

BROWN CITY COUNCIL PROCEEDINGS

MAY 13, 2019

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: Stacy Biel, Patricia Jacobson, Christine Lee, Ross Mclvor; City Manager Clint Holmes, City Clerk Juanita Smith and City Attorney Gregory Stremers.

ABSENT: Councilmembers Eugene Navock and Alecia Parks.

GUESTS: Wendy Horn, Bill Walters, Joe Biel, Police Chief Ron Smith, Walter Robison, Becky Vislosky, Mike Vislosky, Megan Vislosky, and Dan Jones.

PRESENTATION OF PROCLAMATION TO BROWN CITY'S HIGH SCHOOL VALEDICTORIAN.

Mayor Julie Miller opened the Council Meeting with a presentation of a Proclamation to Megan Vislosky, Valedictorian of the Brown City Class of 2019. Megan has been involved in many academic and athletic endeavors during her school career and excelled in all that she participated. Megan will attend the Honors Program at the University of Michigan, Ann Arbor, to major in Biomedical Engineering or Cellular Microbiology and be pre-med. Congratulations are extended to Megan by the Mayor and City Council Members. Pictures were taken of Megan receiving the Proclamation from Mayor Miller.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

City Manager Clint Holmes reported that there would be two additional items to the agenda. One under the Manager's Report and the other under Petitions and Communications.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Mclvor, second by CM Biel, to accept the Regular Meeting Minutes of April 22, 2019 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds: **General - \$26,831.32** (9195 – 9237), **Payroll - \$32,404.83.** Payroll 4-10-19 to 4-23-19 was \$16,476.37 (8901 – 8918 plus EFT), and Payroll 4-24-19 to 5-7-19 was \$15,928.46 (8919 – 8936 plus EFT), **Major Street - \$209.80** (3990 – 3991), **Local Street - \$1,536.76** (4315 – 4318), **Sanitary Sewer - \$2,360.90** (3800 and 3802-3803. Void check number 3801, **Water - \$2,006.76** (3052 – 3059), **Arsenic Abatement - \$40.00** (1442 – 1443) and **Equipment - \$787.40** (1664 – 1666). Motion carried.

PERSONAL APPEARANCES: None.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or concerns.

UNFINISHED BUSINESS: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **4270 Maple Street:** Request Building Permit to construct two walls to enclose the existing covered patio located on the rear of the house.

Motion by CM McIvor, second by CM Biel, to approve a building permit to construct two walls to enclose the existing covered patio located on the rear of the house at 4270 Maple Street. Motion carried.

2. **7118 Maple View Circle West:** Request Building Permit to put up a 16' x 40' awning with a concrete floor underneath it.

Motion by CM McIvor, second by CM Biel, to approve a building permit to erect a 16' x 40' awning with a concrete floor underneath it. Motion carried.

MANAGER'S REPORT):

1. **AT&T Cell Antenna:** The City has received the draft contract for the lease of space near the base of the water tower for an equipment building and for the placement of LTE and 4G cell phone antennas on the top. A copy of the contract was forwarded to the City Attorney for review. Also, copies of two articles, one from the American Cancer Society, and one from EM Watch, are enclosed for your review. How does the City Council wish to proceed?

City Attorney Gregory Stremers said that the draft was not complete and he would like it fully completed before the Council acts upon it. He would like one more Council period to go over the draft since it is for a 35 year period and we want it to be correct.

2. **Union Contract:** Apparently the Union approved the contract on April 30th (according to the union pension office). To date, the City has neither received a signed copy of the document nor been officially informed of the approval.
3. **Wastewater Engineering:** The City has contracted with Spicer Engineering to conduct two studies of the City's wastewater system. The first will determine methods other than excavation to replace two sections of sewer main – one under the railroad tracks at First and St Marys Streets and the second at the northeast end of Main Street. The second study is to determine how much capacity is available at the City lagoons to verify if it can accommodate the water volume from a proposed industrial washing process. Total cost of these two studies is \$1,500.

4. **Fire Hydrants:** The fire hydrants located St Marys/Fourth and Lincoln/Grant Streets have been repaired and are operational. The fire hydrant at Main and John Streets will require the removal of sidewalk sections to facilitate required excavation. Plan to complete this repair after school is out and Brown City Days are over.
5. **Fire Hydrant Flushing:** The Brown City DPW plans to flush fire hydrants May 20th through May 24th as part of this semi-annual program. Hydrant flushing will usually take place during the day. Residents may notice some discoloration in the water during this process. Residents are advised not to wash white or light colored clothes during this period. This notice will be published in the Banner on May 13th and 20th and is posted on Channel 6.
6. **M-90/Main Street Upgrade:** MDOT plans to mill and resurface M-90 from M-53 to M-19 the summer of 2020. The work will include refurbishing the railroad crossing and is estimated to take about two weeks. The City has requested that the work be scheduled for after Brown City Days and that MDOT provide notice before the work begins for City planning and resident notification purposes.
7. **Planning Commission:** The Brown City Planning Commission has scheduled two Public Hearings during their regular June 6th meeting. The first is at 7:05 PM and concerns a variance request for a reduced set back distance at 6974 James Street. The second is at 7:15 PM for a variance request to allow a larger illuminated sign at 4152 Main Street – SUNOCO. Letters have been sent to all property owners living within 300’ of these locations. This notice will be published in the Banner on May 20th and June 3rd and is on Channel 6.
8. **Rotary Beer Tent:** The Brown City Rotary Club has asked if they can erect and operate their beer tent for Brown City Days at the corner of St Marys and Main Streets, just like last year. Requires Motion.

Motion by CM McIvor, second by CM Lee, to allow the Brown City Rotary Club to erect and operate a beer tent during Brown City Days at the corner of St. Marys and Main Streets. Motion carried.

9. **Par Plan:** The City received a dividend check from the Par Plan, our liability insurance provider, for \$1,937.82.
10. **Brush Pick-up:** The DPW will pick-up brush on the second and fourth Monday of each month until Fall. Leaves and grass clippings must be in CLEAR plastic bags and trees/branches must be cut to lengths of no more than six (6) feet. Piled leaves are only collected in the Fall.
11. **Downtown Development Authority Training:** Public Act 57 of 2018 went into effect January 1, 2019. PA 57 repeals and re-codifies multiple acts related to tax increment finance authorities and subjects TIFAs to standard reporting requirements. The Michigan Downtown Association is providing training to ensure communities are compliant, to include website and formal reporting requirements to Department of Treasury. I will be attending the training provided in Lapeer on Friday, May 17th at City Hall.

12. Memorial Day: City Hall, the Police Department and DPW will be closed on Monday, May 27th in observance of Memorial Day. The City Council will meet as scheduled.

13. Requested Equipment Purchases: The DPW is requesting three new items to be purchased for the City: 1) Concrete Cutting Saw for \$815.96 from Ben's Hardware; 2) 10' Snow Plowing Box blade from TNT for \$4,075.00; and 3) Replacement Tractor from Ball Equipment for \$22,557.36.

Motion by CM Mclvor, second by CM Jacobson, to purchase a Concrete Cutting Saw for \$815.96 from Ben's Hardware; to purchase a Snow Plowing Box blade from TNT for \$4,075.00, and to purchase a Tractor from Ball Equipment for \$22,557.36. Motion carried.

ATTORNEY'S REPORT: Nothing.

TREASURER'S REPORT: Nothing.

CLERK'S REPORT: Nothing.

MAYOR'S REPORT:

1. Proclamation for BCHS Green Devil Bots Robotics Team: Proclamation will be presented at a later date.

2. City Council Applications: One application was received on May 9th from Walter S. Robison of 4094 Main Street and one on May 10th from William Walters of 4108 2nd Street.

The two candidates for the Council Seat each introduced themselves and spoke about why they would like the position. The Councilmembers then held a discussion about each of the candidates. William Walters is on the Library Board and cannot hold both seats. The Councilmembers thought he was doing a good job on the Library Board and would like him to remain in this position. Therefore they voted to ask Walter S. Robison to accept the vacant Council Seat. He will join the Councilmembers on June 10th.

Motion by CM Lee, second by CM Mclvor, to appoint Walter S. Robison to fill the vacant Council Seat that was held by CM Alecia Parks. His first meeting will be on June 10, 2019, at which time he will be sworn in. His term will expire in November of 2020. Motion carried.

COMMITTEE REPORTS:

1. Building and Grounds (Mclvor) – None.
2. Personnel (Parks) – None.
3. Police/Fire Authority (Lee) – None.
4. Streets and Sidewalks (Navock) – None.
5. Tax and Finance (Jacobson) – None.
6. Water and Sewer (Biel) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Biel asked about the Lagoon goose hunting applications. City Manager Clint Holmes replied that there had been a public notice put in the paper and there had been no applications. Council Members decided since there had been six previous applications there would be a lottery drawing at the next Council Meeting from these six candidates.

PUBLIC QUESTIONS & COMMENTS:

Dan Jones asked, "If the cell tower did get approved by the Council, when would it be put up?" The City Manager replied that he didn't know for sure but probably this summer. The Attorney said that if it was approved by the Council, AT&T could use an option period for up to two years before installing it. A payment would have to be made to the City during this option time.

William Walters said he is on the Par Plan and that they have given away over 3 Million Dollars in previous years. He said, "Stay with us". The City has received money from the Par Plan in the past. (See #9 of the Manager's Report).

Wendy Horn of 4221 Second Street said her sidewalk needs to be replaced. However, she cannot afford to replace it or even pay for half the costs of a new sidewalk. A City Ordinance says that the City pays for half the sidewalk work and the homeowner must pay the other half. The City Manager and Councilmembers asked Wendy Horn if she were given a five year payment plan could she work it out. She answered, "Yes, that would work".

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Lee, second by CM Jacobson, to adjourn at 7:36 p.m. Motion carried.

Respectfully submitted,

Juanita M. Smith
City Clerk