

COUNCIL PROCEEDINGS FOR AUGUST 27, 2001

Meeting called to order at 7:00 PM by Mayor Kelly Pavel.

Pledge of Allegiance led by Councilmember Judy Murray.

PRESENT: Mayor Kelly Pavel, Councilmembers – Laura Carpenter, Michael Stain, Judy Murray, and Patricia Jacobson; City Clerk Christine Lee, City Manager Clint Holmes, City Attorney Gerard Garno.

ABSENT: Councilmembers Frank Lukacs and Julie Miller.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Carpenter, support by CM Jacobson, to approve the Minutes of August 13, 2001, as corrected. Motion Carried.

PAY BILLS:

Motion by CM Murray, support by CM Jacobson, to pay the bills as presented in the following funds: General -\$7,976.13, Payroll - \$11,623.36, Sanitary Sewer - \$7,551.41, Investment - \$18,847.67. Motion Carried.

OLD BUSINESS:

1. City Ordinance Chapter 5 Work Session Scheduling: Pending.
2. Rezoning Request – Keith Muxlow: Pending.
3. Trees & Sidewalks:
 - A. Parker Brothers and DPW Supervisor to coordination with tree removal. Parker Brothers to begin soon.
 - B. Sidewalk on Lincoln Street was poured so water won't run down into Paul Czap's house or the alley.

PUBLIC QUESTIONS AND COMMENTS.

1. Jack Nickens, owner of The Harrington Inn, said he had to replace his hot water heater because of sand in the water mains. He wanted to know if the City would pay for half the cost of the new hot water heater. Sample was sent to a laboratory for analysis, if the sample is sand then the City is possibly responsible, but if it is some other then the City is probably not. Waiting for results of analysis.

PERSONAL APPEARANCES. None

RESOLUTIONS. None

PETITIONS AND COMMUNICATIONS:

Preapplication Building Permits:

1. Jeff Render, 6757 Cade Rd. – Replace Shingles.
2. Gary & Pam Abel, 4094 Third St. – Concrete Driveway & Pads.

Motion by CM Carpenter, support by CM Murray, to approve the preapplication building permits for Jeff Render and Gary & Pam Abel as submitted. Motion Carried.

3. Jack Nickens, Harrington Inn – Hot Water Heaters

Motion by CM Carpenter, support by CM Stain, to approve the pre-application building permit for Jack Nickens, owner of The Harrington Inn, to install new hot water heaters. Motion Carried

COMMITTEE REPORTS:

1. Building and Grounds (Carpenter)– None
2. Streets and Sidewalks (Lukacs)– None
3. Police (Miller)- City Manager Holmes said the radar unit in the white police car burned up, to fix it would cost \$400.00, and a replacement is \$499.00. They will replace the unit with a new one.
4. Water and Sewer (Stain)- Tap-In & Connection Fee Amendment. Miller Canfield \$10,000.00 for 1st phase and \$10,000.00 for second phase legal review. Need to define the difference between tap-in fees and connection fees. Rescheduled Water and Sewer committee meeting for Wednesday the 29th at 6:00 PM.
5. Tax and Finance (Murray)– None
6. Personnel (Jacobson)- None

ATTORNEY'S REPORT:

1. Mapleview Estates vs. City of Brown City.
 - A. Appeal is proceeding.
 - B. Michigan Municipal League can help finance and help with the appeal.

Motion by CM Carpenter, support by CM Stain, to Authorize our City Attorney to pursue support from the Michigan Municipal League regarding Mapleview Estates lawsuit. Motion Carried

CITY MANAGER'S REPORT:

- 1. Sewer Back-Up Liability:** Earlier this year, I reported to the Council that due to legal changes, insurance carriers would no longer cover sewer back-ups (not just Brown City but apparently all municipalities). Our agent has been working to develop a separate policy to protect the City. Enclosed is a copy of the letter with proposed rates and levels of coverage. [Issue will be included on the agenda for the Water and Sewer Committee meeting on August 29th.]

- 2. BC Fire Authority:** The engine on the 1976 Pumper Number 2 seized. Coordination with ISO, the organization responsible for setting the fire rating, which in turn effects home owner fire insurance rates, stated that two Class A pumpers must be available in order to maintain the City's current rating. The Fire Authority meets again on September 4th, and must decide whether to: a) replace the engine for approximately \$10K; b) replace the truck with a used one for about \$15K, or purchase a new truck at \$125K. I do not expect the Authority will need to levy a surcharge on Authority members if they elect option a) or b).

- 3. Downtown Development Authority (DDA):** There is currently one request for a loan before the DDA. As you know, the DDA has no funds to lend, so instead acts essentially as a "co-signer" for loan requests. Tri-County Bank notified the City by letter that they are "unwilling to issue the loan to the DDA, as this particular loan does not meet our policy requirements." I have forwarded a copy of this letter to the individual requesting the loan.

- 4. Sanilac County Economic Development Corporation (EDC):** The local EDC has begun a campaign to solicit donations from governments and companies in the county to use as seed money to spur economic development. Their campaign manager, Mr. Chip Holcombe, met with the Mayor and City Manager on August 27th to discuss the program. He is visiting the various communities and business in Sanilac County. EDC goals include:
 - A. Attract business
 - B. Retain existing businesses
 - C. Inform us the rate will go up from \$1.00 to \$1.50 for each person in community.

- D. Set up four committees – Agricultural, Marketing, Manufacturing, Lobbied the Legislature.
5. **MDOT Revenue Sharing:** The City was notified that the distribution of highway funds by the state would be 1.7% LESS overall than last year. However, the City's share will increase from \$5,656 to \$5,903, an increase of 4.4%. This is due to the 7.2% increase in population since the last census.
 6. **MDOT Road Signs:** I contacted both the MDOT Cass City Office and MDOT Department of Traffic and Safety in Lansing. MDOT owns the fence on the northeast corner of M-90 and Maple Valley Road. According to them, political advertising is not allowed on state property. The DPW was directed to remove the signs and retain them in case the (unknown) owner wants them back.
 7. **Revenue Sharing:** Due to a cap placed on revenue sharing payments, the payment to the City for August has been reduced by \$10,666. However, total payments will still be approximately \$3K higher than estimated when the budget was developed last March.
 8. **Mapleview Estates:** The City received, by certified mail, a check from Mapleview Estates. The enclosed (and unsigned) note said, "Please find enclosed a Certified Check for Phase #2 for 57 Lots, Paid in Full. 57 x \$125.00= \$7,125.00." Following a telephone conversation with Mr. Dloski, our attorney in this matter, the check was mailed back to Mapleview Estates along with a letter explaining the policy set by the Council at the August 13th meeting.
 9. **USA Today:** Reporter Tracy Watson and a photographer will be here on August 29th to talk with Mayor Kelly Pavel and City Manager Clint Holmes about arsenic in our drinking water and the steps the City is taking to educate residents about the problem, and costs related to reducing current levels.
 10. **City Manager Vacation Time:** City Manager Clint Holmes will take off Thursday and Friday to use up some of his vacation days. He is still on jury duty through August 31st.

MAYOR'S REPORT:

1. Planning Commission: Appointment to replace Keith Kohler. No recommendation at this time.
2. City Library Meeting: The consultants hired by the Library Board held a one-hour meeting to solicit information from City representatives concerning the library. Meeting attended by the Mayor, CM Murray and CM Jacobson, City Manager and Deputy City Clerk Van Cura. Information will be included in the report the consultant issues in November. We were one of several groups to be interviewed.

Motion by CM Murray, support by CM Carpenter, to adjourn the meeting at 7:35 PM. Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk