

**BROWN CITY COUNCIL MEETING
JULY 10, 2006**

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

Pledge of Allegiance led by Councilmember Lents.

PRESENT: Mayor Laura Carpenter, Councilmembers Ron Wood, Julie Miller, Ross McIvor, Mike Lents, Christine Lee, Leon Blatt. City Manager Clint Holmes, City Clerk Kelly Pavel.

ADDITIONS, CORRECTIONS & DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Moved by CM Miler, second by CM Lee, to accept the Regular Council Minutes from June 26, 2006 as presented. Motion carried.

PAY BILLS:

Moved by CM Lee, second by CM Blatt, to pay the bills in the following funds: General - \$8,054.73, Payroll - \$12,804.69, Major Street - \$60.00, Sewer - \$1,110.58, Water - \$1,677.71, Equipment - \$97.54. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

PERSONAL APPEARANCES:

Mike Lents, representing the Sacred Heart Catholic Church requesting a Public Hearing (PA 25) for a land transfer of property for a building site for the proposed new Catholic Church from Burnside Township to the City of Brown City.

Moved by CM Lents, second by CM McIvor, to schedule a Public Hearing at 7:15 p.m. on July 24, 2006 regarding land transfer for Catholic Church. Motion carried.

POLICE REPORT: Written report reviewed, no questions or comments.

OLD BUSINESS:

1. Bullock Project – nearing completion. Comcast has not responded following a formal letter, and numerous telephone calls and e-mails. Recommend leaving the ditch north of the water tower open. Consensus of the City Council was to proceed with the open ditch.
2. Codification of City Ordinances – Final draft received, council received copy. Council recommendation that City Manager review and report on final copy.
3. DDA Vacancy - Moved by CM Miller, second by CM McIvor, to appoint Keith Redlin to the DDA with term ending December 31, 2008. Motion carried.

4. Arsenic Abatement – Preliminary plans forwarded to DEQ. The review by DEQ is still pending.

Council consensus to remove Item #3 from Old Business portion of agenda.

RESOLUTIONS: None.

PUBLIC HEARING: None scheduled.

ORDINANCES:

Discussion regarding proposed Ordinance 8400 – An Ordinance To Prescribe Street Address Number Sizes and Locations. City Council consensus that City Manager simplify the proposed ordinance by using more basic requirements, and resubmit. Council has concerns with requiring that residents purchase and install at their cost green reflective house number signs.

PETITIONS & COMMUNICATIONS:

Discussion regarding proposed attached garage addition and its location for Tony Calabaro, 7097 Cade Road.

Moved by CM Blatt, second by CM Wood, to schedule a Public Hearing on July 24, 2006 at 7:30 regarding a Variance Request for 7097 Cade Road. Motion carried.

Moved by CM Blatt, second by CM Miller, to accept the pre-application building permit for 7097 Cade Road for repair of lightening damage to include building, electrical and plumbing. Motion carried.

Moved by CM Blatt, second by CM Miller, to accept the pre-application building permit for 4139 Main Street for removal of garage doors to be replaced with insulated wall, new additional entrance door, electrical work for replacement of cooler and the raising and leveling of concrete floor. Motion carried.

Moved by CM Blatt, second by CM Miller, to accept the pre-application building permit for 4221 Second Street for an above ground 18' x 33' swimming pool. Motion carried.

TREASURER'S REPORT:

Update on Summer Tax collection from City Treasurer Carol Walters.

MANAGER'S REPORT:

1. **East Main Street:** MDOT responded to our request for assistance in resolving the storm water drainage issue on East Main Street with the enclosed letter dated June 28th. They have agreed to pay for lowering of catch basins and the installation of two additional

ones. They will also provide the associated survey and milling work. How does the City Council wish to proceed?

CM Wood raised concerns about this work being completed in a professional manner and completely solving the problem. He is concerned that mill work will not solve this water problem, and repairs should be more extensive. Consensus that MDOT complete survey work and City Council review the plan before a final decision is made on how best to correct this problem.

2. **Sewer System TV Inspection and Cleaning:** Metro Environmental Services completed their inspection and cleaning of the sewer mains north of Main Street. Due to problems with their DVD recorder, a copy of the video is not yet available but should be soon. No major problems were noted during the inspection; however, the camera was blocked by roots in six places along the main.
3. **Arsenic Abatement Facility:** The DEQ District Engineer contacted me because he had not been able to get in touch with Rowe Engineering regarding issues with the preliminary plans for the arsenic abatement facility. I contacted Rowe to ensure they coordinate with DEQ. Final City Council-approved design and construction plans are due to DEQ by August 1st, 2007.
4. **Sewage Lagoon Treatment:** Technichem delivered the biologics for the lagoons on June 13th. The DPW determined the average depth of sludge in Cells #1 and #2 and provided a report, then began the treatment process June 25th. Weekly follow-up treatments are required for the next five months. Once the treatment is complete, the DPW will again measure the depth of sludge in the lagoons.

City Council discussion regarding actual sludge levels and the amount of treatment that is needed this year. Recommendation that the entire treatment be applied in order to measure success of process.

5. **Community Service:** The County Prosecutor stated that Sanilac County will again make available some of those incarcerated in the Sanilac County Jail available for work in the City. The individuals would report to the DPW in the morning and receive job assignments. The City is responsible for filing reports/time sheets on these individuals. The County provides transportation to Brown City, lunch for the inmates, and insurance. The DPW Supervisor was tasked to begin compiling a list of potential tasks for these people. If the City agrees, Sandusky will notify us when they can restart this service. Council consensus to proceed with community services workers.
6. **City Assessor:** On July 14, 2003 the City Council made the decision to release requests for proposals (RFP) for City Assessor services. Apparently no RFP was ever written or sent. Research revealed that for a community of our size, an Assessor II is required. Attached is a sample Request For Proposals for Assessor Services and a sample newspaper advertisement. The City Treasurer has reviewed the RFP. Section 2.10 of the City Charter states that the City Council shall appoint a qualified assessor who has been

“nominated for the position by the City Manager.” Does the City Council wish to make any changes to the RFP? Are there any objections to releasing the RFP on July 11th? Council consensus that City Manager proceed with RFP as presented.

7. **LAS International Ltd:** A representative from the company that makes the heavy-duty lagoon windmills, such as those used in Pigeon, Port Austin and Otisville, was in Michigan on July 6th and visited the City. He provided detailed information about their products which are available for your review. I explained that the City probably would not review the purchase and use of this product until at least Spring 2007.
8. **Avian Flu Symposium:** The Public Entity Risk Institute (PERI) hosted a virtual symposium June 19th through June 23rd concerning the planning requirements for local governments in the event of a H5N1 avian flu pandemic. Extensive background concerning what is known about the virus as well as the effects of the 1918, 1957 and 1968 pandemics were detailed. Discussion included planning responsibilities of municipalities such as Brown City. Following the symposium, I reviewed the 105-page Michigan Department of Community Health (MDCH) Pandemic Influenza Plan. Following this, a letter was sent to the Sanilac County Health Department requesting the current status of planning in Sanilac County concerning H5N1, and asking what the City can do to assist the Health Department with the creation or enhancement of contingency planning.
9. **Michigan’s Economy:** Enclosed is a copy of the executive summary of a lengthy report concerning the six priorities required to make Michigan’s economy competitive again, and is provided for your information. Michigan Future, Inc., an Ann Arbor-based research business, produced the report. A copy of the complete report is available from City Hall or at www.michiganfuture.org.
10. **Noxious Weeds and Grasses:** The City continues to send out letters requiring property owners to keep their grass cut and weeds controlled. The latest warning was sent to the owners of Parkside to cut the grass at the east end of the street. A study revealed that with the 25% surcharge allowed by Ordinance 4110A, the City charges \$67.50 per hour if the DPW does the work and the contractor rate plus 25% if done by a private firm. The Chief of Police has also been directed to write Civil Infraction Tickets to those violating the Ordinance.
11. **City Attorney Contract:** The City received three responses to the Request for Proposal City Attorney Services (Taylor, Butterfield, et al – Lapeer, Rickard, Denney, Garno – Imlay City, and Barry Shoults and Associates – Lapeer). A matrix summary is enclosed along with the firm’s proposals. Also attached is the matrix summary from 2005 for reference.

Discussion regarding law firms that were interviewed previously. Council directed City Manager to resubmit RFP’s with cover letters to include Fletcher Clark Tomlinson Fealko & Monaghan P.C.

- 12. Sanilac County Economic Development Corporation:** The EDC is hosting their Third Annual Partner's Meeting at Lakeview Hills in Lexington on Wednesday, July 19th beginning at 5:30 PM. Enclosed is a copy of the invitation, RSVPs are due by July 12th. Do any members of the City Council wish to attend this program?

ATTORNEY'S REPORT: None.

COMMITTEE REPORTS:

1. Police – none.
2. Water and Sewer – none.
3. Tax and Finance – none.
4. Streets and Sidewalks – CM Wood discussed 6-27-06 committee meeting as well as presenting Council with proposed tree removal and trimming schedule.
5. Buildings and Grounds – none.
6. Personnel – none.

GENERAL CONCERN'S OF THE COUNCIL:

City Clerk identified election workers which are needed for the August 8, 2006 election.

Moved by CM Miller, second by CM Lee. to appoint Paula Baysdell, Jeanne Morrison, Renee Nason, Betty Spencer, Richard Williams, Sr., Ruth Ann Hayward, Elva Walker, Kathleen Loutzenhizer, Richard Baysdell and Helen Lints as election workers for the August 8, 2006 election. Motion carried.

City Manager discussed proposal to hire an Election Coordinator to be responsible for the two elections each year. Job description is available for review. City Council consensus to advertise for this position, which would consist of approximately 40 hours per **year**.

MAYOR'S REPORT: None.

PUBLIC QUESTIONS & COMMENTS: None.

Moved by CM Miller, second by CM Lee, to adjourn at 8:05 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk