

**BROWN CITY COUNCIL PROCEEDINGS
AUGUST 13, 2007**

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

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter, Council members: Julie Miller, Ross McIvor, Mike Lents, Ken Brown; City Attorney Gregory Stremers, City Manager Clint Holmes, City Clerk Kelly Pavel.

ABSENT: Council members Christine Lee and Ron Wood.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

Motion by CM Miller, second by CM Brown, to accept the Regular Meeting Minutes of 7/23/07 as presented. Motion carried.

PAY BILLS:

Motion by CM Brown, second by CM Miller, to pay the bills in the following funds: General - \$14,631.22, Payroll - \$12,089.43, Major Streets - \$93.20, Local Street - \$243.40, Sanitary Sewer - \$63,628.18, Water - \$5,759.28, Arsenic Abatement - \$341.25, Storm Sewer - \$497.36, Equipment - \$2,197.64. Motion carried.

Motion by CM Brown, second by CM Miller, to pay Sanilac County Treasurer for Water Tower Rehab Project bills, as presented, in the amount of \$1,812.50. Motion carried.

Motion by CM Brown, second by CM Miller, to pay Water Treatment Facility bills, as presented, in the amount of \$37,361.65. Motion carried.

PUBLIC QUESTIONS AND COMMENTS:

County Commissioner Bill Walters, spoke briefly regarding the financial schedule thus far for the Brown City Arsenic Project. He also updated council regarding a petition that is circulating regarding the proposed Sanilac County Jail project. EDC update included.

PERSONAL APPEARANCES: None.

POLICE REPORT:

Written report reviewed. No questions or comments.

UNFINISHED BUSINESS:

1. Bullock Project – essentially completed.
2. Arsenic Abatement – Treatment Plant must be fully operational by February 1, 2008. Please see Manager's Report

PETITIONS AND COMMUNICATIONS:

CM Brown discussed his concerns for the ditch being covered and feels that there are enough ditches covered. CM Lents suggested further research of the ordinance as well as investigation of the ditch before action is taken.

Motion by CM Brown, second by CM Lents, to table pre-application permit request from 4432 Autumn Gold until the August 27, 2007 regular scheduled meeting. Motion carried.

RESOLUTIONS: None.

MANAGER'S REPORT:

Motion by CM Miller, second by CM Brown, to remove the Bullock Project from Unfinished Business portion of the agenda. Motion carried.

- 1. DPW Supervisor:** The City received another note from Dr. Brengel stating that Dave Kinney must remain off work until August 14th for health reasons. Following the Personnel Committee meeting, I delivered various paperwork concerning his status to Mr. Kinney on August 3rd.
- 2. Railroad Storm Water Culvert:** The new culvert installation began on July 31st and was completed by late on August 2nd. The old cast iron thirty inch (30") culvert was replaced with one that is an ellipsoid measuring 108" by 72" increasing the culvert's capacity by about 864%. A train used the replaced tracks the next day. The culverts west of St Marys Street are on site, the same size as the one under the tracks, and should be installed soon. The contractor also cleaned and widened the drain north of the railroad tracks as part of the project. Recommend sending a letter of commendation to the Sanilac County Drain Commissioner Jim Bowerman for his support of this project.

Council consensus to send thank you letter to Jim Bowerman.

- 3. Water Treatment Facility:** There was a meeting of the contractors, engineers and City on August 10th. A copy of the agenda is attached as is additional information from the July 20th meeting (blue). The building footers were suppose to be dug and poured on August 8th, but were delayed by rain then by the unavailability of an inspector from Sandusky. This work should be completed on August 13th. The storm drain/backwash/overflow area was installed on August 9th. The pipe connecting Well #3 to the system should be installed the week of August 13th so the City has an emergency backup for water supply. Water usage has been unusually heavy due to the dry conditions. Residents were asked last week via WMIC to voluntarily reduce their use of water, does the City Council want to institute a more formal temporary policy?
- 4. Water Tower Connection:** The 10" Class 54 ductile iron pipe that connected Well #3 to the water tower was replaced last week. The section of pipe removed was not in good condition so replacing it now was well justified.

5. **Waste Treatment Lagoons:** Prior to adding biologics to the lagoons last year, the DPW surveyed the level of sludge in Cells #1 and #2. This same process was used to test the depth of sludge on August 8th. The drawings with the sludge depths are attached (lavender). We are not sure if the decrease was totally because of the added biologics or a normal reaction to increased water temperature.

6. **Vine Street Flooding:** The project to install a storm water catch basin on Main Street on the west side of the BP Gas Station, as well as one to the south and one to the southeast continues. Davis Land Surveying finished the site drawing but because two property owners are involved (Tri-County Bank and the BP Station) and because "from the descriptions furnished it appears that the two parcels do not abut one another" Davis recommended that the City Attorney put the easement contract together. Paperwork was sent to the City Attorney on August 10th with a request to draft the recordable easement. Coordination with the property owners indicated that they would sign the easement when complete. MDOT issued the necessary permit to do the work on M-90. The materials for three catch basins and associated piping are here and work will begin once the easement is recorded.

Mayor Carpenter opened Public Hearing at 7:15 p.m. regarding City Ordinance 71.00: An Ordinance Concerning Operational Requirements and Restrictions for Low-Speed Vehicles Within the Corporate Limits of the City of Brown City.

No public questions or comments.

Mayor Carpenter closed Public Hearing at 7:16 p.m.

Motion by CM Brown, second by CM Lents, to adopt Ordinance 71.00, an Ordinance to Amend The Brown City Code By Adding A New Section Which Shall Be Known As Section 71 of Title VII Traffic Code Of Said Code. Motion carried. ROLL CALL VOTE: Miller-yes, McIvor-yes, Lents-yes, Brown – yes. Motion carried.

7. **New Main Street Businesses:** A&B Productions, owned by Avery McGee, has opened in the old Market Value Real Estate building on Main Street. They provide tattoos and sundry other services. They have signed a one year lease with an option to buy. Mike's Mini Mart, owned by Mike and Linda Lents is supposed to open soon.

8. **Carman Funeral Home:** A section of the sidewalk on the west side of the business has heaved up and caused at least one trip and fall. At the City's request, Tom Zyrowski inspected the section and recommended replacing adjacent sections of older sidewalk at an estimated cost of \$800. Does the City Council have any objection to replacing this sidewalk if the owner pays for half?

Council consensus to complete sidewalk repairs at Carmen Funeral Homes with property owner paying half of the estimated \$800.00 costs.

9. **LUCA:** The City received the training materials and initial paperwork for the Local Update of Census Addresses (LUCA) for the 2010 Census. This material includes

confidentiality agreements that must be signed by any staff providing or reviewing census information.

- 10. Income Survey:** The surveys were provided for distribution at the end of July, and as of August 10th the City had received about 120 completed forms. The survey envelopes are remaining sealed until the results are tabulated. The forms will be sealed and secured until the results are accepted by Lansing then they will be destroyed.

CM Miller suggests that the privacy issues of income figures be reiterated to the community to ease any citizens concerns.

ATTORNEY'S REPORT:

Deed and easement paperwork will soon be completed for the catch basin work to be completed on West Main Street (Tri-County Bank and BP Station).

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:

CM Brown asked if everything that needs to be removed from the bowling alley area has been removed. There are no concerns at this time. CM Brown asks if this rebuilding project will continue. CM McIvor commented that the status of the project is in the hands of an attorney at this time.

MAYOR'S REPORT: None.

PUBLIC QUESTIONS AND COMMENTS: None.

Motion by CM Brown, second by CM Miller, to adjourn at 7:29 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk