

**BROWN CITY COUNCIL PROCEEDINGS
OCTOBER 23, 2006**

Meeting called to order at 7:00 p.m. by Mayor Pro-Tem Miller.

Pledge of Allegiance led by CM McIvor.

PRESENT: Mayor Pro-Tem Julie Miller, Council members: Leon Blatt, Christine Lee, Mike Lents, Ross McIvor, and Ron Wood. City Attorney Gregory Stremers, City Manager Clint Holmes, City Clerk Kelly Pavel.

ABSENT: Mayor Laura Carpenter.

ADDITITONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Lee, second by CM Wood, to accept the Regular Meeting Minutes of October 9, 2006 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Blatt, to pay the bills in the following funds: General - \$18,684.84, Payroll - \$14,260.22, Major Street - \$13,828.37, Local Street - \$2,260.40, Sewer - \$11,156.13, Water - \$17,001.42, Arsenic Abatement - \$7,622.50, Equipment - \$682.89. Motion carried.

PUBLIC QUESTIONS AND COMMENTS: None.

PERSONAL APPEARANCES: None scheduled.

DPW REPORT:

CM Wood commented on 100 hours logged for storm sewer cleaning appears on the high side. City Manager stated that those hours vary and 100 hours is for approximately a 30-day period covering two pay periods.

Discussion regarding DPW break times and when breaks are scheduled.

OLD BUSINESS:

1. Bullock Project – equipment will be in to finish work when location dries out. CM Lents has volunteered to do laser work as well.
2. Codification of City Ordinances – attorney review continues, new updates sent today to attorney.
3. Arsenic Abatement – Funding application must be complete by February 1, 2007. Site inspection will take place October 25, 2006.

Discussion on when Bullock Project originally started as well as when court orders were issued. CM Wood questioning if any restitution is involved in court order. City Attorney will review the order.

Gary Abel stated that he does not believe that it is necessary for Mr. Burgess to wait for property to dry up to bring equipment in to complete Bullock work. States that his company has been working consistently throughout this rainy season.

Council consensus that City Manager notify Gene Burgess that if work can not be completed this week, another contractor will be hired to complete Bullock project.

PETITIONS AND COMMUNICATIONS:

Motion by CM Blatt, second by CM McIvor, to accept the pre-application building permit for 6972 John Street for a new roof on a garage. Motion carried.

ORDINANCES: - None scheduled.

MANAGER'S REPORT:

1. August 3-4 Flood: The Inter-County Drain Commission is scheduled to meet here on Wednesday, October 25th. The survey and engineering evaluation of the Lapeer-Sanilac Drain should be complete, and a decision concerning how to proceed with improving this drain is expected. The railroad culvert will also be addressed.
2. Site Plan Review Requirements: Instructions for the approval process for construction or remodeling of buildings zoned either Neighborhood Commercial or Central Business District were mailed to the property owners and business managers in those areas. A copy of the cover letter(s) and updated instructions are attached (green). 60+ letters were mailed out on October 10th.
3. Exchange Bank: The architect for the proposed Exchange State Bank building on the corner of Cade Road and M-90/Main Street visited City Hall and was provided with requested information concerning the City's site plan and building permit process on October 16th. Barber-McCalpin Associates was also provided with a copy of the City's Zoning Ordinance (Chapter 8), a zoning map and a copy of the updated approval process. The firm expects to submit a site plan to the City for approval within six weeks.
4. Liquor Control Commission: The City received a formal letter from the LCC (orange) concerning the transfer of the liquor license from the old pharmacy to the individual who plans to purchase the building. License is for the sale of beer and wine (SDM) and liquor (SDD) for "consumption off the premises only." Brown City has 15 days to comment on the proposed license transfer "if the applicant location will not be in compliance with all appropriate" zoning etc. How does the City Council wish to proceed? No reply required.

PUBLIC HEARING:

Mayor Pro-Tem Miller opened Public Hearing at 7:15 p.m. regarding the FiveYear Park and Recreation Plan for 2006-2011.

City Manager discussed proposed Park and Recreation Plan.

No public questions or comments regarding the Park Five Year Park and Recreation Plan.

Mayor Pro-Tem Miller closed the Public Hearing at 7:16 p.m.

RESOLUTIONS:

Motion by CM McIvor, second by CM Blatt, to re-adopt Resolution 06-09, *A Resolution Approving and Endorsing the Brown City Community Park Recreation Plan 2006-2011*. ROLL CALL VOTE: Wood-yes, McIvor-yes, Miller-yes, Lents-yes, Lee-yes, Blatt-yes. Motion carried.

MANAGER'S REPORT CONTINUED:

5. Zoning Law Update: A new Michigan Zoning Enabling Act took effect on July 1, 2006. The Planning Commission Chairman Ken Brown and I attend training on this subject in Cass City on Saturday, October 21st. This class was designed to help us identify any areas of the Brown City Zoning Ordinance that might require revision in light of this new law. Overall, the City's ordinances are in accord with the new law. Additional requirements for detailing Zoning Board of Appeals (ZBA) decisions will be provided to the City Clerk.
6. Grant Requests: The City completed and mailed two grant requests. The first was written at the request of the Summer Festival Commission to the Sanilac County Community Foundation to help fund a Brown City Day event. A second grant request was sent to the Michigan Arbor Day Alliance for a \$200 grant for planting trees. Arbor Day is April 27, 2007. Results of both grant requests should be known early next year.
7. City Web Page Links: Correspondence was sent to various organizations, to include the State of Michigan, Sanilac County, County EDC, and various others requesting that they link our website to theirs. This will significantly increase the number of ways for people to locate our website.
8. Veterans Day: City Hall will be closed on Friday, November 10th in honor of Veterans Day on Saturday, November 11th.

ATTORNEY'S REPORT:

No new business.

COMMITTEE REPORTS:

1. Police – none.
2. Water and Sewer – Committee meeting scheduled for October 30, 2006 at 5:30 p.m.
3. Tax and Finance – Discussion regarding budgets and monies available for water and sewer projects, Council consensus that General Fund can not provide monies for major projects at this time.

4. Streets and Sidewalks – none.
5. Buildings and Grounds – none.
6. Personnel – CM McIvor questions DPW Supervisor asking a resident to assist in a manhole or trench doing work. City Manager stated that Jimmy Groat will assist, he has filled out an application and will be covered under insurance. City Manager stated that Mr. Groat will also assist with snow plowing if needed. CM Wood clarifying that this is contract basis only. City Manager stated that Mr. Groat has restricted area work experience and will be hired on a contract basis only at the rate of \$12.00 per hour, with no benefits, and will be covered under City's insurance policy.

GENERAL CONCERNS OF THE COUNCIL:

CM Lee questions the height of the speed limit sign on the corner of Lincoln and Main. City Manager states that this will be raised.

CM Lee commended Chief Smith's coordination and efforts involving recent funeral for former Chief of Police Fred Maurer.

Motion by CM Lee, second by CM Blatt, to close the library on November 7, 2006 for the purpose of the General Election. Motion carried.

Motion by CM Lee, second by CM McIvor, to appoint Kathleen Loutzenhizer, Richard Williams Sr., Richard Baysdell, Paula Baysdell, Helen Lints, Jeanne Morrison and Betty Spencer as election workers for the November 7, 2006 General Election. Motion carried.

PUBLIC QUESTIONS AND COMMENTS:

Gary Abel suggests that speed limit signs be mounted on proper polls versus being hung on new street lampposts. Suggests that rusting may take place and ruin new lamp posts.

Mr. Abel also questions the non-working order of fire hydrant on Kohler and Third Streets. City Manager stated that parts have been ordered for this hydrant.

Motion by CM Lee, second by CM McIvor, to adjourn at 7:37 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk