

COUNCIL PROCEEDINGS FOR AUGUST 28, 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, Judy Murray, Julie Miller, Kelly Pavel, Mayor Ken Brown, City Manager Clint Holmes, City Clerk Barbara Seidel, City Attorney Marilyn Zimmerman. Absent: Councilmembers Frank Lukacs and Mike Lents.

CORRECTION/APPROVAL OF MINUTES:

Motion by CM Miller, support by CM Pavel to approve the minutes of 08/14/00, as written.
Motion Carried.

PAY BILLS:

Motion by CM Murray, support by CM Carpenter, to pay the bills as presented in the following funds: General fund \$15,211.20; Payroll fund \$13,429.60; Investment fund \$33,000.58; Sanitary Sewer fund \$581.70; Water Recreation \$463.86; Major Street Fund \$600.00; Local Street Fund \$90.00. Motion Carried.

OLD BUSINESS:

1. Preapplication Bldg. Permit-Matt Firmingham, 6813 Cade Road-Fence/Move Hydrant. Job should be completed next week.
2. Christmas Decorations. Should be able to order next week.
3. City Ordinance Chapter 5 Work Session Scheduling. City Manager has not gotten responses yet from engineering firms.

PERSONAL APPEARANCES: Jim Clark, new News Director at WMIC Radio introduced himself to the Council.

RESOLUTIONS:

1. **RESOLUTION #00-09:** Stating opposition to the magnitude of the proposed EPA Arsenic Rule and requesting EPA help to identify funding sources to comply with this program. **Motion by CM Pavel, support by CM Miller to adopt Resolution #00-09. Roll Call Vote: Carpenter-yes, Miller-yes, Murray-yes, Pavel-yes; 4-yes, 0-no, 0-abstain, 2-absent. Motion Carried.**
2. **RESOLUTION #00-10:** To place on November 7, 2000 Ballot a proposal to increase property taxes ½ mil for the purpose of maintaining the Brown City Evergreen Cemetery. **Motion by CM Murray, support by CM Carpenter to adopt Resolution #00-10. Roll Call Vote: Carpenter-yes, Miller-yes, Murray-yes, Pavel-yes; 4-yes, 0-no, 0-abstain, 2-absent. Motion Carried.**
3. **RESOLUTION #00-11:** Formally identifying those personal taxes which have been determined to be uncollectable in the amount of \$8,319.01 and removing these balances from the City tax rolls. **Motion by CM Carpenter, support by CM Miller to adopt Resolution #00-11. Roll Call Vote: Carpenter-yes, Miller-yes, Murray-abstain, Pavel-**

yes; 3-yes, 0-no, 1-abstain, 2-absent. Motion Not Carried. Request by CM Pavel to move to Old Business for next regular meeting.

PETITIONS AND COMMUNICATIONS: Two Pre-Application Building Permits.

1. First Baptist Church, 6791 Thelman Avenue-Remove/Replace Shingles.
2. Amy Welch, 6881 James Street-18' x 30' addition.

Motion by CM Carpenter, support by CM Pavel to approve Pre-Application Building Permits. Motion Carried.

PUBLIC HEARING:

07:30 PM-Amend Ordinance-Subsections 3132.2A and 3132.7 of Chapter 3, Article 1. Public Hearing opened to public at 07:28. One question addressed regarding snow removal/DPW vehicles by W. Walters. He was informed that Brown City Maintenance Department vehicles are covered in paragraph B. With no other public questions or comments, Public Hearing closed at 07:34 and was turned over to Council. Motion by CM Carpenter, support by CM Murray to adopt new subsections 3132.2AA and 3132.7A with the stipulation that the words "emergency vehicles" be added to subsection 3132.2AA, paragraph B. Roll Call Vote: Carpenter-yes, Miller-yes, Murray-yes, Pavel-yes; 4-yes, 0-no, 0-abstain, 2-absent. Motion Carried.

ORDINANCES: See above.

COMMITTEE REPORTS:

Buildings and Grounds: Carpenter: None. City Manager addressed question regarding street lights on Second and Third Streets.

Personnel: Lukacs: Absent.

Police: Miller: None. City Manager addressed concern regarding trailer/camper at corner of First and St. Mary's and will have Chief Smith investigate situation.

Sewer and Water: Lents: Absent.

Tax and Finance: Murray: None.

Streets and Sidewalks: Pavel: City Manager addressed questions regarding VFW sidewalk, D. Lung sidewalk, and old Travco lot weed situation.

ATTORNEY'S REPORT:

1. Maple Estates Lawsuit and Public Act 425. Will have reports on both subjects to convey to Council at next regular meeting.
2. Ordinances/Uniform Traffic Code. Council was advised of options to amend certain City Ordinances that are not covered by State Laws. City Attorney will write Ordinance Amendments should Council consider this.

MANAGER'S REPORT:

1. **JAMES STREET WATER MAIN:** DPW has completed the project. Leaks have been repaired. Gravel has settled. Street Project to be completed as soon as we can get on the schedule for James P Construction.

2. **MDOT TRANSPORTATION ENHANCEMENT GRANT:** The \$260,000 grant requested from MDOT to upgrade the downtown area was denied. A copy of the letter is included in your packets. I plan to meet with them to determine how we can improve our chances for approval in a future application.
3. **BURGER BUILDING:** Pro Masonry Construction (Tim Blatt) was awarded the contract to block up the west wall of the building. Has not yet been scheduled, but should be soon. Electric and gas company contacted to separate utilities, cost to be around \$1K-\$1.5K.
4. **LIBRARY BOARD:** Met last Thursday to discuss options relative to the Burger Building. They have received a list of library architects from White Pine. They plan to contact some firms for bids within the next couple of weeks. They also plan to begin an Internet search for grant money for the expansion.
5. **ETHANOL PLANT:** The Sanilac County Economic Development Director sent an e-mail stating that the City is one of five communities being evaluated for construction of an ethanol plant to be built by the Michigan Corn Growers Association. Other cities include Saginaw and Marlette. Included was a request for additional information. A copy of his e-mail and the City's response is included in your packet.
6. **JONES & HENRY:** Engineer visited to get copies of the costs associated with construction of the City water and sewer system. Also discussed water supply for number 5 above. Jones & Henry will develop recommendations for tap-fees and lateral connection fees and will provide to the City as soon as possible. This work is in support of the current lawsuit over tap fees brought on the City by Maple View Estates.
7. **WINDSOR DRAIN:** Mapleview Estates has opened the drain, and it seems to be functioning properly.

8. DNR GRANT FOR PARK: Held the required public hearing last Wednesday. Application to be completed and mailed prior to Friday. Improvements approved include: 1) Adding two baseball diamonds in the southwestern portion of the Park with necessary grading for two more; 2) Widen the Cade Street entrance and road and add a traffic island between lanes; 3) Add a parking lot next to the proposed baseball fields; 4) Add a new soccer field; 5) Expand the size of the pond. Estimated cost for this project is \$102,450. Of this, the Park Board, Little League and private donors will provide \$30,000 in matching funds.

9. TAX BILLS: We are finalizing the list of individuals who did not pay their sidewalk bills for 1997, 1998 and 2000. There are also some other items to add to taxes. Plan to put a consolidated list in the form of a resolution for the next council meeting.

10. POLICE ACADEMY RECRUIT: Greg Barker, sponsored to the police academy by the City, graduated August 25. Term of contract is two years. Recommend hiring him as a part time officer. Requires motion.

Motion by CM Miller, support by CM Carpenter to hire Greg Barker as part-time officer, with stipulations that he acquire immunizations if he has not already done so. Motion Carried.

10. LIQUOR CONTROL LETTER:

12. DRAINAGE PROBLEM/DALE BISSETT LETTER:

MAYOR'S REPORT:

- 1. November Election/New Officers Assuming Duties: Discrepancy between City Charter and City Ordinances regarding time and day of duty expiration. Council to consider and make recommendations at next regular meeting.**
- 2. Mayor expressed to all to have a safe and happy Labor Day Weekend.**

Motion by CM Pavel, support by CM Murray, to adjourn at 08:12 PM. Motion Carried.

Respectfully submitted,

Barbara J. Seidel
City Clerk