

COUNCIL PROCEEDINGS  
MAY 5, 2005

Meeting called to order at 7:12 p.m by Mayor Laura Carpenter.

Pledge of Allegiance led by City Attorney Garno.

PRESENT: Mayor Laura Carpenter, Council members: Eugene Navock, Julie Miller, Christine Lee, Leon Blatt; City Manager Clint Holmes, City Attorney Gerard Garno, City Clerk Kelly Pavel.

ABSENT: Council members Ross McIvor and Frank Lukacs.

CORRECTIONS & APPROVAL OF MINUTES: April 25, 2005 Council Minutes. Page 3 of 6, paragraph 4 "Aattorney" to read "Attorney."

Moved by CM Miller, second by CM Navock, to approve the April 25, 2005 minutes as corrected. Motion carried.

Moved by CM Miller, second by CM Navock, to pay the bills in the following funds: General- \$27,464.30, Payroll- \$16,534.40, Major Streets - \$1,494.59, Local Streets - \$1,494.58, Sewer - \$3,471.36, Water - \$4,771.73, Equipment - \$86.71, Investment - \$38,157.02. Motion carried.

**PUBLIC QUESTIONS & COMMENTS:**

Request for clarification by Todd Vandewarker concerning the necessity of installing a driveway culvert on his property. City Manager described the situation and the options available to the City Council. Consensus of the City Council is for the City Manager to address and resolve the situation with Mr. Vandewarker concerning a driveway culvert.

Various questions from numerous citizens concerning the Police Department. Questions and comments included: alleged need for 24/7 police protection, alleged inadequate response time for county police support, alleged lack of communication and interaction between police and citizens, alleged harassment issues, alleged that citizens are being followed around and out of town, alleged inappropriate use of the police car, alleged unnecessary policing of local bars, alleged harassment of local teenagers, and recommendation that the police chief and/or officers actually live in Brown City.

PERSONAL APPEARANCES: None scheduled.

POLICE REPORT: Activity report for review by Council.

**OLD BUSINESS:**

1. Chapter 8 Zoning Map – approved 4/111/05 – Master plan has been forwarded.
2. Bullock Project – Pending. Hearing is scheduled for May 23, 2005 at 10:00 a.m.

3. Ordinance 5301A, 5307A to 5311A – tabled.
4. International Union of Operating Engineers Local 324 – pending.

PUBLIC HEARING: None scheduled.

ORDINANCES: None addressed.

RESOLUTIONS: None.

PETITIONS & COMMUNICATIONS:

1. Moved by CM Blatt, second by CM Miller, to approve the pre-application building permit for Ron MacLarty, 7175 Welles Street, to replace windows and siding. Motion carried.
2. Moved by CM Blatt, second by CM Navock, to approve the pre-application building permit for Marvin Ford, 6766 St. Mary's Street, to construct a 12' x 30' lean-to attached to existing shed. Motion carried.
3. Moved by CM Blatt, second by CM Navock, to approve the pre-application building permit for Don Goshorn, 4051 Main Street, to build an addition onto his existing home. Required variance was granted by the Planning Commission on 5-4-05. Motion carried.
4. Moved by CM Blatt, second by CM Navock, to approve the pre-application building permit for the VFW Hall, 7081 Maple Valley Road, to construct a 16' x 26' addition to the existing kitchen. Motion carried.

COMMITTEE REPORTS:

1. Police – Police Committee Meeting scheduled for 5-16-05 at 7:00 p.m.
2. Water & Sewer – review of committee meeting minutes.

Moved by CM Lee, second by CM Miller, to schedule a Public Hearing on 5-23-05 at 7:15 p.m. regarding proposed water rate increases as well as Ordinance 5301A, 5307A – 5311A. Motion carried.

Moved by CM Lee, second by CM Miller, to schedule a Public Hearing on 5-23-05 at 7:30 p.m. regarding proposed Arsenic Abatement Plant. Motion carried.

Water & Sewer Committee meeting scheduled for Thursday 5-19-05 at 6:00 p.m.

3. Tax & Finance – none
4. Streets & Sidewalks – none
5. Building & Grounds – none
6. Personnel – none

7. Summer Festival – plans are being finalized and are on schedule.

**POLICE CHIEF REPORT:**

Chief Smith informed the City Council that the police will be hosting a booth during Brown City Days, and providing free finger printing for children.

In-car camera system and speed radar units have been ordered for the new car. Chief Smith is planning on ordering video tapes that will allow an entire police shift to be taped.

CM Miller asked that the minutes reflect that the City of Brown City did not distribute flyers regarding the police department which were recently distributed to citizens. The City has no knowledge of who printed and distributed the so mentioned flyers.

**CITY MANAGER'S REPORT:**

1. 2005 Street Project: The acting City Engineer and an MDOT certified engineering consultant and I met May 5<sup>th</sup> to discuss the 2006 Streetscape Project. This Project will include the replacement of sidewalks, street lights, and trees between the VFW Memorial Park and James Street on the north, and Lincoln to Welles Streets on the south. Preliminary plans should be available for Council review at the next meeting. If approved, the state will pay 60%, MDOT 20% and the City would be responsible for the remaining 20% plus engineering costs. Our share has been estimated at about \$115,000.
2. Senate Subcommittee Proposes Revenue Sharing Cut: On April 27th, the Senate Appropriations Subcommittee on General Government sent to the full Senate Appropriations Committee a budget proposal, Senate Bill 272 that includes a cut of \$22.4 million, 5% of statutory revenue sharing. In the case of Brown City, this will reduce our share of revenue sharing by \$8,100 to about \$153,900. This will be the lowest level of revenue sharing since the mid-1990s for us.
3. 6<sup>th</sup> Grade Career Day: I spoke to the entire 6<sup>th</sup> grade class of Brown City Elementary School on Monday, May 2<sup>nd</sup>. The presentation, entitled 'Careers in Government' was at the request of the school's counselor, and took about 40 minutes. It was a very good example of how we can cooperate with the local schools.
4. 4<sup>th</sup> Grade Field Trip: The local 4<sup>th</sup> grade was provided with a tour of the Brown City Telecommunications System and Water Works (Well #3 and water tower), Well #4 and the Arsenic Abatement Facility and the wastewater lagoons. The class was divided into three groups, with each touring a portion of the system simultaneously and then rotating every half hour. The tour was apparently very successful and the kids seemed to have a good time. I want to thank the DPW for doing a good job sprucing up the facilities and working as tour guides.

5. Municipal Employees Retirement System (MERS): The presentation was given at the ISD in Peck on May 3<sup>rd</sup> at 6:30 PM. Attending were representatives from Lexington, Croswell, Sandusky and Brown City. A copy of the presentation was provided in your packets. In addition to providing a plan for pre-funding retiree health insurance in accordance with GASB 43, they also offer health insurance for current employees.
6. Envelope Pay Box: The box has arrived and will be installed by the DPW on City Hall as soon as possible.
7. Burger Building: The individual who asked to repair the south wall of the Burger Building if the City would sign off on the remainder of his community service hours (which are more than it would take to do this work), decided he did not want to do the work. I am working with his parole officer to at least get the work he started completed.
8. MML Continuing Education: I attended the "Water and Sewer Funding" class in Okemos on Tuesday, April 26<sup>th</sup>. The different ways to pay for infrastructure included bonds, loans and rate increases. Apparently, there may be a problem using a 'lease-purchase' agreement to construct a second arsenic abatement plant if the decision is made to build one. The City Council MAY wish to consider putting a General Obligation bond on the November ballot.
9. Tornado/Fire Siren Installation: The new siren, to be installed at the fire station, is on its way to Brown City from Little Rock, AK. Sanilac County requires a licensed electrician to complete the final wiring. Some of the installation work will be done by members of the Fire Department. Expect to have the siren operational by early June.
10. Rotary Park Project Dedication: The Brown City Rotary Club is scheduled to complete the purchase and installation of new playground equipment in the City Park. The Rotary plans to have a dedication ceremony on Saturday, May 14<sup>th</sup>, as part of the opening day celebrations for Brown City Summer Recreation. The Mayor, City Council and City Manager have been asked to participate. The Rotary also purchased a popcorn machine that will be available to provide free popcorn. The machine will then be turned over to Summer Recreation.  
  
Also, the Brown City Rotary is sponsoring a Summer Raffle to help raise money for future projects, which could include the City Park. Cost is \$5 each or 5 for \$20. First prize is a John Deere L108 Garden Tractor (18.5 hp with 42" mowing deck). If interested in supporting this group and by extension the City, please contact a member of the Rotary Club for tickets.
11. MML Small Cities Committee: The Committee met Friday, May 6<sup>th</sup> near Lansing. There are 36 members of the committee from all over Michigan. Agenda included creation of resource manuals, recommendations for training

during the winter conference, and working with local schools to create better local government related classes. The next meeting is scheduled for late July.

12. Fireworks Permit: The City must issue a permit to the individual doing the fireworks display for Brown City Days. The form has been completed and requires the Mayor's signature. (REQUIRES MOTION)

Moved by CM Lee, second by CM Miller, to authorize the Mayor to sign Fireworks Display permit for Brown City Days. Motion carried.

#### ATTORNEY'S REPORT:

Attorney Garno reminded Council that the contract for his services will expire at the end of this month and that renewal would be appreciated. New rates to cover inflation will be as follows: \$100.00 per hour and a \$3,000.00 retainer fee.

Moved by CM Miller, second by CM Lee, that bids be sought for attorney services. Motion carried.

City Attorney advises Council that in his opinion, a municipal finance attorney should be consulted concerning proposed financing methods available to the City if a proposed second arsenic removal project is approved by the City Council.

GENERAL CONCERNS OF THE COUNCIL: None.

#### MAYOR'S REPORT:

Mayor Carpenter reported Fire Authority information as follows:

1. Firemen have purchased a weather radio which was given to the school for emergency weather information. This was in response to a citizen request that the school hear the weather information directly rather than rely on the siren.
2. A ceremony honoring Pastor Dick Black will be held on May 20, 2005 at 7:00 p.m. A black maple tree will be planted in his memory at the Fire Station.

Moved by CM Navock, second by CM Miller, to move into Executive Session at 8:15 p.m. to consult with City Attorney on a specific written opinion. ROLL CALL VOTE: Navock-yes, Miller-yes, Lee-yes, Blatt-yes. 4-yes, 0-no, 2-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Navock, to return to Regular Session at 8:43 p.m. ROLL CALL VOTE: Navock-yes, Miller-yes, Lee-yes, Blatt-yes. 4-yes, 0-no, 2-absent, 0-abstain. Motion carried. No action was taken during Executive Session.

Moved by CM Miller, second by CM Lee, to direct the City Manager to monitor job creation status required by the Llink Technologies contract with SCEDC and Brown City. ROLL CALL VOTE: Navock-yes, Miller-yes, Lee-yes, Blatt-yes. 4-yes, 0-no, 0-absent, 0-abstain. Motion carried.

Moved by CM Miller, second by CM Lee, to add under "Old Business" of Council Agenda "Link Technology update." Motion carried.

Moved by CM Lee, second by CM Blatt, to adjourn at 8:45 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk