

BROWN CITY COUNCIL PROCEEDINGS

SEPTEMBER 27, 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, Council Members Bill Walters, Julie Miller, Ross McIvor, Pat Jacobson, Christine Lee, Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Walters, second by CM McIvor, to accept the Regular Meeting Minutes from September 13, 2010 as presented. Motion carried.

PAY BILLS:

Motion by CM Lee, second by CM Jacobson, to pay the bills in the following funds: General - \$12,472.41 (4325-4338), Payroll - \$12,233.24 (4704-4716), Sanitary Sewer - \$1,693.32 (3073-3076), Water Fund - \$1,132.55 (1857-1859), Arsenic Abatement - \$164.50 (1141), Equipment - \$271.95 (1255). Motion carried.

Motion by CM Lee, second by CM Walters, to pay Severn Trent \$78,477.00 for media replacement at Well #4. Monies to be dispersed as follows: \$40,000.00 from the Arsenic Fund, \$38,477.00 from the Water Fund. Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS:

Rex Webb questioned condemnation procedure as well as the process of a warrant being issued so the home at 4031 Main Street could be inspected. He understands the outcome of her particular investigation and that the home is not in condemnation condition but is unhappy with how the situation was handled and the fact that his daughter was not contacted and allowed to let someone in the home for inspection.

City Manager and City Attorney explained that an Administrative Warrant was issued for this inspection which is the legal procedure. Miss Perryman is not living in the home and the mailings and information were sent with what available information the City had.

Jack Bell explained that he has removed built up sand which drains into the storm sewer on the corner of Main Street and Reed Street due to sand that washes down from the Hilltop House driveway. He is concerned that since there is no ordinance requiring specifics for driveways that erosion continues to happen and can potentially cause drainage problems. He is requesting that the owner of the Hilltop House be notified and asked to participate in controlling erosion from the driveway. City Manager will send a letter.

DPW REPORT:

No questions or comments.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

PUBLIC HEARINGS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 10-07** - A Resolution Formally Causing to be Levied a Special Tax or Assessment to Recover Monies Owed the City of Brown City.

Motion by CM Walter, second by CM Miller, to adopt Resolution 10-07 *A Resolution Formally Causing to be Levied a Special Tax or Assessment to Recover Monies Owed the City of Brown City*. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Lee-yes, Loutzenhiser-yes. Motion carried.

MANAGER'S REPORT:

1. **City Hall phones:** The City received the hardware and software associated with the new telephone system for City Hall. The contractor completed the installation and provided training to the staff. The system became fully operational on September 15th.
2. **4031 Main Street:** Following a citizen complaint, the City obtained an administrative search warrant, and along with the Sanilac County Building Inspector, evaluated the structure for health and safety. The Building Inspector reported that the house was structurally sound, but that some exterior and interior work was required. To address the complaint that a woodchuck and feral cats were in the vicinity of the house, the city police have set traps. Sanilac County will provide a formal report.

3. **Renaissance Zone:** The contractor and the City DPW began the removal of concrete and debris from the old barn at the Renaissance Zone. The work began on September 23rd and was essentially completed the next day. The material was removed to the City landfill and dirt from the mound at the south end of the property was used to fill the holes.
4. **Storm Damage:** The high winds on the evening of September 21st caused a power failure at the Maple Valley lift station. At around midnight, the DPW Foreman was called in who then, along with assistance from Rhode Electric, determined that one phase of the three phase system was not working. The DPW hooked up the emergency generator to the lift station and continued to monitor the equipment. Neither the Thelman Avenue, nor the Belview Drive lift station was affected. Power was restored by DTE early on the afternoon of September 22nd. A large branch fell across Main Street, and there was other tree damage throughout the City. The DPW is working to get those branches moved to the curb picked up as soon as possible.
5. **Lincoln Street Project:** The 24" pipe for the Lincoln Street Storm Drain Project has arrived. The easements for the property were received from the (Acting) City Engineer on September 23rd. Information concerning the lie and depth of the pipe is still pending. Once received, a request for proposals can be sent out to area contractors.
6. **Ordinance § 152.300:** This ordinance regulating medical marijuana dispensaries will take effect on October 14th. As a result of the ordinance and the detailed article in the *Banner*, there have been several enquiries by individuals that operate this type of business. Discussions with both the City Attorney and the Sanilac County Drug Task Force continue.
7. **Festival Commission:** The Brown City Festival Commission met on September 21st to begin the planning and fund raising for Brown City Days. The meeting included whether to combine the Festival Commission with the Homecoming Commission and change the name, or "rebrand", the summer festival. The Commission is looking for recommendations, particularly those of the City Council and local residents, as to combining the two organizations (which consist of the same members) and seeking a name change.
8. **City Liability Insurance:** The representative from the City's insurance carrier met with me to discuss coverage. The discussion centered on a request by the Fire Department concerning cost and liability limits for a proposed medevac helipad adjacent to the Fire Hall. Also discussed were two potential riders for the City's current policy. One concerns injunction liability insurance which would cover legal expenses if the City is the subject of a non-monetary lawsuit. The second concerns coverage for site pollution such as what happened in Yale recently with the unauthorized discharge of sewage from their lagoon. Does the City Council wish me to research the cost/benefit of either or both of these insurance riders?

9. **Flower and Card Fund:** The City's bookkeeper lost her brother on September 23rd. A card will be available for the elected officials of the City to sign at the September 27th City Council meeting. Request the City Council and Manager contribute \$20 each to replenish the fund.
10. **Columbus Day:** The next City Council meeting is scheduled for October 11th. This is a federal but not a City holiday. Therefore, City Hall will be open and the police and DPW will work a regular schedule. Does the City Council wish to reschedule this meeting?
11. **Exotic Animals Removed:** The Police Chief reported that the python, ferret albino skunk have all been removed from the City Limits.

ATTORNEY'S REPORT:

City Attorney expanded on City Manager's report regarding researching possible insurance riders being obtained as well as reviewing liability coverage/limits.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Ribbon Cutting for Grand Opening of R&J Auto Restoration (former T&R Tire) on Saturday, October 23rd. Time TBD.

COMMITTEE REPORTS:

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

GENERAL CONCERNS OF THE COUNCIL: None.

PUBLIC QUESTIONS & COMMENTS:

Jamie Daws, Sanilac County Commissioner provided an update on County Business.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Mclvor, second by CM Lee, to adjourn at 7:52 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk