

**BROWN CITY COUNCIL PROCEEDINGS
AUGUST 27, 2007**

Meeting called to order at 7:05 p.m. by Mayor Laura Carpenter.

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter, Council members: Ross McIvor (arrived at 7:25p.m.) Mike Lents, Christine Lee, and Ken Brown. City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

ABSENT: Council members Julie Miller and Ron Wood.

ADDITIONS, CORRECTIONS & DELETIONS TO AGENDA:

City Manager requests adding the two following items to tonight's agenda:

1. 4080 First Street Building Permit under Petitions and Communications.
2. Discussion under Manager's Report regarding the Sanilac Economic Alliance.

Motion by CM Brown, second by CM Lents, to accept the Regular Meeting Minutes of August 13, 2007 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$15,769.92, Payroll, \$12,608.26, Major Street - \$45.00, Sanitary Sewer - \$412.79, Water - \$7,290.74, Storm Sewer - \$18,517.42 but withholding payment of \$2,000.00 from General Fund for Sanilac Economic Alliance. Motion carried.

Motion by CM Lee, second by CM Lents, to pay bills in the amount of \$362,113.28 for Arsenic Plant No. 2. Motion carried.

PUBLIC QUESTIONS AND COMMENTS:

Update from Bill Walters, Board of Commissioner regarding Sanilac County happenings.

PERSONAL APPEARANCES: None scheduled.

DPW REPORT: Written report reviewed. No questions or comments.

UNFINISHED BUSINESS:

1. Arsenic Abatement – Treatment Plant must be fully operational by 2-1-08. See Manager's Report.

PETITIONS & COMMUNICATIONS:

Discussion regarding lack of backfill of culvert and concerns for water backup on neighbors after an inspection by the Buildings and Grounds Committee of 4432 Autumn Gold.

Motion by CM Brown, second by CM Lents, to deny the pre-application building permit for 4432 Autumn Gold to install culvert and cover ditch. Motion carried.

Motion by CM Brown, second by CM Lents, to accept the request for 4339 and 4347 Main Street for Carmen’s Funeral Home to abandon alley easement. A Public Hearing will be scheduled.

A Public Hearing scheduled for 9-10-07 at 7:15 p.m. for the Abandonment of the City’s Alley easement from McMorran to Reed Street between Main and Vine Streets.

Motion by CM Brown, second by CM Lee, to approve the application for a Demolition Permit, Building Permit, Electrical Permit and Plumbing Permits for Kilpatrick Apartments, 4080 First Street, to begin repairs from fire damage. Motion carried.

Councilman McIvor arrived at 7:25 p.m.

PUBLIC HEARING: None scheduled.

ORDINANCES: None scheduled.

RESOLUTIONS: None scheduled.

MANAGER’S REPORT:

- 1. Water Treatment Facility:** The footings have been poured and pressure and slump tested. The floor should be poured next week and this will provide the window to replace the connection to Well #3 to serve as a back-up water supply in the event of a problem with Well #4.
- 2. 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. 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. The Tri-County Bank has signed the easement for the storm drain and the owners of the BP Station are expected to return their signed and notarized copy soon. Work is scheduled to begin the week of August 27th.

Also, the culvert under Vine Street near Cade Road was replaced on August 24th. However, there are no plans to replace the pavement until spring, to allow for settling.

3. **USDA Compliance Inspection:** A representative from USDA met with me on August 16th to review the multi-page checklist to ensure that the City is in compliance with the various non-discrimination and other federal compliance laws. This type of inspection will take place every other year until the loan is paid off. Even though the loan was for an empty field constituting the Renaissance Zone the City Hall still had to meet all the various requirements. The City was substantially in compliance. The inspector and the Michigan State Architect will be here on August 29th to inspect the Fire Department building to ensure the presence of the EMS people is not a violation of the law.
4. **MML Convention:** The 109th MML Convention is scheduled for September 18-20 in Traverse City. Since the City was not represented at the last Convention, I would like to attend. If the City Council agrees, recommend a motion to appoint me as the official representative so I can vote at the Annual Business Meeting on behalf of the City.

Motion by CM Lee, second by CM Lents, to allow City Manager to attend 109th MML Convention in Traverse City on September 18-20, 2007. Motion carried.

Motion by CM Lee, second by CM Brown, to appoint City Manager Holmes as the official representative of the City of Brown City with voting rights at the Annual Business Meeting at the 109th MML Convention.

5. **Income Survey:** The City has received 191 surveys as of August 24th. We need a minimum of 250 completed surveys in order to have a valid sample. A reminder that the survey envelopes are remaining sealed until the results are ready to be tabulated, so there is no way to tell at this point if all of the surveys received have been completed.
6. **Sanilac Economic Alliance** – City Council’s request for agreement between City of Brown City and SEA has arrived for review. City Attorney has had a brief opportunity to review. Council decision to table, accept or deny this agreement.

Motion by CM Lee, second by CM Brown, to accept the Memorandum of Understanding between Sanilac Economic Alliance and the City of Brown City, Michigan. Motion carried.

Motion by CM Lee, second by CM Lents, to pay Sanilac Economic Alliance invoice in the amount of \$2,000.00. Motion carried.

ATTORNEY’S REPORT: None.

TREASURER’S REPORT: None.

COMMITTEE REPORTS:

1. Police – City Manager discussed a dog being hit by a car on August 18, 2007 and situation surrounding this incident.
2. Water and Sewer – None.
3. Tax and Finance – None.

4. Streets and Sidewalks – None.
5. Buildings and Grounds – None.
6. Personnel – City Manager discussed 5% of gross being deducted toward health coverage has began, an official Resolution has not been made at this time.

Motion by CM McIvor, second by CM Lents, to deduct 5% of gross salary from full time employees to be contributed to health coverage. Motion carried.

GENERAL CONCERNS OF THE COUNCIL:

City Clerk requested that all council members please take an opportunity to walk the proposed Exchange State Bank lot before the 9-10-07 meeting.

MAYOR'S REPORT:

Mayor Carpenter read invitation to City Officials for Ken Brown's upcoming wedding nuptials.

PUBLIC QUESTIONS AND COMMENTS: None.

Motion by CM Lents, second by CM Lee, to adjourn at 7:43 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk