

BROWN CITY COUNCIL MINUTES
APRIL 16, 2007

Meeting called to order at 7:20 p.m.

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter, Council members: Julie Miller, Christine Lee, Ken Brown, City Attorney Gregory Stremers, City Manager Clint Holmes, City Clerk Kelly Pavel.

ABSENT: Council members Ron Wood, Ross McIvor, and Mike Lents.

Due to the lack of a quorum, Mayor Carpenter opened the meeting for Public Questions and Comments.

Bill Walters, County Commissioner and past City Treasurer, discussed past information regarding DDA monies. Mr. Walters said paperwork was filed with the State Tax Commission, stating that the Brown City DDA does not and never intended to capture millage monies. Discussions are taking place regarding the DDA capturing funds, may require this particular DDA be dissolved and a new one formed if intentions are to capture property tax millage in the future.

City Manager further discussed DDA procedures and regulations regarding capturing two mills of personal and real property tax for the DDA. This would not be a tax increase, rather a reallocation of money already being collected.

POLICE REPORT: Written report reviewed no questions or comments.

ATTORNEY'S REPORT:

City Attorney stated that with the Mayor's presence, a quorum is present, although those present should decide what business to cover with three Council members absent.

City Attorney stated that meeting procedures will be reviewed. In the past week, the Arsenic Abatement and Fireworks contracts were reviewed.

GENERAL CONCERNS OF THE COUNCIL:

CM Brown questions expectations of Llink Technologies regarding layoffs and/or closure. Mayor Carpenter suggests that Llink representatives be invited to a Council meeting to discuss their current status. City Manager will contact Llink.

City Manager asks that the Informational Survey for the City be reviewed for any possible changes that need to be made. City Manager further discussed requirements for the survey as well as mailing procedures.

CM Lents arrived at 7:41 p.m. City Council decided to proceed with the full agenda at this point.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Lee, to accept the Regular Meeting Minutes of March 26, 2007 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$84,389.98, Major Street - \$1,492.50, Local Street - \$2,654.50, Sanitary Sewer - \$16,533.18, Water Fund - \$19,188.40, Arsenic Abatement - \$5,690.00, Equipment - \$13,897.35, Payroll - \$31,060.56. Motion carried.

OLD BUSINESS:

1. Bullock Project – essentially completed
2. Arsenic Abatement – Construction must begin by August 1, 2007
 - a. Bid Documents –
 - b. Bond Resolution and Contract
 - c. Contractor Meeting – April 18 at 11 a.m. in the City Library

City Manager discussed Arsenic Abatement contract. CM Lents stated that payoff period was agreed to be 20 years, contract presented reads 40 years. City Manager states that 20 years was requested, this correction will be made.

RESOLUTIONS:

Motion by CM Miller, second by CM Lents, to adopt Resolution 07-07, *A Resolution Approving Arsenic Abatement Project Contract*. ROLL CALL VOTE: Wood-absent, Miller-yes, McIvor-absent, Lents –yes, Lee-yes, Brown –yes. Motion carried.

PETITIONS AND COMMUNICATIONS:

Motion by CM Brown, second by CM Miller, to accept the pre-application building permit for Brown City Summer Recreation for the replacement of dugouts at the baseball fields. Motion carried.

MANAGER'S REPORT:

1. **Brown City Lanes:** The three building inspectors from Sanilac County conducted an inspection of Brown City Lanes on April 10th. Their initial consensus is that the building should be condemned. The Building Department is

writing a report that will recommend the County Prosecutor and County Judge order the building demolished. As soon as the City receives a copy of this report, the City Council also has the authority under Title IX Section 91.06 (Dangerous Buildings) to order the building demolished.

CM Miller asked if the demolition is not complete does the City move forward. City Manager states that City Ordinances require reasonable need for condemnation, which it has, and a 60 day notice would be given for demolition of the building. If not completed the City would remove and add costs to the tax roll.

Discussion regarding a section of the barricade around the Brown City Lanes next to the sidewalk adjacent to the Harrington Inn that was blown off today in high winds. Apparently the rest of the barricade on the east side of the Bowling Alley was removed. Discussion regarding responsibility if a car parked in parking lot is damaged. Barricade is necessary and has been removed. CM Brown suggests that no parking be allowed until situation is resolved. Council consensus that this is primarily a private property issue and the City not be involved. City Attorney suggests that it be determined if this is an unsafe situation. City Manager will contact the County for investigation.

2. **LUCA:** The orientation meeting for the Local Update of Census Addresses (LUCA) for the 2010 Census took place in Sandusky on March 28th. A copy of the 84-page overview is available for your review. This program will allow a strict count of the City's population and help us qualify for certain types of Federal grants. The amount of staff time needed to complete this project should not be extensive. A formal decision to determine the level of the City's participation will be necessary around July when the Census sends us an agreement letter.
3. **Employee Health Care Benefits:** A consolidated list of health care options was provided by the Michigan Employee Retirement System (MERS) and for Blue Cross/Blue Shield from the J.S. Collins Agency in Southfield and Farm Bureau Insurance in Brown City. The available plans and their associated costs are available for your review. Recommend scheduling a Personnel Committee meeting to review these several options and determine which of them should be discussed with the staff before City Council implementation.
4. **Mayor Exchange:** The Clerk/Administrator of Columbiaville, Denise Dupack, recommended a one day exchange, since that has been successful for them in the past. Plan would be to meet in Columbiaville in the morning and have lunch there. The group would meet in Brown City in the afternoon and have dinner here. Their best date is Thursday June 28th with an alternate date of the 14th. How does the Mayor and City Council wish to proceed? Tabled until full council is available for deciding date.
5. **Low Pressure Water:** Around midnight on Wednesday, April 4th, I received a call reporting low water pressure. The DPW Supervisor was immediately notified

and he determined that a stuck electrical switch prevented the main water pump from filling the water tower. The pump was engaged and normal water pressure was available by 1 AM. A technician from Layne-Northern inspected the switch later that day and did some temporary repairs. A new switch was ordered and should have arrived by April 9th, but will more likely arrive by April 16th. The DPW is closely monitoring the system until the new part is installed.

CM Brown suggests the need for a SCADA System for these types of situations and would be insurance for the City. Discussion regarding including a SCADA System into the Arsenic Plan. City Manager will discuss this inclusion at the contractor's meeting.

- 6. City Audit:** The end of fiscal year audit of the City's financial records is scheduled for April 24-27 at City Hall. The final report should be completed in early May and copies provided to the City Council.
- 7. Thelman Street Lift Station:** During the annual inspection of the pumps at the Thelman Street Lift Station, Hydro-Dynamics determined that the pump required extensive overhaul at an estimated cost of \$2,143. The pump is 12-years old and a new one is \$3,634. Recommend replacing the pump rather than an overhaul. Council consensus that a new pump be installed versus overhauling the old pump.
- 8. Severn-Trent:** The company that provided the arsenic removal technology as part of the EPA grant for Well #4 is putting together an international ad campaign featuring Brown City. The first and second versions were provided to the City for review and fact checking. Expect the ad to be available via the Internet on April 16th.
- 9. Income Survey:** A draft income survey for the City is attached (gold). Based on information from the utility billing program, there are 548 households in the City. The state allows two options for the survey, either surveying ALL of the homes in the City or conducting a random survey. If the City Council elects to use the random method, we need to get a completed survey from a minimum of 250 households. Since an expected response rate would be between 75 and 90 percent, we need to contact between 278 and 333 homes. Once the information is collected, the City must analyze the results based on a two page income worksheet provided by the state. If the City decides to mail the surveys with a self addressed stamped envelope (SASE), the postage will cost \$259.74. The cost of addressing the envelopes and surveys is probably about the same. If, a volunteer group addresses the surveys and distributes them by hand with a SASE, the cost should be less than \$200. How does the City Council wish to proceed?

MEDA requirements discussed by City Manager. School is not interested in associating any students with distributing surveys requesting income information. Discussion regarding distribution process. Council consensus that surveys be hand delivered along with a self addressed stamped envelope for surveys to be returned.

- 10. Variance Review Checklist:** The Planning Commission has adopted a checklist to use when reviewing a request for a zoning variance (chartreuse). Does the City Council wish to adopt this checklist also?

Motion by CM Miller, second by CM Lee, to adopt the Variance Review Checklist for Council purposes. Motion carried.

- 11. Downtown Development Authority:** The DDA's sole source of income at this time is from a 1% interest surcharge on loans to downtown businesses. Currently, there are only two active loans. The DDA wants to use the authority granted in MCL 125.1662 to collect up to two mills in real and tangible personal property tax in the DDA District. The amount would be about \$9,800. This could be phased in over a period of time. This would not be a tax increase, but would be a loss to the General Fund. How does the City Council wish to address this issue?
- Also, the DDA has tasked me to draft a Request For Proposals for a Downtown Business District Master Plan. That should be released soon. No decision to proceed with a master plan will be made until the responses to the RFP are received and evaluated by the DDA.
 - The DDA discussed the option of turning over their responsibilities to the Planning Commission and determined that the two organizations should remain separate.

- 12. Sanilac County Drain:** When the County cleaned the drain adjacent to Ken Welch's property on Vine Street, they needed to remove some trees and bushes. Mr. Welch is requesting \$200 toward to cost of replacing this landscaping. He has offered to do the work and to pay any costs over the \$200. Does the City Council wish to make this payment? Council took no action.
- Contact with the Drain Commission revealed that he has no funds for this. He also stated that the railroad culvert project continues and he expects completion this year.

City Attorney Stremers requested that his associate be present at the April 23, 2007 Regular Council Meeting since he has a prior commitment that evening. Council agreed.

TREASURER'S REPORT: None.

COMMITTEE REPORTS:

1. Police – none.
2. Water and Sewer- none.
3. Tax and Finance – none.
4. Streets and Sidewalks – none.
5. Buildings and Grounds – none.
6. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL: None.

MAYOR'S REPORT:

1. Mayor Exchange Day – Columbiaville requests meeting on 6-28-07, Council consensus to schedule for 6-28-07.

PUBLIC QUESTIONS AND COMMENTS: None.

ADJOURNMENT:

Motion by CM Lents, second by CM Miller, to adjourn at 8:20 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk