenter, to buy the advertising radio and Activity Guide spots for \$599.00. Motion Carried.

PUBLIC HEARING:

07:14 PM-Brown City Fiscal Year 2000-2001 Millage Rate and Budget. Question was addressed regarding whether or not taxes would be raised. Mayor Brown explained that no taxes would be raised. Public Hearing closed at 07:19 PM. The City Manager explained to Council

that a Public Hearing would need to be set sometime before September for the purpose of “Truth in Taxation” Public Hearing concerning the separate Park millage in the Budget.

07:26-Ordinance Section 14.2300-Grant of a Non-Exclusive, Revocable Franchise to Nordic Electric of Ann Arbor. Question was addressed as to whether or not Nordic Electric would become available to the residents. It was explained that this was franchise was specifically requested for Brown City Schools, and that Nordic Electric has no plans, at least for the next two years, for retail sale of electricity in Brown City. Question was addressed as to the comparison of price between Nordic Electric and Detroit Edison. City Manager Holmes stated that Superintendent Gaubatz expected a savings of around \$2,000.00 a month in the electric bill. Public Hearing closed at 07:30 PM. City Attorney Zimmerman explained to the Council that Mr. Shippey, representative of Nordic Electric, looked over the Ordinance and stated that on his behalf he did not have any problem with any section and felt that Nordic Electric would work with the City on this Ordinance.

RESOLUTIONS: Resolution 00-06: A Resolution approving the City of Brown City Millage Rate of 16.8733 and Fiscal Year 2000-2001 Budget. Moved by CM Murray, supported by CM Carpenter, to adopt Resolution 00-06. Roll Call Vote: Carpenter-yes, Lukacs-yes, Miller-yes, Lents-yes, Murray-yes, Pavel-yes. 6-yes, 0-no, 0-absent. Resolution Carried.

ORDINANCES: Section 14.2300 of Chapter 14, grant of a limited, non-exclusive, revocable franchise to Nordic Electric of Ann Arbor. This Ordinance was introduced by CM Lukacs at the Council Meeting held on March 13, 2000, and Public Hearing held March 27, 2000. Moved by CM Lukacs, supported by CM Miller, to adopt Ordinance Section 14.2300 of Chapter 14. Roll Call Vote: Carpenter-yes, Lukacs-yes, Miller-yes, Lents-yes, Murray-yes, Pavel-yes. 6-yes, 0-no, 0-absent. Motion Carried.

PETITIONS AND COMMUNICATIONS: Consent Agenda:

1. Preapplication Building Permit-Dan Rowley, 7118 Welles Street-New House.
2. Preapplication Building Permit-Kevin & Julie Miller, 6833 Cade Road-Swimming Pool.
3. Preapplication Building Permit-GTE-Maple Valley Road-Installation of Aerial Cable.
4. Preapplication Building Permit-William Bonesteel, 7142 Welles Street-Shingles, Siding and New Windows.
5. Preapplication Building Permit-George & Mary Ryckman, 4274 Grant Street-Porch, Roof and New Windows.
6. Preapplication Building Permit-Michael Jones, 6805 Cade Road-Fence.

Moved by CM Carpenter, supported by CM Lukacs, to approve the six pre-application building permits on the Consent Agenda. Motion Carried.

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: None.

Personnel: Lukacs: None.

Police: Miller: None.

Sewer and Water: Lents: None.

Tax and Finance: Murray: None.

Streets and Sidewalks: Pavel: CM Pavel asked City Manager Holmes the status of the Street Project bids. City Manager Holmes stated that the City is waiting to put out the bids because he is supposed to be getting some additional information from the City Engineer, as well as the DPW, in regards to the waterlines under James and Welles Streets, which may have an affect on the overall bid.

ATTORNEY'S REPORT:

Church Property Annexation/Act 425. City Attorney, Marilyn Zimmerman reported that Mr. Denney missed the last Township meeting, but Burnside Township is staying firm with the 50-year Term of Agreement. Mr. Denney will attend the next Burnside Township Annual Meeting and expects to discuss this issue again.

MANAGER'S REPORT:

- 1. GEMSTONE ESTATES:** (formerly Softwinds) Planning Commission tabled the site and construction plans at the recommendation of the City Engineer. The Mayor, City Engineer and City Manager met with Gary Gildner (project engineer) and Pier Angeli (owner of Gemcraft Homes) on Monday, March 20. The two-hour meeting addressed each of the concerns raised by the City Engineer. Amended plans should be delivered to the City Engineer for a second review prior to the next Planning Commission meeting on April 6th.
- 2. SANILAC COUNTY ECONOMIC DEVELOPMENT CORPORATION (EDC):** A meeting of the steering committee (of which the City Manager is the Chairman) met Wednesday, March 15th, in Sandusky. With the appointment of a Board of Directors by the Sanilac County Board of Commissioners, the steering committee is on hiatus until or unless requested to reconvene by the new board of directors. The final order of business was a to elect a Chairman for the EDC board of directors. Ric Bucklew, CEO of the Tri-County Bank was elected. This meeting was immediately followed by meetings of the Sanilac County EDC and Sanilac County Brownfield Development Authority. Future business of the EDC includes promotion of the Brown City Renaissance Zone.
- 3. THE NATIONAL ASSOCIATION OF CITIES:** Received the attached fax requesting information about the City of Brown City. The fax also stated we could purchase project studies at 5% of the cost of the study (\$150 to \$450 depending on the project). Also attached is a complete (!) copy of the National Association of Cities Home Page. Membership cost is \$125 a year. Recommend evaluating membership and study participation after this one-year old organization has had a chance to mature and more information is available.
- 4. 2000 MML LEGISLATIVE CONFERENCE:** The Mayor and City Manager will be in Lansing from Tuesday afternoon through Wednesday (March 28 and 29) to attend this conference. Since there is no charge to the City to bring a youth representative, Blake Holmes (newest member of the Brown City Park Board) is going as a guest.
- 5. PRESIDENT ELECT TRAINING (PET):** Since I am the president-elect for the Brown City Rotary Club, I am suppose to attend a two day training course in Sarnia,

Canada. The training begins at 1 PM on Friday March 31st and continues through Saturday. If there is no objection from the Council, I plan to leave Friday morning to attend this training.

6. **BC SCHOOL BUSES:** The BC School Transportation Director had both a 35 and 65 passenger bus weighed. A 35 is 12,820 lbs empty. A 65 is 17,520 lbs empty. Since City Ordinance 3132.6 limits weight to 15,000 lbs the use of a 65 passenger bus is not permitted.
7. **HARRON/ADELPHIA CABLEVISION:** Met with General Manager Tom Lerash last Wednesday. We had received a large package requesting transfer of the franchise from Harron/Adelphia to COMCAST. City Attorney reviewed the paperwork and made a couple of suggestions. Mr. Lerash will provide the additional information sometime during the week of March 27th. Anticipate a resolution approving the transfer will be presented to you at the April 10 meeting. Also discussed was a new character generator/computer for Channel 6. He stated that the machine had been ordered and would arrive within two weeks. Recommend making approval on the franchise contingent on receipt of the new machine. The meeting also included discussion of the City franchise contract which has been under review by their lawyers since January. The five year limit is agreeable, but if COMCAST proceeds with their plans to make \$800,000 in improvements to Brown City, they would like it extended. Recommend we see what develops on the upgrade before making any commitments.
8. **SHELL GAS STATION:** I was contacted by the new owner's representative concerning improvements to the gas station. Specific changes include moving the north island and installing a canopy over it. They will provide stamped plans for review by the Planning Commission.
9. **WASTEWATER UTILITY OF THE YEAR:** The Michigan Rural Water Association presented the City with a certificate stating we were one of three (out of a total of 450 members) nominated for Wastewater Utility of the Year. Picture and article appeared in *The Banner*. This award is based on the extensive work done on the system over the past two years, to include overhauled lift stations, decrease in cross connections between sewer and storm drains, and good record keeping. This is a significant honor for the DPW and Supervisor Dave Kinney.
10. **WATER ARTICLE IN THE BROWN CITY BANNER:** An article detailing the status of our water was printed in *The Banner* this week. Article was written at the request of *The Banner's* editor as a follow-up to the three part series on arsenic in the water which had appeared previously.
11. **FIREFIGHTER GRANT WRITING COURSE:** The City Manager attended a one-day grant writing course in Grand Rapids last Friday, paid for by the BCAFD. While the course was primarily designed for fire departments, there was also some utility for the City. Of interest is a web site which lists 3,200 of the foundations in the US which

provide funds to non-profit organizations. Recommend the library get a subscription since it would aid the churches, civic organizations, and fire department in Brown City.

MAYOR'S REPORT:

- 1. CYSTIC FIBROSIS FOUNDATION**-Asked for permission to collect donations in the City in September. **Moved by CM Carpenter, supported by CM Pavel, to permit the Cystic Fibrosis Foundation to collect donations. Motion Carried.**
- 2. MICHIGAN MUNICIPAL LEAGUE REGION V**-Regional meeting to be held at St. Elizabeth's Hall in Marlette. \$60.00 registration fee includes meeting, refreshments, lunch and handouts.
- 3. PUBLIC MARKET SURVEY OF MICHIGAN**-(Workshop to be held in Ann Arbor) Performed survey of Farmer's Markets operating in small communities as a way to generate visitors to the community. The Mayor feels that this may be something the Council should look into.
- 4. RURAL PARTNERSHIP COUNCIL**-Meeting to be held in Belaire, Michigan, at Shanty Creek Resort on April 12 and 13. Any member of Council may attend.

Moved by CM Pavel, supported by CM Miller, to adjourn at 7:50 PM. Motion Carried.

Respectfully submitted,

Barbara J. Seidel
City Clerk