

**BROWN CITY COUNCIL PROCEEDINGS
JAUARY 28, 2008**

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

Pledge of Allegiance led by Mayor Carpenter.

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

ABSENT: Councilmember Ken Brown.

ADDITIONS, CORRECTIONS & DELETIONS TO AGENDA:

1. Add Sanilac County Commissioner William Walters, County Commissioner under Personal Appearances.
2. Delete Item #2 under Pay Bills.

CORRECTION & APPROVAL OF MINUTES:

Discussion regarding the omission of specifically approving Section 17.800 (Sale of Burger Building) in the January 14, 2008 minutes.

CM Miller also discussed the fact that this offer was also approved based on the building being sold "as is". Consensus that this was the intention for the original motion and to amend paragraph #2 under Ordinances. DRAFT Section 17.800 on page 2 of 4 to read: Motion by CM Brown, second by CM McIvor, *to approve Section 17.800 and* [corrected January 28, 2008] to accept the purchase offer for the Old Burger Building *as is* [corrected January 28, 2008] in the amount of \$43,000. ROLL CALL VOTE: Jacobson – yes, Miller-no, McIvor-yes, Lents-yes, Lee-yes, Brown-yes. Motion carried.

Motion by CM Miller, second by CM Jacobson, to approve the Regular Meeting Minutes of January 14th as corrected. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

PERSONAL APPEARANCES:

1. Deckerville Police Chief Tim Torp – Candidate for Sanilac County Sheriff: Chief Torp discussed his background and desires for seeking the office of Sanilac County Sheriff.
2. County Commissioner William Walters - Presentation of a Sanilac County Board of Commissioners Resolution honoring Raymond Whitmer for 40+ years of service for the City of Brown City and Park. Mr. Whitmer was present to accept this honor.

Commissioner Walters also mentioned Sanilac County's recent honor of being one of the top 100 areas in the nation for youth.

County Commissioner meetings will now be held on Thursday evenings.

PAY BILLS:

Motion by CM Lee, second by CM , to pay the bills in the following funds: General - \$11,069.61, Payroll - \$12,345.79, Major Streets - \$1,154.43, Local Street - \$1,154.42, Sanitary Sewer - \$7,644.59, Water - \$10,326.67, Arsenic Abatement - \$2,400.00, Storm Sewer - \$750.00, Equipment - \$336.22. Motion carried.

DPW REPORT:

Written report read and reviewed. No questions or comments.

PUBLIC HEARING:

Mayor Carpenter opened Public Hearing at 7:15 p.m. regarding Section 113: Peddlers and Solicitors.

No Public questions or comments.

Mayor Carpenter closed Public Hearing at 7:16 p.m.

City Manager stated that the City Attorney has reviewed Section 113, as well as Chief Smith. All parties are satisfied.

ORDINANCES:

Motion by CM Miller, second by CM McIvor, to approve Ordinance Section 113: Peddlers and Solicitors, as presented. ROLL CALL VOTE: Jacobson-yes, Miller-yes, McIvor-yes, Lent-yes, Lee-yes, Brown-absent Motion carried.

UNFINISHED BUSINESS:

1. Water Treatment Facility – The arsenic abatement program must be fully operational by February 1, 2008, please see Manager's Report.

City Manager explained that the Water Treatment Facility is complete and this item could safely be removed from the Unfinished Business portion of the agenda.

Motion by CM Miller, second by CM Lee, to remove "Water Treatment Facility" from the Unfinished Business portion of the agenda. Motion carried.

PETITIONS & COMMUNICATIONS: None scheduled.

RESOLUTIONS:

1. Resolution 08-01: A Resolution to rename three City Streets and designate a Major Street.

City Manager discussed the changing of names for three City Streets and designation of one Major Street.

Motion by CM Miller, second by CM McIvor, to approve Resolution 08-01, *A Resolution To Rename Three City Streets And Designate A Major Street*. ROLL CALL VOTE: Jacobson-yes, Miller-yes, McIvor-yes, Lents-yes, Lee-yes, Brown-absent. Motion carried.

MANAGER'S REPORT:

1. **Well #4 Water Treatment Facility:** The project is essentially complete. The letter of "Substantial Completion" was issued to Booms Construction by Huron Consulting. The City received copies of the revised engineered drawings for the electrical system. A letter was sent to DEQ requesting that they close out the Administrative Consent Order. Once the ACO is finalized by the DEQ, the project is complete.
2. **Well #3 Water Treatment Facility:** The City received a letter formally granting ownership of the Well #3 arsenic abatement apparatus to the City. The City now has complete ownership of the facility and associated equipment. Since the City did not have to purchase this equipment or the associated testing and engineering, we realized a cost savings that is probably in excess of \$500,000.
3. **DPW Laborer:** The City received 34 applications for DPW Laborer. The DPW Foreman has narrowed down the list and interviews will begin as soon as possible.
4. **Renaissance Zone:** Apparently the owners of the company who had expressed interest in building a new factory in the City's Renaissance Zone "have decided to focus on Marlette."
5. **Sanilac County Tourism Council:** The SCTC has begun work on the 2008 Sanilac County Visitor's Guide. Their representative asked if the City wants to place an advertisement in this publication. Costs for ads range from \$295 for an 1/8th page to \$1,395 for the back cover. Costs are based on the City providing a publication ready ad. Does the City Council wish to participate in this year's Visitor's Guide? Council consensus to discuss possible purchase with the BC Festival Committee and even possibly splitting and add with them.
6. **2008-2009 Brown City Budget:** The City Budget must be in place and approved by April 1st. Financial records for January, and estimated revenues and expenses for remainder of the Fiscal Year, should be completed by February 8th. Councilmembers

have recommended scheduling a Council Work Session to review the budget and determine funding availability for Capital Improvement Projects. Does the City Council wish to schedule this Work Session, and does the Finance Committee wish to meet either before or after this session? If so, the City Council should be prepared to schedule one or both meetings at the February 11th City Council meeting.

7. **EPA 40/30 Certification:** The EPA has issued a new drinking water regulation, the Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR), which requires monitoring for Total Trihalomethanes (TTHM) and Haloacetic Acids (HAA5). Requirements include testing the water at each well every two months at a cost of \$600 per test (\$7,200). Since the City has kept and maintained appropriate testing records, and our TTHM and HAA5 levels are less than half maximum limit (MCL), we should qualify for a waiver to this requirement. The necessary paperwork was completed with the help of the Michigan Rural Water Association, endorsed by MDEQ, and forwarded to EPA. Expect approval by EPA.
8. **Brown City Website:** The updates and new photographs were forwarded to Great Lakes Internet for inclusion on the City's webpage. Updates to Notices, Agendas and Minutes are done by City Staff; however, more permanent updates, such as photos, must be completed by the webpage host. Of note, since coming on line on July 13, 2006, the Brown City Webpage has had over 102,000 visitors.
9. **Rotary Pancake Supper:** The Rotary Club of Brown City invites you to attend their Annual Pancake Supper on Tuesday, February 6, from 4:00 p.m. to 8 p.m., at the Harrington Inn. Tickets are available from any member of the Brown City Rotary Club. Proceeds are donated to United Hospice Service of Marlette Regional Hospital.
10. **City Manager Schedule:** I will be attending the Michigan Local Government Managers Association (MLGMA) conference in Mt Pleasant between January 29th and February 1st.
11. **International Union of Operating Engineers:** The Union notified the City by registered mail their interest to negotiate changes to the contract due to expire in April. The Personnel Committee expressed interest in participating in the negotiations and prefer the sessions be scheduled on Thursdays at 1:00 PM.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: None.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – 1-22-08 Committee minutes reviewed and discussed. Discussion regarding potential installation of an anti-backup valve for the school to prevent potential sanitary sewer backups.
3. Tax & Finance – none.

4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

CM Jacobson stated that ‘Dead End’ Street sign at the end of Wells is no longer present. Requested a new sign be installed especially due to the amount of vehicles that turn around.

Sign at corner of M90 and Maple Valley was extremely low over the weekend. City Manager stated it was repaired this morning by the City DPW and was caused by a traffic accident on January 25th.

MAYOR’S REPORT:

Mayor Carpenter reviewed the 2008 Council Priorities Summary Spreadsheet. See attached.

PUBLIC QUESTIONS AND COMMENTS: None.

Motion by CM Miller, second by CM Lee, to adjourn at 7:45 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk