

## **COUNCIL PROCEEDINGS FOR MAY 12, 2003**

**Meeting called to order** at 7:00 P.M. by Mayor Carpenter.

**Pledge of Allegiance** led by CM Julie Miller.

**PRESENT:** Mayor Laura Carpenter; Councilmembers – JoAnn Potts, Frank Lukacs, Jason Nielsen, Julie Miller, and Pat Jacobson; City Clerk Christine Lee, Interim City Manager Ken Brown, City Attorney John Lengemann.

**ABSENT:** Charles Zuhlke.

### **CORRECTION AND APPROVAL OF MINUTES:**

Move by CM Miller, second by CM Nielsen, to approve the Minutes of April 28, 2003 as corrected. Motion Carried.

Corrections:

1. page 3 of 6 – top of page #4 add the words - for shingles.
2. Page 3 of 6 – under Personnel Report - add the word than - to read - Mayor Carpenter stated the City should be looking into replacing the Police car more often than once every four years.
3. Page 3 of 6 – under Streets and Sidewalks - change the word reasonability to responsibility – should read - CM Lukacs stated that the City didn't want any more dead ends on the water line, and he felt that this is the City responsibility. – Change the word weaver to waiver – Should read - Missionary Church to sign a waiver accepting all responsibility for installing a 2-inch water lead and not installing an 8-inch line.
4. Page 5 of 6 – under Item # 6 – add – of Ordinance 5309.3 – should read - to order the publication of Ordinance 5309.3 on two delinquent bills.

### **PAY BILLS:**

Move by CM Jacobson, second by CM Miller, to pay the bills as presented in the following funds: General -\$13,677.29, Payroll - \$12,058.96, Sanitary Sewer - \$9067.38, Major St. - \$140.00, Investment - \$15,203.75. Motion Carried.

### **OLD BUSINESS:**

1. City Ordinance Chapter 5 Work Session Scheduling: Pending.
2. Rezoning Request – Keith Muxlow: Pending.

### **PUBLIC QUESTIONS AND COMMENTS:**

1. Larry Steigerwald is still not happy with his cable service from Comcast and wants the Council to take action. Interim City Manager Ken Brown stated that according to Ordinance the Cable Company is suppose to come to the Council before raising rates. Mayor Carpenter instructed Interim City Manager Ken Brown to contact Comcast Cable Company again.
2. David Kredell introduced himself to the Council and stated that he works in Representative Steve Ehardt office.

**PERSONAL APPEARANCES:**

1. Lynn Manogue wanted to know if she could get a tax break for 3 or 5 years to help in the cost of developing Manogue Subdivision. She stated that Softwinds had a three-year tax break when it was being developed. Interim City Manager Ken Brown checked the Council Minutes all the way back to 1961 and couldn't find anything about Softwinds getting a tax break. City Attorney Lengemann stated that the Council couldn't give a tax break to Manogue because everyone in town would want one. The Council informed Manogue to bring back proof that Softwinds had a tax break.

**PUBLIC HEARING:** None.

**ORDINANCES:** None.

**RESOLUTIONS:** None.

**PETITIONS AND COMMUNICATIONS:**

**Preapplication Building Permits –**

1. Nathan Wheeler, 6955 Walter Street – Fence.
2. John & Lynn Surprenant, 7180 Lincoln Street – Replace porches, replace existing 24'x30' garage. Pending until next Council Meeting because they need a building permit to tear the old garage down.
3. Greg Goss, 6826 Walter Street – Replace siding, windows, shingles.
4. Dorotha Stimson, 6885 St. Marys Street – Replace shingles.

**PERMITS –**

1. Dennis Kundinger Sr., Kundi's Fireworks Display Shows L.L.C. – Permit for Fireworks Display.

Move by CM Miller, second by CM Jacobson, to approve the Permit for Fireworks Display to Dennis Kindinger, Sr., Kundi's Fireworks Display Shows L.L.C. during Brown City Days. Motion Carried.

**COMMITTEE REPORTS:**

5. Police (Miller)- None
6. Tax and Finance (Jacobson)- None
7. Personnel (Zuhlke)- None
8. Water and Sewer (Nielsen)- Reported on May 7<sup>th</sup> Committee Meeting. Committee members reviewed proposed Chapter 5 Sewer and Water Regulations. Many changes were recommended and some sections needed to be removed or reworded. The Committee needs to schedule another meeting but they will wait until CM Zuhlke is back in town.
9. Streets and Sidewalks (Lukacs) – Wanted to know if DPW Supervisor Dave Kinney measured for new sidewalks and what about Main Street. Interim City Manager Ken Brown stated that he hasn't started yet, and the City is looking to see when the Highway Enhancement Grant is available for Main Street.
10. Building and Grounds (Potts) – None

**TREASURER'S REPORT:**

Treasurer Carol Walters reported that on May 7, 2003 she turned over a check for \$780.97 for interest earned by the Tax Account, less \$29.68 for a binder for to hold checks for the tax account. Also returned to the base amount of \$307.49 in the tax account to keep it open for the coming Summer Tax Season. Treasurer Walters will publish a Public Notice in the Brown City Banner for the Application for Deferment of Summer 2003 Property Taxes. The Council needs to impose a 1% interest per month on late Summer Taxes paid between September 15<sup>th</sup> – February 14<sup>th</sup>. This requires a motion.

Move by CM Miller, second by CM Jacobson, to impose a 1% interest per month on late Summer Taxes paid between September 15<sup>th</sup> – February 14<sup>th</sup>. Motion Carried.

**DPW SUPERVISOR'S REPORT:**

That the DPW has finally caught up on picking up all the brush. That will it cost \$800.00 to fix it, "the street sweeper."

**ATTORNEY'S REPORT:** None

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

1. Mayor exchange with Port Sanilac, June 24<sup>th</sup> and June 25<sup>th</sup> if this is ok I will let Port Sanilac know. Mayor Carpenter said that these dates are good.
2. Tree stumps, have been removed, crushed limestone was used to fill the holes, we need 15-1/2 barrels. Bens or Ed's does not have any, Self Sever Lumber in Marlette, has a clearance sale, the barrels are \$10.97 each or \$164.55 for 15.

Move by CM Miller, second by Cm Jacobson, to purchase 15-1/2 barrels at the price of \$164.55.

3. Frank Gersternecker, phoned and would like to do the interviews the week of June 2<sup>nd</sup>, in the evening in the Library. The week of June 9<sup>th</sup> would be better.
4. Fireworks Insurance, a copy of coverage, for "Special Events Info.". Was in your packet.

Move by CM Miller, second by CM Nielsen, to purchase addition insurance for fireworks. Motion Carried.

5. Arsenic: Thomas J. Sorg from the U.S. EPA, met with Dave Kinney, and myself along with Daryl Gotham of Mich. DEQ, the next step is for the City to decide if we want to continue with this program, if we continue, the U.S. EPA will install one of three "Technology", the Cities cost is approx. \$20,000.00 for the expansion of the well house at No. 4 well, either a sewer line or a retention pond, the U.S. EPA will pay all expenses and keep all records for the first year, and train Dave Kinney on how to maintain the system, Brown City is the only City chosen for the State of Michigan, and one of 17 chosen nation wide. The Systems are, (1) ADI, \$340,000.00, Severin (2) Trent, \$246,000.00 (3) Kinicado, \$300,800.00. The Council would like more information before making a decision.

Move by CM Miller, second by CM Potts to continue with the Arsenic program. Motion Carried.

6. Computer Maintenance; Dalton Computers out of Sandusky, \$99.00 for computers and \$49.00 for printers we have 5 of each, for a total of \$740.00 Per Year, Decided to decline the maintenance contract.

7. Maple Valley Road from M-90 to the RR tracks, and Industrial Drive, the lowest bid was for \$151,703.10, the City pays for Industrial Drive part and 80-20 on Maple Valley.
8. Need a motion to “AMEND” the minutes approving the budget on March 10, 2003 regarding the water and sewer fund budget contributions to equipment fund; this should read a “LOAN”, to the equipment fund.

Move by CM Miller, second by CM Jacobson, to Amend the minutes approving the budget on March 10, 2003 regarding the water and sewer fund budget contributions to equipment fund; this should read a “LOAN”, to the equipment fund. Motion Carried.

9. Industrial Factory Complex for Brown City:
  - A. What will be out return on any investment the City might make?
  - B. This is the most important statement of the package.They ask the EDC what the City of Brown City could do for them.
  - A. Could the City help with the utilities, tap fees, etc.
  - B. Cost of permits.
  - C. Water and Sewer.

We must look at the good of the City, a factory of this size will mean to the City.

- A. 50,000 Square foot factory and 4,000 Square foot office space for a total of 54,000 Square feet. Building cost is 2.3 million dollars Equipment cost is from \$5 to \$7 million dollars. The return on the investments starts in the year of 2007, at 25%, 2008 50%, 2009 75%, 2010 100%, that means in 2007 the City will receive \$157,852.00 in taxes, 2008 \$315,165.00, 2009 \$472,747.00 and in 2010 \$630,000.00 this is just the City portion at 18.0094 mills, total millage is 58.251 mills.
- B. The number of jobs will be 75 by Dec. 7, 2003 and they have a \$4 million Contract for Lear in the year of 2004 which would add 180 employees.

#### Answer from Council Meetings

1. Can hydrants be flushed during regular working hours?  
Ans. Yes it can, and DPW will do it.
2. How many dead end leads on water lines are there in Brown City?  
Ans. 7

3. Sidewalks, Maple St. Between Reed and McMorran. First St from James to R &R crossing.  
Ans. Dave Kinney, to take measurements.
4. What are the other Cities doing about Mosquito's?  
Ans. Cities in Sanilac County are doing nothing.
5. Call Port Sanilac about Mayor exchange on June 16<sup>th</sup> and 17<sup>th</sup>.  
Ans. See above.
6. Branches on wires behind JoAnn Potts house.  
Ans. Dave Kinney to call Edison.
7. Park side condo, water and sewer lines need to be approved along with the road. Leo Vangane wants something in writing about the requirements on the pavement. Will call the Road Commission to find out.  
Ans. According to Dave Kinney all will be approved at the same time, 4/29/03, a letter was sent.

**MAYOR'S REPORT:** None

Move by CM Miller, second by CM Jacobson, to adjourn the meeting at 8:09 P.M. Motion Carried.

Respectfully Submitted,

Christine Lee  
City Clerk