

**BROWN CITY COUNCIL MEETING  
JANUARY 23, 2006**

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

**Pledge of Allegiance** led by City Manager Holmes.

**PRESENT:** Mayor Laura Carpenter; Councilmembers – Leon Blatt, Christine Lee, Mike Lents, Ross McIvor, Julie Miller, and Ron Wood; Deputy City Clerk David R. Van Cura, City Manager Clint Holmes, City Attorney Gerard Garno.

**ABSENT:** City Clerk Kelly Pavel.

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:** None.

**CORRECTION AND APPROVAL OF MINUTES:**

Moved by CM Miller, second by CM McIvor, to approve the Minutes of the Regular Meeting of January 9, 2006 as presented. Motion Carried.

**PAY BILLS:**

Moved by CM Lee, second by CM Blatt, to pay the bills as presented in the following funds: General - \$ 14,532.07, Payroll - \$17,184.55, Major St. - \$1,510.55, Local St. - \$782.23, Sewer - \$11,293.99, Water - \$2,828.00, Investment - \$44,932.04. Motion Carried.

**PUBLIC QUESTIONS AND COMMENTS:** None.

**PERSONAL APPEARANCES:**

1. Ken Brown – CHIP, use of Burger Building on June 10, 2006 from 10-A.M. – 4P.M.

The Brown City Masonic Lodge asked to use the Burger Building to conduct a Michigan Child Identification Program (CHIP) event. Parents/Guardians receive a child identification kit that includes a color photograph, fingerprints, taped interview, tooth prints or dental impressions and saliva swabs for DNA analysis.

Moved by CM Lee, second by CM Miller, to allow the Brown City Mason Lodge to use the Burger Building to conduct a “CHIP” on June 10, 2006 from 10A.M. to 4 P.M. Motion Carried.

2. Doug Scott, P.E., Rowe Incorporated – recommendations for Arsenic Abatement. Final decision on the abatement solution chosen by the City is due to DEQ by February 1, 2006.

Mr. Scott presented to the Council a report listing five arsenic removal options. The options are as follows:

Option #1: Construct a New Water Treatment Plant at Well #3. Estimated cost approximately \$770,000.

Option #2: Construct New Well at Well #4 Site and Expand the Existing Treatment Plant. Estimated cost approximately \$537,000.

Option #2a: Construct New Well at Well #4 Site and Limit Existing Well Discharge to 450gpm. Estimated cost approximately \$261,000.

Option #3: Construct Raw Water Line from Well #3 to Well #4 site and Treat Water at Existing WTP. Estimated cost approximately \$798,000.

Option #4: Construct New Water Treatment Plant at Well #3 Site using Sand Filtration System. Estimated cost approximately \$970,000.

Based on cost estimates for each option, Rowe Inc. recommends Option 2 or Option 2a.

George Hahnefeld, Bill Pepper, Bill Walters, Councilmember Lents and Councilmember Wood asked questions.

NOTE: A complete copy of the Arsenic Removal Options report is attached.

**DPW REPORT:** (please see written report)

**OLD BUSINESS:**

1. Bullock Project – final ditching pending.
2. Codification of City Ordinances – under review.
3. Appointment of a business owner or resident on the DDA (to 12-31-2008) - pending.
4. Appointment of a resident to the Cemetery Board (to 12-31-2010) - pending.

**PETITIONS AND COMMUNICATIONS:**

1. 4237 Main Street – handicap access ramp and platform.

The Buildings & Grounds Committee looked at the proposed site. They recommend the ramp be portable so that it can be removed at night and for snow removal. They also recommend that the ramp be approved on a temporary basis.

The Planning Commission will review this request and the Council will make the final approval.

**PUBLIC HEARING:** None.

**ORDINANCES:** None.

**RESOLUTIONS:** None.

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

- 1. Union Audit:** The Boards of Trustees of the Operating Engineer's Fringe Benefit Funds have requested that Stefansky, Holloway & Nichols, Inc., conduct a payroll audit "to confirm the City's contributions to these funds." This examination will include all employees regardless of craft or occupation. The audit will cover the period of July 2005 to the date of the audit. They want to inspect employee earning records by calendar year, showing each employee's name, address, social security number, occupation, straight time and overtime hours worked, rate of pay, gross earnings, all deductions, and net pay. This audit will include an inspection of all W-2's, W-3's, 1099's and 1096's and M.E.S.C. Form 1017. The audit is scheduled for March 1, 2006 beginning at 9 AM.
- 2. Community Development Block Grant (CDBG):** No information concerning the status of this request (Notice of Intent) has been received from Lansing. A letter was sent to the Michigan office of Housing and Urban Development asking why Brown City is not on the HUD Low and Moderate Income Community list, and how we may correct this oversight. No response from HUD at this time.
- 3. 2006 Streetscape:** The contractors involved with the Streetscape have scheduled a coordination and scheduling meeting for 10 AM on March 17<sup>th</sup>. A schedule should be available as a result of the meeting that can be supplied to business owners on the effected block and the *Banner*. Following up on Councilmember Lent's idea concerning raising the angle of the sidewalk on south Main Street to eliminate the steps going into businesses, I contacted the (acting) City Engineer. Best information is that this change can be made during the contractor's meeting at little or no additional cost to the City. Since the City Council approved the engineering plans for the 2006 Streetscape, recommend a motion concerning this change. **REQUIRES MOTION.**

Moved by CM Miller, second by CM Lee, to raise the sidewalk on the south side of Main Street where required to bring the sidewalk level even with business entrances. Motion Carried.

Councilmember Lents asked if a motion was necessary since the original plans had no sidewalk elevations.

Moved by CM Miller, second by CM Lee, to rescind the previous motion regarding sidewalks. Motion Carried.

Consensus of the City Council is to bring the sidewalk level even with business entrances. Change will be made at the meeting with Streetscape contractors in March.

- 4. Sanilac Services Contract:** Each year the City contracts with the County to print various tax forms. A copy of the contract is attached and was forwarded to the City Attorney for review on January 18<sup>th</sup>. There are sixteen categories and each went up about 1¢ since the 2005 contract. **REQUIRES MOTION.**

Moved by CM Miller, second by CM Lents, to approve the 2006 Agreement for Data Base Management /Printing Services with the Sanilac County Equalization Department for 2006.  
Motion Carried.

5. **Park Master Plan:** Two representatives from Fleis & VandenBrink, the company hired to develop the Community Recreation Plan, met with the Park Board for almost two hours on January 12<sup>th</sup>. The group discussed potential improvements and development issues. The next step is a Public Hearing to provide residents the opportunity to participate in the development of this five-year plan. This Public Hearing will take place during the regular Park Board meeting on February 9<sup>th</sup>.
6. **Great Lakes Internet, Inc.:** The owner of Great Lakes Internet has postponed for the foreseeable future acquisition and installation of replacement antennas on the top of the water tower in order to increase capacity. Great Lakes will provide photographs of the proposed antennas prior to any work here; however, no work is scheduled at this time.
7. **Sanilac County EDC:** The EDC Board met for just over four hours on January 12<sup>th</sup> to hear presentations from two professional fundraising firms. The group selected STELLAR Fundraising Executives of Florida to conduct a feasibility study to determine the potential success of a formal campaign to raise up to \$1.5M from business owners and local governments for economic development in Sanilac County. Details are in the enclosed article from the *Sanilac County News*. I attended a two-hour follow-up meeting with other members of the EDC Board and two representatives from STELLER near Crosswell the evening of January 19<sup>th</sup> to help the EDC supply STELLER with a local perspective. A second meeting was scheduled for the morning of January 20<sup>th</sup> so the remainder of the EDC Board could meet with these representatives.
8. **City Website:** A digital camera will be available at the meeting to take individual and group pictures of elected officials for the City web page. Where and when does the City Council want these pictures taken?
9. **MLGMA Conference:** I will be attending the Michigan Local Government Manager Association Winter Conference in Kalamazoo 24-27 January. City and village managers from throughout the state will be there. Agenda includes 'Capital Planning and Budgeting for Small Communities,' 'Overview of the State/Local Economy,' and legislative affairs. I will be available by cell phone.
10. **Conflict of Interest:** In response to a question by a Councilmember, City Council minutes from April 1996 through November 1998 were reviewed. The only reference to the DPW employee in question was August 20, 1998 and that was concerning his resignation from the City. The term 'conflict of interest' may have been used during the Personnel Committee meeting on August 14, 1998. However, minutes from that meeting are not on file. Further review of the minutes from April 1999 through May 2002 revealed two instances in which the City Council voted to allow the current DPW Supervisor to conduct private business in the City that was substantially the same as the work he does for the City. The City's current policy concerning outside employment is on page 19 of the City of Brown City Employee Handbook.
11. **Police Special Study:** Costs to operate the Brown City Police Department are on the long spreadsheet. Amounts for 1995/96/97 were taken from a bookkeeping database, numbers for 1998/05 were taken from the most current budget amendment. 2005-2006 column is from the November 2005 budget amendment. As of December 31, 2005 actual dollars spent on the police department for FY 05/06 was \$144,163.66. Actual/Audit figures were copied from the published annual audit by Lehotan/King and reflect real amounts verses budget estimates. The line at the bottom of the page shows the percent of the General Fund that goes to fund the police department by fiscal year.
12. **City Council Priorities:** A draft copy of the priority matrix based on the 'Mayor and City Council Priorities Worksheets' is in your packets. Please review them and let me know if you have any changes to your column.

13. **Salt Spreader:** The salt spreader purchased by the City in about 1999 requires extensive repairs estimated at \$1,340.60. Additional repairs would be required before next winter estimated at \$1,500.00. DPW Supervisor recommend purchasing a new unit for approximately \$3,700. Since this is not a budgeted item, request a motion. **REQUIRES MOTION.**

Moved by CM Blatt, second by CM McIvor, to purchase a new salt spreader at a cost of approximately \$3,700.00. Motion Carried.

#### **ATTORNEY'S REPORT:**

1. City Attorney Garno has reviewed the 2006 Agreement for Data Base Management/Printing Services with the Sanilac County Equalization Department and has recommended a couple of minor changes.
2. City Attorney Garno was requested to review the contract between Rowe, Inc. and the City of Brown City, which he has completed.

#### **COMMITTEE REPORTS:**

1. Police (Miller) – The Committee scheduled a meeting for Thursday, February 2, 2006 at 1:00 P.M.
2. Water & Sewer (Lents) – The Committee scheduled a meeting for Monday, January 30, 2006 at 2:00 P.M.
3. Tax & Finance (Lee) – None.
4. Streets & Sidewalks (Wood) – The Committee met on January 18<sup>th</sup> regarding the plowing of sidewalks. They recommend that the sidewalks be plowed as follows: James Street between First & Second, St. Marys Street between First & Second, and Second Street between John & James. The City currently plows John Street between Main & Second, St. Marys Street between Main & First, and Lincoln between Vine & Main. This will be done on a temporary basis to see how it works.

Moved by CM Wood, second by CM McIvor, to plow the following additional sidewalks: James St. between First & Second Streets, St. Marys Street between First & Second Streets, and Second Street between John & James. Motion Carried.

5. Buildings & Grounds (Blatt) – None.
6. Personnel (McIvor) – None.

7. Homecoming (Lee) – CM Lee gave a report on the January 10<sup>th</sup> meeting. Cookbooks and T-shirts are currently on sale. The next meeting is scheduled for February 6<sup>th</sup> at 6:30 P.M.

City Treasurer presented the Council with a written report on the status of the 2005 Winter Tax collection to date.

She also stated that Councilmembers should be more aware of the amounts they are approving for paying bills and the fund this money comes from.

#### **GENERAL CONCERNS OF THE COUNCIL:**

Councilmember Lents requested budget information be made available for the January 30<sup>th</sup> Water & Sewer Committee Meeting.

Councilmember Wood asked Attorney Garno the procedure for approving contracts. Attorney Garno cited Section 10.01 of the City Charter.

#### **MAYOR'S REPORT:**

Mayor Carpenter would like to schedule a Work Session to review the codification of the City ordinances.

The Council scheduled a Work Session to be held on Monday, February 6, 2006 at 7 P.M.

#### **ADJOURNMENT:**

Moved by CM Miller, second by CM Lee, to adjourn the meeting at 8:28 P.M.  
Motion Carried.

Respectfully Submitted,

David R. Van Cura  
Deputy City Clerk