

**BROWN CITY COUNCIL PROCEEDINGS
AUGUST 9, 2010**

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: Bill Walters, Julie Miller, Patricia Jacobson, Christine Lee, and Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Kelly Pavel.

ABSENT: Councilmember Ross McIvor.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Walters, second by CM Jacobson, to accept the Regular Meeting Minutes of July 26, 2010 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$18,432.09 (4240-4276), Payroll - \$12,849.28 (4644-4657), Major Streets - \$160.65 (3697-3698), Local Streets - \$333.06 (4140-4142), Sanitary Sewer - \$630.61 (3057-3060), Water - \$25,476.61 (1828-1838), Equipment - \$974.54 (1247-1250). Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS:

Tony Zimmerman complained that a neighbor's dog is out each morning at 5:00 a.m. and not brought back into the house and barks consistently. He spoke with Chief Smith who has also talked to dog owners and this nuisance still continues. Mr. Zimmerman requested that a firmer stand be taken, such as a citation, may solve this situation. City Manager will direct Chief Smith to do so.

POLICE REPORT:

Written report reviewed. No questions or comments.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS:

Motion by CM Loutzenhiser, second by CM Walters, to accept the pre-application building permit for 7086 Maple Valley Road to construct basement and install a house, noting that the Planning Commission recommended approval. Motion carried.

Motion by CM Loutzenhiser, second by CM Lee, to accept a pre-application building permit for 7131 Welles Street to construct a 6' X 30'4" addition to the rear of the house. Motion carried.

RESOLUTIONS: None Scheduled.

MANAGER'S REPORT :

1. **Well #4 Overhaul:** Layne-Christian completed the overhaul of Well #4. The DPW successfully completed the series of water purity tests required by MDEQ. The well went on line July 27th. The final bill received from Layne-Christian was about \$3,000 less than the estimate even with the purchase of the replacement shaft sections.
2. **Well #4 Media Replacement:** The arsenic absorption replacement media is scheduled to arrive and replace the existing media on August 23rd. The DPW Foreman should have the defective valves replaced prior to the media change out.
3. **Sandusky Survey:** The City of Sandusky is conducting a detailed survey of Sanilac County municipalities. Staff is completing the four-page survey and will forward the results to Sandusky prior to the August 20th due date. Questions cover utility rates; payroll and insurance; millage rates; outstanding debt; city attorney; and economic incentives. The City will request a copy of the survey results from Sandusky.
4. **Hogtown, Inc.:** The Hogtown Run is scheduled for August 14th and includes a party in the Brown City Park at the conclusion of the Run. Letters were sent to those property owners that live adjacent to the Park (buff) making them aware of the festivities to include a band that will be playing in the Park until at least midnight. Proceeds from the Run benefit United Hospice.
5. **City Hall phones:** After multiple contacts with Verizon, the City finally received an estimate to replace the current phone system and add voice mail. They offered two options. One is \$2,800 and the second is \$4,300 (plus optional 5-year maintenance contract for \$1,400). More research is required to find a system that upgrades our existing one rather than replace it with one designed for a much larger organization.

6. **Mayor Exchange:** This annual event is rescheduled for August 11th in Capac and August 18th for Brown City. Both dates are on a Wednesday. A schedule of Capac events will be provided when available. However, based on a telephone conversation with Capac, their schedule will begin at 1:00 PM at either the school or a second location (to address potential parking issues). I need a head count of the number who will be participating on the 11th in Capac and the 18th here.

Council member Julie Miller arrived at 7:10 p.m.

City Property Clean Up: A complaint was received from an adjacent property owner to the City property where the City had a barn torn down in the Renaissance Zone. Various debris remains and the DPW have been tasked to clean up entire area.

Water Leak: A citizen in the northern side of subdivision off of Maple Street (Bennett Sub) has a severe water leak. The City has no easement to work on the lines on this property as the City never accepted the infrastructure. This citizen is trained in installation and repairs but the DPW will make taps into the City system. Citizen is inquiring if he will have to pay tap in fees. Council consensus that the tap in fees be waved, they were paid initially.

PUBLIC HEARING: 7:15 PM – Discussion of City Ordinance amendment 152.128: District Regulations.

Mayor Carpenter opened Public Hearing at 7:15 p.m.

Various questions and discussion regarding proposed ordinance samples from two other Michigan communities. The City Attorney stated that he would be happy with either ordinance the Council selects, and he feels he would be able to defend either if need be in court.

Mayor Carpenter closed the Public Hearing at 7:27 p.m.

Motion by CM Walters, second by CM Lee, to direct the City Manager and City Attorney to draft a passable ordinances for Council review. A Public Hearing will be scheduled if Council so chooses.

ORDINANCES:

1. Section 152.128: District Regulations
2. Section 95.70: An Ordinance to regulate those individuals within the City of Brown City, Michigan that are qualified patients or acting as primary caregivers pursuant to the provisions of the Michigan Medical Marijuana Act.

No action was taken on proposed ordinances. Further legal research is required.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: Written report reviewed; no questions or comments.

MAYOR'S REPORT: None.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – none.
4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

CM Loutzenhiser informed Council that it will be very difficult for him to attend committee meetings due to his employment. He will review proposed projects on his own prior to Council Meetings.

City Clerk asked who the responsible party is for mowing of the ditches along Buby Street. City Manager stated that this is the City's responsibility. Weeds are noxious and DPW has been directed to clean the ditch.

PUBLIC QUESTIONS & COMMENTS:

Jack Bell asked if there was an update to the status of Hilltop House and its licensing after a man was bitten by a resident. City Manager has no information pertaining to the status of Hilltop House since this incident occurred.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Walters, to adjourn at 7:52 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk