

**BROWN CITY COUNCIL MEETING
JANUARY 22, 2007**

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

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter; Council Members – Kenneth Brown, Christine Lee, Mike Lents, Ross McIvor, Julie Miller, and Ron Wood; Deputy City Clerk David R. Van Cura, City Manager Clint Holmes, City Attorney Greg Stremers.

ABSENT: City Clerk Kelly Pavel.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Miller, second by CM McIvor, to approve the Minutes of the Regular Meeting of January 8, 2007 as presented. Motion Carried.

PAY BILLS:

Motion by CM Lee, second by CM Brown, to pay the bills as presented in the following funds: General Fund - \$5,708.19, Payroll Fund - \$13,594.27, Major Street Fund - \$1,673.14, Local Street Fund - \$1,075.43, Sewer Fund - \$9,973.96, Water Fund - \$16,919.72, Arsenic Abatement Fund - \$4,275.00, Equipment Fund - \$874.00. Motion Carried.

PUBLIC QUESTIONS AND COMMENTS: None.

PERSONAL APPEARANCES: None.

DPW REPORT: (please see written report)

Councilmember Wood expressed concerns about what he considers excessive hours for snow removal by the DPW on Main Street last week.

OLD BUSINESS:

1. Bullock Project – essentially complete.
2. Codification of City Ordinances – (see Public Hearing below).
3. Arsenic Abatement – Funding application must be complete by February 1, 2007. (see Public Hearing below).

PETITIONS AND COMMUNICATIONS: None.

CITY MANAGER'S REPORT: (Items #1 thru #7)

1. **Council Priorities:** The 2007 worksheets completed by members of the City Council were consolidated onto the attached spreadsheet (chartreuse).

2. **Brown City Pharmacy:** The formal sale of the old pharmacy building was completed January 10th. There were a number of issues concerning utilities and building status. Expect renovation of the building will begin within the next few weeks.
3. **Exchange State Bank:** The architect for the Exchange State Bank provided copies of site plans on January 17th. The schedule is for the Planning Commission to review the plans on February 1st and the Downtown Development Authority to inspect them the following week. Expect to present the plans to the City Council for review and approval at the February 12th meeting. The bank wishes to start construction in early spring.
4. **Michigan Liquor Control Commission:** The LCC issued a 'Notification Of Violation Report' to Bud's Corner Café on January 11th. A copy was provided to the BCPD. The date and time of the hearing is pending.
5. **Well #3:** The City has requested a bid from Midwest Peerless to compare with the bid from Layne-Northern for the overhaul of Well #3. Staff is also researching other firms in Michigan that do this type of work. The consolidated list of bids will be presented to the City Council when available. Also, the City received an email from MDEQ concerning the well and proposed treatment plant. A copy of the correspondence and the City's response is attached (orange). The City forwarded the application (and fee) for a National Pollutant Discharge Elimination System (NPDES) permit for the proposed water treatment plant. We are also researching the possibility of adding the plant to the current NPDES permit for Well #4.
6. **Sanilac County Mutual Assistance Agreement:** A meeting is scheduled for January 22nd in Sandusky to review the Mutual Aid Agreement proposed by the Sanilac County Sheriff. The city managers of Marlette, Crosswell and Brown City had some concerns about the draft contract released by the Sanilac County Prosecuting Attorney last November. The agreement has been modified to address some of these concerns and will be a subject of the meeting. A copy of the agreement will be presented to the City Council for review and possible approval once finalized.
7. **Stop Sign Request:** The Brown City Police Chief Ron Smith has recommended installing a new stop sign on the southeast corner of Walter and Fourth Streets. With the extension of Fourth Street to the east, this has been the site of several near misses. How does the City Council wish to proceed?

Motion by CM Lee, second by CM Brown to install a "STOP" sign at the southeast corner of the intersection of Walter and Fourth Streets. Motion Carried.

PUBLIC HEARING:

1. (7:15 PM) Codification of City Ordinances.
 - a. City Ordinance 52.07 (B) Rates.
 - b. City Ordinance 92.10 Pet Sanitation and 92.11 Duty to Control Dogs.
 - c. City Ordinance 05-01 Adopt Codified Ordinances.

Mayor Carpenter opened the Public Hearing at 7:15 PM.

Councilmember Brown would like the word "animal" changed to "household pet" in paragraphs A and B of Ordinance 92.10.

City Manager Holmes gave a brief description of each ordinance.

Mayor Carpenter closed the Public Hearing at 7:18 PM.

ORDINANCES:

- a. City Ordinance 52.07 (B) Rates.
- Councilmember Miller introduced City Ordinance 52.07 (B) Rates.

Motion by CM Miller, second by CM Wood, to adopt City Ordinance 52.07 (B) Rates. ROLL CALL VOTE: Wood - yes, Miller - yes, McIvor - yes, Lents - yes, Lee - yes, Brown - yes. 6– Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

b. City Ordinance 92.10 Pet Sanitation and 92.11 Duty To Control Dogs.
Councilmember Miller introduced City Ordinance 92.10 Pet Sanitation and 92.11 Duty to Control Dogs.

Motion by CM Miller, second by CM McIvor, to adopt City Ordinance 92.10 Pet Sanitation and 92.11 Duty to Control Dogs. ROLL CALL VOTE: Brown - yes, Lee - yes, Lents - yes, McIvor - yes, Miller - yes, Wood - yes. 6 – Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

c. City Ordinance 05-01 Adopt Codified Ordinances.
Councilmember Miller introduced City Ordinance 05-01 Adopt Codified Ordinances.
Motion by CM Miller, second by McIvor, to adopt City Ordinance 05-01 Codified Ordinances.
ROLL CALL VOTE: Wood - yes, Miller - yes, McIvor - yes, Lents - yes, Lee - yes, Brown - yes. 6 – Yes, 0 - No, 0 - Abstain, 0 - Absent. Motion Carried.

Motion by CM Miller, second by CM Lee, to remove Item #2 (Codification of City Ordinances) from Old Business. Motion Carried.

CITY MANAGER’S REPORT: Continued (Items #8 thru 12)

- 8. Downtown Revitalization Training:** The ‘Downtown Revitalization’ training in Howell on January 9th went well and provided information concerning availability of (free) consultants from the state and a list of potential grant sources. Plan to discuss the possibility of applying for a grant to improve the facades in the downtown business district with the Brown City DDA at their next meeting.
- 9. Agri-Business Workshop:** Michigan Works! received a state grant of \$20K to analyze ways to help the agricultural sector in the tri-county area expand and become more efficient. The name of this effort is the Agri-Business 2100 Project. Two focus groups met in December to identify areas of concern and potential improvement. A workgroup consisting of representatives from agriculturally related business such as Thumb Oilseed Cooperative, local government (Brown City), growers, and educational institutions such as MSU, (a total of 21 people) and met in Marlette on January 10th to brainstorm potential solutions. Focus areas were narrowed down to agricultural safety, training and transportation. The current emphasis is to find a way to bring this program to the growers. One avenue the workgroup is studying is an educational curriculum and distance learning program. The next meeting of the group is not yet scheduled.
- 10. Freedom of Information Act Request:** The City received a FOIA from the law firm of Ball & Ball of Mount Clemens requesting “a complete copy of your building department file for modular homes constructed by Suburban Home Sales ... constructed within your municipality between 1998 and the current date.” Information collected to date comes to 194 pages. The City’s response must be complete by January 23rd.
- 11. Follow-up:** The following items were addressed as the result of questions from the last City Council meeting:
 1. A copy of the free software program to rate the repair status of City streets (RoadSoft) was requested from the Technology Development Group at MSU. Expect it to arrive within the next couple of weeks.
 2. The night shift police officer was specifically tasked to identify all of the burned out streetlights in the City limits on January 9th. The list has been turned in to DTE for repair.

3. The Police Chief was tasked to talk to the owner of the business on the southwest corner of Main and Lincoln Street about moving the sign that was blocking the view of oncoming traffic from Lincoln Street.
4. A copy of the new Employee Daily Activity Report Policy was provided to the DPW Supervisor for distribution to the DPW employees. Procedure for turning in the completed reports was established.
5. DTE sent an email acknowledging receipt of the City's grant request for Main Street trees. They received a total of 74 applications representing \$212,000 competing for approximately \$70,000 in available funding. Official award announcements are expected in March.
6. The Brown City Fire Chief sent letters to each of the businesses and individuals that provided hot food and drinks to the firefighters that battled the fire at the Brown City Lanes. Both Mayor Carpenter and Chief Groat sent similar letters to the Fire Departments that responded on January 7th. A sample copy is attached (white). Also, the Department received a letter of commendation from Verizon (buff).

12. **Economic Good News:** The Michigan Economic Development Corporation released a list of positive economic developments for the state. A copy is provided for your information (white).

PUBLIC HEARING (continued):

2. (7:30 PM) Arsenic Abatement Fund – USDA Loan / County Bond.

Mayor Carpenter opened the Public Hearing at 7:30 PM.

City Manager Holmes presented an overview of why we need the loan and the process to obtain one.

John Liebler had concerns as to the need for a second arsenic plant and as to how the loan would be repaid. The Council addressed Mr. Liebler's concerns.

Mayor Carpenter closed the Public Hearing at 7:52 PM.

RESOLUTIONS:

- a. Resolution 07-01 – County Bond.

Motion by CM Miller, second by CM McIvor, to adopt Resolution 07-01. A resolution approving the initiation of a project to construct an arsenic abatement facility in the vicinity of Well Number Three. ROLL CALL VOTE: Brown - yes, Lee - yes, Lents - yes, McIvor - yes, Miller - yes, Wood - yes. 6 – Yes, 0 - No, 0- Abstain, 0 - Absent. Motion Carried.

- b. USDA Application.

Motion by CM Miller, second by CM Lee, to continue with the completion and submission of the USDA loan application package. ROLL CALL VOTE: Wood - yes, Miller - yes, McIvor - yes, Lents - yes, Lee - yes, Brown - yes. 6 – Yes, 0 – No, 0 – Abstain, 0 - Absent. Motion Carried.

CITY MANAGER'S REPORT: Continued (Items #13 thru #15)

13. **Renaissance Zone Barn and Shed:** A local business owner wishes to purchase the barn and shed located in the City's Renaissance Zone and move then to his own property at his expense. Does the City Council wish to set a price for this property and sell it? Does the City Council wish to do this by ordinance, resolution or motion?

The consensus of the Council is to proceed with a resolution. The selling price, requirements for clean up and time frame to have the work completed should be included in the resolution.

- 14. City's Old Salt Spreader:** An individual has expressed interest in buying the City's old salt spreader for its scrape value. He informed me that steel is going for \$74 per ton and he offered \$50 for the machine. How does the City Council wish to proceed?

The Council decided to advertise for bids.

- 15. City Website:** The number of times that people have visited the City's Website, as of this afternoon, was 10,541.

ATTORNEY'S REPORT: None.

COMMITTEE REPORTS:

1. Police (Miller) – none.
2. Water & Sewer (Lents) – none.
3. Tax & Finance (Lee) – none.
4. Streets & Sidewalks (Wood) – none.
5. Buildings & Grounds (Brown) – none.
6. Personnel (McIvor) – none.

GENERAL CONCERNS OF THE COUNCIL: None.

MAYOR'S REPORT: None.

PUBLIC QUESTIONS & COMMENTS: None.

ADJOURNMENT:

Motion by CM Lee, second by CM Miller, to adjourn the meeting at 8:09 P.M. Motion Carried.

Respectfully Submitted,

David R. Van Cura
Deputy City Clerk