

BROWN CITY COUNCIL PROCEEDINGS

May 8, 2017

MEETING CALLED TO ORDER BY MAYOR JULIE MILLER AT 7:00 PM.

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

PRESENT: Mayor Julie Miller, Councilmembers: Pat Jacobson, Gerald Kosal, Christine Lee, Ross McIvor, Alecia Parks, and William Walters; City Clerk Juanita Smith, City Manager Clint Holmes, and city Attorney Gregory Stremers.

ABSENT: None.

GUESTS: Steven Kovac from the Brown City Banner Newspaper, Mike Vislosky, Becky Vislosky, Sherri Muxlow, Liz Muxlow, Kindal Muxlow, John Whitaker, Zack Whitaker, Barb Linck, John Linck, Cecilia Linck, Mike Bell, Terry Bell, Lesley Bell, George Emmie, and Larry Steigerwald.

PRESENTATION OF PROCLAMATIONS TO:

Brown City Valedictorian **Cecilia Linck**.

Brown City Salutatorian **Lesley Bell**.

Brown City Basketball Player of the Year **Kendal Muxlow**.

Brown City Basketball Standout **Calvin Cook** (postponed to June 12th).

Proclamations: Mayor Julie Miller opened the Council Meeting with a presentation of Proclamations to several well deserving students of Brown City Schools.

A signed and framed Proclamation was presented to Cecilia Linck, Valedictorian of the Class of 2017. Mayor Miller read aloud the Proclamation while presenting it to Cecilia. Pictures were taken of her accepting the Proclamation from Mayor Miller.

A signed and framed Proclamation was also presented to Lesley Bell, Salutatorian of the Class of 2017. Mayor Miller read Lesley's Proclamation aloud while presenting it to her. Pictures were taken of her accepting the Proclamation from Mayor Miller.

A Proclamation was also presented to Kendal Muxlow for her outstanding athletic achievement. Kendal received her Proclamation for being chosen as the Basketball Player of the Year. Kendal's Proclamation was read aloud by Mayor Miller and pictures were taken of her accepting the proclamation from Mayor Miller.

Calvin Cook was unable to attend the meeting as he was engaged in an athletic event this evening. He will be presented with his Proclamation at the June 12th Council Meeting.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Walters, second by CM Mclvor, to accept the Regular Meeting Minutes of April 24, 2017 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds: General - \$17,159.60 (7994-8023), Payroll - \$15,520.58 (7899-7916 plus EFT), Major Street - \$241.30 (3913-3914), Local Street - \$181.50 (4262), Sanitary Sewer - \$1,500.38 (3637,3639-3642 (void 3638), Water - \$1,429.65 (2771,2773-2779 (void 2772), and Equipment - \$1,080 (1560-1561). Motion carried.

PUBLIC HEARING: None Scheduled.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS:

Larry Steigerwald of 4083 2nd Street stated that there had been no results in the problem of cleaning the ditches on Buby and Kohler Streets and that the tires he had reported piling up were still visible. He said it has been 14 months since he first reported the problem to the Council, City Manager and to two different Mayors. City Manager Clint Holmes said that the DPW had been tasked to see to the ditch clean-up as soon as the ditches were dry enough to work in. City Manager Clint Holmes also instructed Police Chief Ron Smith to check on the tire situation tomorrow (Tuesday, May 9th).

POLICE REPORT: Report reviewed. No questions or concerns.

Police Chief Ron Smith reported that there was a MIP party on 3rd Street where six MIP tickets were issued. The homeowners will also be charged in this incident.

UNFINISHED BUSINESS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. Emmie Die & Engineering – 7254 Maple Valley Road: Four Phase Project:

- a. **Phase Ia:** Construct 2-truck loading dock.
- b. **Phase Ib:** Covering and door for loading dock.
- c. **Phase II:** 30' X 40' pole barn type storage building. Potential issue concerning 100' setback distance for Lapeer-Sanilac County Drain for this building.

The Planning Commission met on May 4th, reviewed the plans and Building Permit Application, and recommends approval of the three (3) permits.

Motion by CM Mclvor, second by CM Lee, to accept the Planning Commission's recommendation to approve the three (3) permits requested by Emmie Die & Engineering – 7254 Maple Valley Road. The three permits consist of: a.) Phase Ia – Constructing a 2-truck loading dock; b) Phase Ib – Covering and door for the loading dock; and c) Phase II – a 30' x 40' pole barn type storage building pending the okay from the County Drain Commissioner on the potential issue

concerning 100' setback distance for Lapeer-Sanilac County Drain for this building.

ROLL CALL VOTE: CM Kosal – Yes, CM Mclvor – Yes, CM Lee – Yes, CM Walters – Yes, CM Jacobson – Yes, CM Parks – Yes. 6 Yes Votes, 0 No Votes, 0 Absent, 0 Abstaining. Motion carried.

The approved permit application may be picked up at the City Hall on Tuesday, May 9, 2017, after 10:00 a.m. by representatives from Emmie Die & Engineering. Emmie Die & Engineering representatives must then go to the Sandusky Court House to purchase the required permits and meet with the Sanilac County Drain Commissioner.

- 2. 4191 Maple Street:** Replace existing 5' X 24' front deck; construct a new 24' X 24' non-attached garage; build a 12' X 19' addition to the rear of the existing house; add a new 8' X 19' deck to the rear of the proposed addition.

Motion by CM Walters, second by CM Parks, to approve the application to replace the existing 5' x 24' front deck, construct a new 24' x 24' non-attached garage, build a 12' x 19' addition to the rear of the existing house and add a new 8' x 19' deck to the rear of the proposed addition. Motion carried. The permit may be picked up at the City Hall on Tuesday, May 9, 2017 by the owner of the 4191 Maple Street property. Owner must then go to the Sandusky County Court House to pull the required permits.

MANAGER'S REPORT:

- 1. City Sewer Issue:** The DPW completed the installation of the fire hydrant at George and Main Streets. They were also able to complete the repair of the broken valve near the same location. Because water had to be shut off to the properties west of Carman's Funeral Home, a Boil Water Notice was initiated on April 27th. The mandatory water tests were completed and the ban was lifted on May 1st.
- 2. City Master Plan:** The City was contacted by the organization the City Attorney recommended for updating the Master Plan. They stated that they would not be able to assist the City in our Master Plan Update for various reasons. The two current proposals are McKenna Associates (which did the last Master Plan for the City) at \$17,500 (if no issues are encountered); and Giffels Webster at \$18,000 to \$20,000. How does the City Council wish to proceed?

Motion by CM Walters, second by CM Jacobson, to engage McKenna Associates to update the Master Plan for the City at a cost of Seventeen Thousand, five hundred dollars (\$17,500) providing no issues are encountered. Authorization is to be given to Mayor Miller and City Clerk Juanita Smith to sign the needed papers on behalf of the City. Motion carried.

- 3. Memorial Day:** The Brown City High School Band plans to perform the themes from the four US military service branches at the Main Street Veterans' Memorial on Memorial Day morning. No other ceremonies have been planned at either the Veterans' Memorial or the Brown City Evergreen Cemetery. The Brown City VFW Post no longer exists, and the Sandusky Post and American Legion have other commitments. If any other organization plans to hold a ceremony, they should contact City Hall.

- 4. Union Issues:** The Union forwarded a Letter of Understanding concerning the decisions made by the City Council concerning pay and vacation policy. Request the City Council authorize the Mayor to sign the letter on behalf of the City.

Motion by CM Lee, second by CM Parks, to authorize Mayor Miller, on behalf of the City, to sign the “Letter of Understanding” forwarded by the Union concerning the pay and vacation policy made by the City Council. Motion carried.

- 5. Workers’ Compensation Fund:** The City is receiving a dividend credit of \$2,036 from the MML Workers’ Compensation Fund. This was automatically applied to the City’s premium cost, bringing the total down to \$5,623, which is \$452 more than last year.
- 6. Underground Storage Tank Remediation:** The Contractor hired by PM Environmental opened an abandoned underground storage tank just north of Main Street adjacent to James Street. The tank, which apparently contained fuel oil at one time, was pumped dry, inspected for leaks, power washed and filled with concrete. The opening in the sidewalk was repaired. No additional environmental concerns were reportedly discovered in the area west of the Harrington Inn to James Street.
- 7. Tri-County Bank Building:** Tri-County Bank has purchased the property west of the Harrington Inn to James Street and between Main and First Streets. They plan to construct a 13,000 square foot office building in order to consolidate their Brown City operations. They plan to request the City formally abandon the alley that runs through the block from James Street to a point near their eastern property line. The City is also being asked to release the right-of-way for a section of sanitary sewer main in the same area. The Bank has contracted for a survey to determine the exact dimensions of the property involved. Receipt of this survey information is pending.
- 8. Lincoln Street Stop Sign:** The City DPW has installed two stop ahead and two new stop signs on Lincoln Street at Grant Street.
- 9. I.T. Right:** The company, I.T. Right, that the City contracted with for computer repair and installation service, began the process on May 2nd with the installation of a server and network and antivirus and back-up programs and the work continued through the 4th. Some work still remains to be completed. The City is acquiring email address rights and will continue work on updating the City’s antiquated website.
- 10. City Tree Inventory:** The City submitted the grant application for \$5,000 to the Michigan Township Participating Plan (Par Plan) Risk Reduction Grant Program (RRGP) to help underwrite the cost of the proposed tree inventory. The application period closed at the end of the month and the City should learn the results soon after that.
- 11. Nuclear Waste Repository Resolution:** The City Council approved Resolution 17-09 Opposing the Construction of a Nuclear Waste Repository in the Great Lakes Basin on April 10th, and forwarded copies to various national, state and provincial leaders. The only response to date is from the Canadian Prime Minister’s Office and is attached.
- 12. 2016-2017 Annual Audit:** Representatives from King and King will be in the City Offices on May 11th to begin the initial review for the annual audit. The formal audit will take place June 14th and 16th.

13. Reminder of This Week's Meetings:

Festival Committee Meeting – Tuesday, May 9th at 7:00 p.m.

Library Board Meeting – Wednesday, May 10th at 8:30 p.m.

Park Board Meeting – Thursday, May 11th at 7:00 p.m.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: None.

CLERK'S REPORT: None.

MAYOR'S REPORT: None.

COMMITTEE REPORTS:

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

GENERAL CONCERNS OF THE COUNCIL:

CM Jacobson reported that as she looked out her window three deer were running down the street past her house.

CM Walters said that the Sandusky VFW will be having a Fish Fry on Friday at the Sandusky VFW Hall on M-19.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Lee, second by CM Mclvor, to adjourn at 7:30 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk