

**BROWN CITY COUNCIL PROCEEDINGS
FEBRUARY 23, 2009**

MEETING CALLED TO ORDER BY MAYOR LAURA CARPENTER AT 7:00 PM.

Pledge of Allegiance led by Mayor Carpenter.

PRESENT: Mayor Laura Carpenter, Councilmembers: Pat Jacobson, Julie Miller, Ross McIvor, Christine Lee, City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

ABSENT: Councilmembers: Ken Brown, Mike Lents.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM McIvor, to accept the Regular Meeting Minutes of February 9, 2009 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Jacobson, to pay the bills in the following funds: General - \$25,828.68, Payroll - \$11,282.05, Major Streets - \$1,119.26, Local Streets - \$1,119.27, Sanitary Sewer - \$980.59, Water - \$889.61, Equipment - \$1,342.79. Motion carried.

PERSONAL APPEARANCES: Water Treatment Presentation.

NuSystems Inc., representatives Todd Sutton and Jeff Frames, of Bay City, Michigan, discussed a proposal to provide a municipal wastewater lagoon program for the City of Brown City.

PUBLIC QUESTIONS & COMMENTS: None.

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

UNFINISHED BUSINESS: None.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARING: None scheduled.

ORDINANCES: AN ORDINANCE TO AMEND THE BROWN CITY CODE BY ADDING SECTION 93.32 - SNOW REMOVAL, WHICH NEW SECTION SHALL BE KNOWN AS SECTION 93.32 OF TITLE IX GENERAL REGULATIONS OF SAID CODE (gold).

City Manager and Council discussed proposed Ordinance Section 93.32 pertaining to snow removal. City Manager will add and/or delete various areas that Council gave consensus to change.

CM Miller introduced an Ordinance to amend the Brown City Code by adding Section 93.32 – Snow Removal, which new section shall be known as Section 93.32 of Title IX General Regulations of Said Code.

Motion by CM Miller, second by CM Lee, to schedule a Public Hearing pertaining to Section 93.32 – Snow Removal Ordinance on March 9, 2009 at 7:15 p.m. Motion carried.

RESOLUTIONS: None scheduled.

Sanilac County Sheriff Binicki introduced himself and discussed his department's status and goals.

MANAGER'S REPORT:

1. **Phase III Sewer Rehabilitation Project:** Michigan Pipe Inspection continues work on cutting calcium / roots and grouting the mains for the City's Sewer Rehabilitation Project. The area south of Main Street is completed except for Welles Street, and work should be proceeding north of Main Street (Phase I) soon. The City has not yet received a bill for the grouting portion of the project.
2. **Mapleview Estates Water Meter:** The discussion between the attorneys for Brown City and Mapleview Estates continues. On February 12th, a letter was sent to each (known) occupied residence at Mapleview Estates explaining why residents did not receive a utility bill in January (blue). The most recent letter from the Mapleview attorney detailing their position is enclosed (purple). A package containing copies of correspondence and a two page summary was forwarded to Midwest Claims (yellow), and a case number assigned (139403). The situation is expected to move to litigation next week.
3. **Parkside Drive:** The (acting) City Engineer was tasked on February 10th to inspect Parkside Drive and develop an estimate for the cost to bring the street to City (MDOT) specifications for the eventual turn-over to the City the maintenance. Letter was provided for Council review.
4. **Lincoln Street storm drain:** The (acting) City Engineer was also tasked on February 10th to provide a cost estimate and engineered drawings for the replacement of the Lincoln Street storm drain. The possibility exists that this project could be at least partially funded by the federal American Recovery and Reinvestment Act of 2009.

5. **Cade Road:** The (acting) City Engineer was requested to set up an appointment with the Lapeer County Road Commission to determine the possibility of their partnering with the City to repair and repave (north) Cade Road. Since Lapeer County has responsibility for a portion of Cade Road, if the City was to engage in some cost sharing, repairs could be made as economically as possible.
6. **DPW Software Program:** Michigan Rural Water Association, in conjunction with SEMS, has developed a database that allows for maintaining water and wastewater records, creating required MDEQ reports and automatically sending them via Internet to Bay City. The cost of the software, to include training, is \$850. The cost of running an additional phone line to the DPW garage and installing dial-up Internet is estimated at less than \$150. The DPW Foreman has reviewed the software and believes it would be very helpful. Additionally, MDEQ will soon require that reports be sent in only via Internet. Recommend approval. **REQUIRES MOTION.**

Council consensus that the DPW Software Program be tabled until the budget is reviewed.

7. **Thelman Avenue culvert:** The culvert between 6911 and 6912 Thelman Avenue is collapsing, as is the adjacent manhole structure. A replacement has been ordered (\$1,090) and should arrive the first week of March. When the DPW receives the new culvert and schedules a replacement date, a letter will be sent to the residents on Thelman, Belview and Autumn Gold letting them know when that section of Thelman Avenue will be closed off. Residents south of the culvert should not be effected, and those to the north will be able to use Belview to Cade Road. Repairs should take about two days.
8. **HOGTOWN, Inc.:** The Hogtown Motorcycle Club met with the Park Board on February 12th to discuss using the Park on the evening of Friday, August 7th and all day Saturday, August 8th for their annual fund raiser for Marlette Hospice. Friday would consist of set-up and a pre-event party and Saturday would include the rally, run and after-party. The Saturday party would include a bonfire and band. They have requested the music last until 2 AM Sunday morning. The Park Board plans to send a letter to all of the residents surrounding the Park (Cade Road, Vine, Wood, Grant, and Maple Streets) letting them know of the request and to attend the March 12th Park Board meeting or contact members of the Park Board if they have any concerns. Since the City operates the Park under a lease agreement, how does the City Council wish to proceed with this request?

Motion by CM Miller, second by CM McIvor, to allow the use of the Brown City Community Park to HOGTOWN, Inc. on the evening of August 7, 2009 and all day August 8, 2009 for their annual fund raiser for Marlette Hospice, providing that their band is shutdown at 12:00 p.m.

Motion carried.

9. **Railroad Grade Crossings:** The City received a letter from MDOT stating that funding may be available to improve railroad crossing surfaces, and asking what “specific crossings under your jurisdiction that you feel warrant consideration for this prospective funding.” The crossings at Maple Valley Road, Main and James Streets, and St Marys and Second Streets are actually in fairly good condition. “All crossings submitted will be evaluated for funding if federal stimulus dollars become available for this type of project.” Council recommended looking at St Marys and Second Streets crossing.
10. **Brown City Budget:** Copies of the proposed 2008-2009 Final Budget Amendment (lavender) and the 2009-2010 DRAFT Budget (cherry) were presented to members of the Finance Committee. Recommend a meeting of the Committee prior to the March 9th City Council meeting. Corrected copies of the budgets will be presented to the City Council at that time. A City Council Work Session could then be scheduled with the intent of approving the amendment and new budget at the March 23rd regular City Council meeting. How does the City Council wish to proceed?

Tax and Finance Committee Meeting scheduled for March 4, 2009 at 6:30 p.m.

ATTORNEY’S REPORT: None.

TREASURER’S REPORT: Written report reviewed. No questions or comments.

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: None.

MAYOR’S REPORT:

1. Sanilac Economic Alliance community SWOT meeting.
2. City Manager evaluation form (grey).

PUBLIC QUESTIONS & COMMENTS:

County Commissioner Daws discussed a proposed millage to fund 911/Police Dispatch is being considered to be placed on the ballot.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

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

Respectfully submitted,

Kelly Pavel
City Clerk