

BROWN CITY COUNCIL PROCEEDINGS  
MARCH 9, 2009

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

Pledge of Allegiance led by Mayor Carpenter.

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

**ABSENT:** None.

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

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Brown, second by CM McIvor, to accept the Regular Meeting Minutes of February 23, 2009 as presented. Motion carried.

**PAY BILLS:**

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$8,717.03, Payroll - \$13,959.89, Major Street - \$234.21, Local Street - \$253.00, Sanitary Sewer - \$1,492.85, Water - \$737.24, Arsenic Abatement - \$175.95, Storm Sewer - \$1,090.74, Equipment - \$1,266.13. Motion carried.

**PERSONAL APPEARANCES:** None scheduled.

Councilmember Lents arrived at 7:02 p.m.

**PUBLIC QUESTIONS & COMMENTS:** None.

**POLICE REPORT:** Written report reviewed. No questions or comments. Chief Smith did inform the council that Officer Dwain Hunger has left the force and taken a full time position with Romeo Police Department.

**UNFINISHED BUSINESS:** None.

**PETITIONS & COMMUNICATIONS:** None.

**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. 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:** On March 3rd, City representatives met with the attorney and owner of Mapleview Estates. During this 90+ minute meeting, the City recommended that we continue to bill the individual residents but send a master bill to the owner. Owner would be responsible for paying the utility bill and be reimbursed by the residents. Owner requested a couple of days to consider the proposal. On the afternoon of March 5<sup>th</sup>, an email was received from the City Attorney saying they had rejected the offer and their counter offer would be made available to the City on March 6<sup>th</sup>. How does the City Council wish to proceed? City Attorney Stremers offered an update to this situation and council agrees that attorney will continue to investigate options.
3. **Parkside Drive:** A letter was sent to the owner of Parkside Drive (pink) along with a copy of the engineer's report detailing the requirements to bring the street up to City requirements and a copy of the proposed Snow Removal Ordinance. The letter was sent certified mail and a signed return receipt was received by the City. There has been no contact made by the owner.
4. **Thelman Avenue culvert:** The culvert between 6911 and 6912 Thelman Avenue was installed by DPW. The work was started and completed on Wednesday, March 4<sup>th</sup>.
5. **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 Second and St Marys Streets were forwarded to MDOT for their consideration.
6. **Brown City Fire Authority Budget:** The Fire Authority approved their 2009-2010 Budget at their regular March 3<sup>rd</sup> meeting. All members approved the increase from \$100 to \$200 per section to fund the purchase of a new fire truck. Brown City's contribution will be about \$323.31 less than last year.
7. **Brown City Fire Department:** Fire Chief Groat, after consulting with Department members, has recommended that the Brown City Fire Authority Board purchase a replacement truck for the Department's pumper truck. The cost of this new truck is about \$250,000. Currently, the Fire Authority has \$150,000 (\$100,000 from member equipment fees and \$50,000 from the Fireman's Fundraiser Committee). Informal negotiations with Tri-County Bank revealed they could lend the Authority the remaining \$100,000 with a 5-year payback at a very good interest rate (about ½ the amount currently charged by the truck manufacturer). As a member of the Brown City Fire Authority, does the City Council support the purchase of a new pumper truck?

Motion by CM Lents, second by CM McIvor to support the Brown City Fire Authority in the purchase of a new pumper truck. Motion carried.

8. **Rural Task Force:** The Sanilac County Road Commission will hold a special public hearing to identify a priority list for projects to be funded with federal and state monies. The meeting is Wednesday, March 18<sup>th</sup> at 2:00 PM. As a member of this task force, I plan to attend.
9. **USDA Rural Development:** Congresswoman Candice Miller and the USDA are sponsoring a program to discuss the various programs available to us through USDA Rural Development (brown envelope). The class is scheduled for Monday, March 16<sup>th</sup> in Sandusky from 10:00 AM to Noon. I plan to attend. Are any members of the City Council interested in attending also?
10. **Inmate Work Crew:** Sheriff Biniacki is proposing reinstating the Inmate Work Crew (gold) to be comprised of individuals who have been sentenced to community service by the courts and county prisoners deemed "inmate workers." The primary question is how much we would pay for this program. In the past, the City has paid for the workers lunch, the hourly rate for the guard, and possibly a contribution toward diesel for the bus. Does the City Council support renewing this program? Council consensus to continue providing workers lunch and an hourly rate for the guard.

11. **Brown City Police:** Officer Duane Hunger has resigned as a part-time officer for Brown City to become a full-time officer in Romeo. He has reimbursed the City for his new bullet resistant vest. Since the federal government is proposing a large increase in grants (Community Oriented Policing (COPs)) for hiring police officers, I recommend we delay hiring a new part-time officer to see if grant money will be available and if so, how soon.
12. **US 2010 Census:** The local representative for the US Census called to thank the City and the VFW for assisting with the process to hire local Census workers, and to say that process was now complete. They also stated that workers will begin going around the City soon with laptops doing address verifications. Contact of individuals for detailed interviews is scheduled for later this year.
13. **Brown City DDA:** The Downtown Development Authority is scheduled to hold their semi-annual regular meeting at 7:00 PM on Tuesday, March 10<sup>th</sup>.
14. **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 and were reviewed at a meeting on March 4<sup>th</sup>. Corrected copies of the budgets are in your packets. Recommend a City Council Work Session be scheduled to review the proposed 2009-2010 Budget. Anticipate the City Council approving the amendment and new budget at the March 23<sup>rd</sup> regular City Council meeting. How does the City Council wish to proceed?

A council Work Session to review the 2008-2009 Budget will be held March 16, 2009 at 7:00 p.m.

**PUBLIC HEARING:** 7:15 PM – Ordinance 93.32 Snow Removal.

**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 (yellow).

Mayor Carpenter opened the Public Hearing for Ordinance 93.32 at 7:15 p.m.

Mr. Al Teryack asked for clarification of the Ordinance and if it is going to solve his and his neighbor's problem with snow removal in their neighborhood. City Manager and Attorney reviewed how the ordinance will be used and will be able to assist this neighborhood better in the future.

Mayor Carpenter closed the Public Hearing at 7:21 p.m.

CM Mclvor verified with City Attorney Stremers that Ordinance 93.32 would allow the City to remove snow if necessary along Parkside Drive and to bill the property owner. Upon no payment, these fees will be added to the property tax bill.

Motion by CM Lents, second by CM Brown, to adopt Ordinance 93.32 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. ROLL CALL VOTE: Jacobson-yes, Miller-yes, Mclvor-yes, Lents-yes, Lee-yes, Brown – yes. Motion carried.

**RESOLUTIONS:** None scheduled.

**ATTORNEY'S REPORT:** Nothing new to report. Updates will follow on the water situation at Mapleview Estates.

**TREASURER'S REPORT:** None.

**COMMITTEE REPORTS:**

1. Police (Miller) – None.
2. Water and Sewer (Lents) – None.
3. Tax and Finance (Lee) – Committee meeting for budget review was held.
2. Streets and Sidewalks (Jacobson) – None.
3. Building and Grounds (Brown) – None.
4. Personnel (Mclvor) – None.

**GENERAL CONCERNS OF THE COUNCIL:**

CM Brown asked if the catch basin on St. Mary's Street had been addressed. City Manager stated that it has.

CM Lee stated that the catch basin on the corner of Lincoln and Walter Streets needs attention because cold patch is impeding water flow into the catch basin. City Manager will follow up.

**MAYOR'S REPORT:**

Mayor Carpenter reported that the City Manager received an 88% for his evaluation.

**PUBLIC QUESTIONS & COMMENTS:** None

County Commissioner Daws reported that Congresswoman Miller will possibly be able to assist in an allocation of \$200K to the County to assist in covering 911 expenses.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Brown, second by CM Mclvor, to adjourn at 7:32 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk