

# **BROWN CITY COUNCIL PROCEEDINGS**

NOVEMBER 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, CM: Pat Jacobson, Julie Miller, Ross McIvor, Christine Lee and Ken Brown. City Manager Clint Holmes, City Attorney Gregory Stremers.

**ABSENT:** CM Mike Lents and City Clerk Kelly Pavel.

**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 November 9, 2009 as presented. Motion carried.

## **PAY BILLS:**

Motion by CM Lee, second by CM Brown, to pay the bills in the following funds: General - \$14,176.10 (3887-3901), Payroll - \$12,295.23 (4332-4347), Major Street - \$528.00 (3676), Sanitary Sewer - \$2,771.40 (2981-2984), Water - \$1,373.10 (1728-1732), Equipment - \$3,117.52 (1216-1219). Motion carried.

Motion by CM Lee, second by CM Brown, to pay \$240.00 to Larry Czap for mowing 7085 Lincoln Street during 2009. Motion Carried.

**PERSONAL APPEARANCES:** None Scheduled.

## **PUBLIC QUESTIONS & COMMENTS:**

1. Angela Burgess – 4151 4<sup>th</sup> Street: Addressed the City Council concerning City Ordinance 92: Animals. Her concern was that the current Ordinance is very restrictive and needed a “broader view.” Her specific concern was that the pot bellied pig she now owns is not permissible under the current Ordinance. The City Council discussed the Ordinance and on advice of Counsel decided to stay enforcement until the City Manager could review possible changes to the Ordinance and present them at the next City Council meeting on December 7<sup>th</sup>.

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

**UNFINISHED BUSINESS:** None.

**PETITIONS & COMMUNICATIONS:** None.

**PUBLIC HEARING:**

This Ordinance was introduced by CM Lee on November 23, 2009, during a Regular Meeting of the Brown City Council.

1. **7:15 PM** – Ordinance 52.07 Utility Rates. The Public Hearing was opened by Mayor Carpenter at 7:15 PM following an overview of the Ordinance by the City Manager. Questions concerning the need for monthly billing were raised by Imogene Sealey, Ray Carman and Jack Bell and were answered by the City Council. Bill Pepper asked what the rate would be for businesses and was told the rate for his business. The City Attorney recommended adding the following to end of paragraph (A)(2): “Nothing in this Ordinance prevents the City from collecting at the current rates.” Mayor Carpenter closed the Public Hearing at 7:24 PM.

**RESOLUTIONS:** None scheduled.

**ORDINANCES:**

1. Ordinance 52.07 Rates: Repeal Sections 52.07(A)(2); 52.07(B); 52.07(B)(1)(b); 52.07(B)(2); and 52.07(D); TABLE 1 and TABLE 2, and add new Sections which shall be known as Sections 52.07(A)(2); 52.07(B); 52.07(B)(1)(b); 52.07(B)(2); and 52.07(D); APPENDIX 1 and APPENDIX 2 of Chapter 52 of said Code.

Motion by CM Brown, second by CM Mclvor, to adopt the amendment to Ordinance 52.07 with rates to be charged monthly beginning on April 1, 2010 with the rates as provided in Appendices 1 and 2. The Mayor called for a roll call vote: CM Jacobson – yes, CM Miller – yes, CM Mclvor – yes, CM Lents – absent, CM Lee – yes, CM Brown – yes. Five - Yes, Zero – No, One - Absent, Zero - Abstain. Motion carried.

**MANAGER’S REPORT:**

1. **Emergency Generator:** The new generator arrived and was offloaded by DPW onto the new platform. Copies of the owner’s manual were provided to individuals putting together quotes for installation. One issue that came up is that the current gas meter is too small. The City is working with SEMCO to upgrade the meter and insure there is adequate gas pressure to operate the machine. The new gas meter will be installed on December 9<sup>th</sup>.
2. **Old Police Car:** Cruisers, the company that outfitted the new police car, offered \$1,200 for the old car. Since the car is already there, and the company did some additional work in the new car at no cost, recommend selling the old car to Cruisers. **REQUIRES MOTION.**

Motion by CM Brown, second by CM Miller, to accept the bid of \$1,200 from Cruisers for the old police car. Motion carried.

3. **Thelman Avenue Lift Station:** One of the two pumps at the Thelman / Main sewage lift station has failed. Cost to rebuild the current motor is \$4,139, or a new one is \$4,662. Also, the key pads to control these variable speed motors is not working. Cost to replace these is \$442. A new motor and control have been ordered and should be installed within the next two weeks. Funds are available in the Sanitary Sewer Fund – Repairs and Maintenance.
4. **City Hall Furnace/AC:** The City received a total of five estimates to replace City Hall's furnace and air conditioners. They vary from about \$11K for low efficiency units to \$16K for high efficiency units. Once the City receives the official energy efficiency report from Huron Consulting, application can be made for the DOE grant program.
5. **Flood Risk Open House:** FEMA, the Sanilac County Drain Commissioner's Office, and MDEQ have scheduled a public Flood Risk Information Open House to present updated flood risk data to officials and citizens. The Open House will be in the Sanilac County Commissioner's Boardroom on Monday, December 7<sup>th</sup> from 1:30 to 3:30 PM for officials and 4:30 to 6:30 PM for citizens.
6. **Commission and Board Meeting Notices:** Currently, the City mails out agendas and minutes for the Planning Commission, Park Board, Cemetery Board, and the Downtown Development Authority. If there is no objection from the City Council, the plan is that beginning in January, meeting reminders will be sent on a postcard and board/commission members can either download copies of the agenda and minutes from the City's website ([www.ci.brown-city.mi.us](http://www.ci.brown-city.mi.us)) or pick up copies at City Hall prior to the meeting. There were no objections from the City Council.
7. **MLGMA:** The annual Michigan Local Government Management Association is the first week of February in Grand Rapids. If there is no objection from the City Council, I plan to attend. There were no objections from the City Council.
8. **Thanksgiving Holiday:** City Hall will be closed on Thursday and Friday, November 26<sup>th</sup> and 27<sup>th</sup> for the Thanksgiving Holiday. The staff wishes the Mayor and City Council a very Happy Thanksgiving.

**ATTORNEY'S REPORT:** No new business to report.

**TREASURER'S REPORT:**

1. Treasurer Walters reported that she picked up the Winter Taxes in Sandusky.
2. Treasurer Walters reported that Real Taxes (not Personal) were added to the roll for residents of Mapleview Estates but no dollar amounts were included.
3. Treasurer Walters reported that contrary to what she reported to the City Council previously, she will be selling dog licenses again this year.

**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 Miller requested that the policy of the City be that if a Utility Bill has a positive balance, that the bill not be mailed.

**MAYOR'S REPORT:**

1. The Mayor read the acknowledgement card from the family of Jason Mclvor.
2. Fire Authority Annual Christmas Dinner – December 5 @ 6:00 PM. The Mayor requested a head count for those City Councilmembers wishing to attend.
3. Presentation to CM Lents: The plaque will be presented at the Grand Opening of Linda Lou's on December 5<sup>th</sup>.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Brown, second by CM Mclvor, to adjourn at 7:40 PM. Motion carried.

Respectfully submitted,

Clinton K. Holmes  
City Manager