

**BROWN CITY COUNCIL PROCEEDINGS  
SEPTEMBER 22, 2008**

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: Pat Jacobson, Julie Miller, Ross McIvor, Christine Lee, Ken Brown. City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

**ABSENT:** CM Mike Lents.

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:** None.

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Brown, second by CM Jacobson, to accept the Regular Meeting Minutes of September 8, 2008 as presented. Motion carried.

**PAY BILLS:**

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$ 15,757.73, Payroll - \$11,460.18, Major Street - \$778.40, Local Street - \$2,873.60, Sanitary Sewer - \$868.88, Water - \$1,747.22, Storm Sewer - \$1,606.00, Equipment - \$2,268.12. Motion carried.

Motion by CM Lee, second by CM Brown, to pay Water Treatment Facility bills in the amount of \$237.50. Motion carried.

Motion by CM Lee, second by CM Brown, to pay Etna Supply Company in the amount \$361.29. Motion carried.

Motion by CM Lee, second by CM Brown, to pay USA Blue Book in the amount of \$307.55. Motion carried.

CM Miller arrived at 7:02 p.m.

**PUBLIC QUESTIONS & COMMENTS:** None.

**PERSONAL APPEARANCES:** None scheduled.

**DPW REPORT:**

Written report reviewed. No questions of comments.

## **UNFINISHED BUSINESS:**

1. 7030 Welles Street Basement Flooding – The DPW installed a catch basin on the north side of the alley and a 6” pipe to carry the storm water to the catch basin in the City parking lot. Some landscaping still requires completion; otherwise the project is complete and seems to be working.

Motion by CM Jacobson, second by CM Lee, to remove 7030 Welles Street Basement Flooding from Unfinished Business portion of agenda. Motion carried.

## **PETITIONS & COMMUNICATIONS:**

Motion by CM Brown, second by CM Jacobson, to accept the pre-application building permit for 4026 Main Street to install bay window, move doors, replace siding, etc. Motion carried.

**PUBLIC HEARING:** None scheduled.

**ORDINANCES:** None scheduled.

## **RESOLUTIONS:**

Motion by CM Lee, second by CM McIvor, to accept Resolution 08-11 – *A Resolution Formally Causing to be Levied a Special Tax or Assessment to Recover Monies Owed the City of Brown City*. ROLL CALL VOTE: Jacobson- yes, Miller-yes, McIvor-yes, Lents-absent, Lee-yes, Brown-yes. Motion carried.

## **MANAGER’S REPORT:**

1. **Phase III Sewer Rehabilitation Project:** The Qualifying Statement for Sanilac County is still pending. The County Deficit Control Plan has been approved by Lansing. The County Treasurer has applied for a Qualifying Statement, but it could take up to 30 business days. The Bond Attorney has contacted Department of Treasury to try and expedite the process.
2. **2008 Street Rehabilitation Program:** The bid packages were opened at 2:00 PM on Thursday, September 4<sup>th</sup>. A total of three bids were received:

a. Astec Asphalt, Inc. – Brown City, MI	\$220,189.37
b. James P Contracting, Inc. – Washington, MI	\$208,661.65
c. Saginaw Asphalt Paving Co. – Saginaw, MI	\$289,722.60

Discussions with the (Acting) City Engineer and the low-bid contractor, combined with a review of the plans, revealed that asphalt curbs for Welles Street are included in the current bid package. However, the Engineer recommends replacing the sidewalk on Lincoln Street between the Bus Garage driveway and M-90 as well as the sidewalk adjacent to the City Parking Lot on the east side of Lincoln Street. **REQUIRES MOTION.**

Motion by CM Jacobson, second by CM McIvor, to accept the low bid of \$208,661.65 from James P Contracting, Inc. of Washington, MI to perform the 2008 Street Rehabilitation Program. Motion carried.

- 3. Weekend Storm:** The six inches or so of rain received last weekend, September 12-14, resulted in some minor flooding. However, the new culverts under Vine Street, the railroad tracks and west of St Marys Street all worked extremely well. The new catch basins located on Main Street around the BP Station also diverted a large amount of water away from Vine Street and into the Setter Drain. Continuing concerns raised by the private property owner immediately south of the Tri-County Bank property resulted in meetings with the Sanilac County Drain Engineer and the residents as well as a subsequent meeting with the (Acting) City Engineer to address this issue. The optimal solution would probably be to install a swale-type ditch from the low point behind 4440 Vine Street to the County Drain. However, this is all private property and would require easements from the three property owners affected. The estimate for the surveying and engineering is about \$1,500. How does the City Council wish to proceed?

Based on the recommendation of the City Attorney, the City Council declined to participate in this project because it is on private property.

- 4. Wayfinding Signs:** A letter was sent to the Cass City MDOT Transportation Service Center requesting to have directional signs for the Park placed on M-90 at Cade Road and at McMorrان. However, State policy is to provide only one set of signs. New signs saying "Brown City Park" will be installed on the east- and west-bound lanes of Cade Road in the near future.
- 5. New Zoning District:** The Planning Commission scheduled a public hearing on the proposed ordinance for October 2<sup>nd</sup> at 7:15 PM as a part of their next regularly scheduled meeting. The new Planning Enabling Act then requires a report concerning the results of the public hearing be made to the City Council. The City Council could introduce Section 152.120 at the October 13<sup>th</sup> meeting, and to meet City Charter requirements schedule a public hearing on the ordinance for October 27<sup>th</sup> and then either adopt or reject the Ordinance. The report and the final draft version of the ordinance will be presented to the City Council at the October 13<sup>th</sup> meeting. If adopted, the new ordinance would become effective November 26<sup>th</sup>.
- 6. Tree Removal/Trimming:** Frank Lukacs has volunteered to put together a list of trees in the City's right-of-way that require either removal or trimming (green). The list identifies a number of trees that need to be removed or trimmed. Does the City Council wish to proceed with a 2008 Tree Project?  
REQUIRES MOTION.

Council consensus for the City Manager to release an RFP for tree removal and trimming.

- 7. Park Pool Pavilion:** Crop Production Services, as their annual volunteer project, provided the paint and volunteers to paint the exterior of the Pool Pavilion. They did an excellent job and the building looks very good. Art Potts is getting the names of the volunteers so a thank you letter can be sent.
- 8. School Crossing Lights:** Beginning in October, MDOT will begin sending the City a semi-annual bill the electricity used to power the flashing lights at the school crossing on Main Street. Currently, we are billed directly by Detroit Edison and the fee is paid out of the Street Light budget.
- 9. Maple View Estates:** Numerous situations have arisen regarding the payment of water bills from residents in Maple View Estates. Reporting regarding occupancy numbers, vacancies, as well as insufficient checks are the major problems. It may be more feasible to install a water meter on the

main line going into the facility. I will communicate with park manager regarding this possibility. I will update with any further information.

The City Council directed the City Manager to get an estimate for installing a water meter for the facility. The Council further directed the City Manager to send a letter to the owner of Maple View Estates detailing the City's intent to install a water meter.

**ATTORNEY'S REPORT:** None.

**TREASURER'S REPORT:**

Summer tax collection update. City Treasurer also discussed the necessity of her figures and deposits being checked by a city employee when the computer as well as the county make these double checks. City Manager will speak with the city auditor regarding this situation.

**COMMITTEE REPORTS:**

1. Police (Miller) – none.
2. Water and Sewer (Lents) – none.
3. Tax and Finance (Lee) – none.
4. Streets and Sidewalks (Jacobson) – none.
5. Building and Grounds (Brown) – none.
6. Personnel (Mclvor) – none.

**GENERAL CONCERNS OF THE COUNCIL:**

CM Lee commented that the work in the courtyard behind City Hall looks nice.

CM Brown discussed recent damage done to the Mason's Lodge building and suggests that the alley be better patrolled as well as police making their presence more seen.

CM Mclvor questioned if the street bids received included the bus barn driveway. City Manager stated that the driveway is included, but that (Acting) City Engineer recommended also replacing the sidewalk on the east and west sides of Lincoln Street between the Bus Barn driveway and Main Street. This cost will need to be added to the contract.

CM Mclvor asked for progress on the landscaping work to be done behind the old BP Station. City Manager believes this has been completed.

**MAYOR'S REPORT:**

1. **City Manager Semi-Annual Evaluation (tan):** City Ordinance Section 2108.2.1 requires the semi-annual evaluation of the City Manager (February and September). A copy of the standard evaluation sheet is enclosed in your packet (tan). Please complete the evaluation and turn it over to the Mayor at the beginning of the City Council meeting.

Mayor Carpenter reported that out of 990 possible points, City Manager Holmes scored 905 or 91.49% satisfaction.

**PUBLIC QUESTIONS & COMMENTS:**

Bill Walters suggests that City Manager inquire about purchasing City's own wayfinding signs for the Park and to install them at McMorran Street.

Motion by CM McIvor, second by CM Jacobson to adjourn at 7:50 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk