

**COUNCIL MINUTES
JULY 11, 2005**

Meeting called to order at 7:00 p.m. by Mayor Laura Carpenter.

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter, Councilmembers: Frank Lukacs, Eugene Navock, Ross McIvor, Julie Miller, and Leon Blatt. City Manager Clint Holmes, City Attorney Gerard Garno, City Clerk Kelly Pavel.

ABSENT: Councilmember Christine Lee.

Moved by CM Lukacs, second by CM Navock, to accept the June 27, 2005 Minutes as presented. Motion carried.

Moved by CM Blatt, second by CM Navock, to pay the bills in the following funds: General - \$11,767.27, Payroll - \$15,511.65, Sewer - \$576.23, Water - \$1,471.73, Equipment - \$126.10, Investment - \$41,054.79. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

PERSONAL APPEARANCES: None.

POLICE REPORT:

Reviewed by City Councilmembers. City Manager informed the City Council that Chief Smith is on vacation this week and shifts have been slightly modified to allow for afternoon and early evening coverage.

OLD BUSINESS:

1. Chapter 8 Zoning Map – discussed at 7/7/05 Planning Commission meeting. A quorum was present although not a super quorum was present to vote. Public Hearing has been left open until the next meeting on 8/4/05.
2. Bullock Project – Pending.
3. International Union of Operating Engineers Local 324 – see Manager's Report.
4. Status of Llink Technologies Contract – see Manager's Report.
5. Cemetery Water – under review.

PETITIONS & COMMUNICATIONS:

Buildings & Grounds Committee meeting scheduled for 7/12/05 at 9:30 a.m. to review request for building additions at 4161 and 4163 Maple Street.

Moved by CM Miller, second by CM Navock, to approve two (2) pre-application building permits for Lynn Manogue at 4163 and 4161 Maple Street for building additions, subject to committee review and approval. Motion carried.

PUBLIC HEARING – None scheduled.

ORDINANCES: None.

RESOLUTIONS: 05-14: **A RESOLUTION DIRECTING THE CITY CLERK TO REVIEW AND PLACE ON THE NOVEMBER 2005 BALLOT A PARK MILLAGE RENEWAL PROPOSITION. (see Park Board minutes from June 9, 2005)**

Moved by CM Miller, second by CM Navock, to pass Resolution 05-14, a *Resolution Directing The City Clerk To Review And Place On The November, 2005 Ballot A Park Millage Renewal Proposition*. ROLL CALL VOTE: Lukacs-yes, Navock-yes, McIvor-yes, Miller-yes, Blatt-yes. 5-yes, 0-no, 1-absent, 0-abstain. Motion carried.

Mr. Jack Dempsey discussed with the City Council various options for arsenic removal from water system.

MANAGER'S REPORT:

- 1. International Union of Operating Engineers Local 324:** The Union delivered an Agreement to the City based, in part, on discussions during two previous meetings with them. Agreement included wage, insurance and pension demands that have not yet been negotiated but merely provided to the City. A copy of the Agreement with the City's proposed changes will be provided to the City Council as soon as possible; however, a copy of the Economic Proposal given to the City and a copy of existing wages is included in your packet. Also included is a three page statistical analysis of smaller Michigan communities. The first column is population, the second is the name of the community, the third is the average pay, the fourth is average pay divided by 2,080 to give an hourly rate, the fifth column is the percentage comparison of Median Household Income (MHI), and the sixth column is the hourly rate adjusted to Brown City. Changes greater than 20% were not included. Similar numbers are provided for two other job classifications. Average pay amounts were provided by the Michigan Municipal League. Please note that the hourly rates are in the center of a range and numbers at the bottom represent the average of the median hourly rates.

Personnel Committee meeting scheduled for 7/14/05 at 3:00 p.m.

- 2. 2005 Sidewalk Project:** The contractor and I met on July 1st to review the project and inspect the associated property. Demolition and reconstruction is expected to begin and be completed the week of July 11th, barring problems such as weather. Bills for the City's 2003 Sidewalk Project were mailed.
- 3. 2005 Street Program:** The preliminary engineering plans for 1st and James Streets have been forwarded to the DPW Supervisor for review. Once the review is complete, and any necessary changes have been made, Requests for Proposals will be released to area contractors.

4. **Cemetery Water:** Preliminary cost estimate provided by the DPW Supervisor is \$1,052.06 for material, \$750 for trenching, \$3,000 for street and driveway repairs, and \$1,500 for water meter and pit. This totals \$6,302.06, and does not include placing the pipe in the ground and making the associated connections. Cost of drilling a well is up to \$10 per foot for an unknown depth and an estimated \$1,800 for a DEQ-approved water pump plus installation. Of note, while as reported at the last meeting the Cemetery Board recommends against annexation of the Cemetery into the City from Burnside Township, the Township leadership may prefer the annexation to take place.

Moved by CM Miller, second by CM Navock, that the City will dig the well for the cemetery; costs are not to exceed \$5,000.00. Motion carried.

5. **Park Lease and Incorporation Papers:** The preliminary review is complete; however, more information has been requested, and been forwarded, to Mr. Shamblin.
6. **State Police Investigation:** No report has been received from the Michigan State Police as of July 8th.
7. **J&J Party Store Request:** Please see the attached request from Jim & Connie Groat concerning transfer of the license from the Brown City Pharmacy. How does the City Council wish to proceed on this issue?

Moved by CM Lukacs, second by CM McIvor, to support the request from Jim & Connie Groat to allow the transfer the liquor license from Brown City Pharmacy to J & J Party Store. Motion carried. City Manager to write letter to the Michigan Liquor Control Commission.

8. **Michigan Municipal League:** The President of the Michigan Municipal League, Ms. Margene Ann Scott – Madison Heights Councilwoman, will be visiting City Hall on Wednesday, July 13th at about 1:00 PM to meet with City representatives and to learn more about our community. If at all possible, elected officials are requested to be available to meet with her. Any concerns regarding the League, pending legislation, or other municipal issues are open for discussion.
9. **Brown City Area Fire Authority:** Walmart will be presenting the Fire Department with a grant for one thousand dollars (\$1,000) at a ceremony at the Sandusky Walmart on Sunday, August 21st at 7:30 PM. The grant is to be used for equipment.
10. **Optical Scan Precinct Tabulators:** The City received the grant application for these voting machines. The purchase is a part of a federal grant. The City Council authorized the City Clerk to sign the application at the last City Council meeting. Expect to forward the application as soon as possible.
11. **Llink Technologies MEDC Grant:** The Sanilac County EDC has contacted the City requesting final cost sharing information to allow the grant process to be closed out. The requested information was forwarded to the Sanilac County EDC Director.

Discussion regarding charges to the Fire Authority for water used outside of City limits. Budget has been set to reflect a \$500.00 per year charge to Fire Authority. Fire Authority explained to

the Mayor (acting as the City representative to the Fire Authority), and the City Manager (acting as the Fire Authority CAO) that when the fire hall was built in the City, it was with the agreement that there would be no charges for water. Mayor Carpenter feels that this was a gentleman's agreement at that time and that the City should continue to support this view. Council in agreement. City office will research minutes regarding this issue.

ATTORNEY'S REPORT:

City Attorney Garno thanked the City Council for their trust and support in rehiring his law firm to represent the City.

City Attorney questioned the status of the Administrative Consent Order regarding arsenic treatment. This issue has been fully addressed.

Discussion regarding Eminent Domain and the Kelo vs. New London case.

City Attorney also informed the Council that City Manager Holmes has spent time updating him regarding various issues while law firm reviews were conducted.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – discussion regarding options for arsenic removal including suggestions from Mr. Dempsey. Chairman McIvor suggests that City Manager begin receiving bids on an arsenic removal plant. Council was in agreement.
3. Tax & Finance – review of committee meeting minutes.
4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – none.

MAYOR'S REPORT:

Discussion regarding city paying ½ of bill for relocating the fire siren. Amount should be between \$100 and \$125. Motion was made on May 10, 2005 for the city to pay their portion. Council consensus that the bill be paid when due.

Moved by CM Miller, second by CM Navock to adjourn at 8:16 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk