

# BROWN CITY COUNCIL PROCEEDINGS

**JULY 10, 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 representing the Brown City Banner Newspaper, Mike Vislosky, Frank Fiorallo, Lehn King, CPA, Sarah Steigerwald, Larry Steigerwald, Amber Brown, Walter S. Robison, Y. E. Smith, Jr., Ginger Younge, Michelle Cyphers, and Gail Younge.

**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 June 26, 2017 as presented. Motion carried.

Motion by CM Parks, second by CM McIvor, to accept the minutes of the Joint Working Group Meeting of June 27, 2017 as presented. Motion carried.

## **PAY BILLS:**

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds: **General** - \$25,791.11 (8089-8118) (void 8119-8125), **Payroll** - \$16,372.25 (7994-8016 plus EFT, **Major Street** - \$808.27 (3925-3928), **Local Street** - \$803.55 (4267-4269), **Sanitary Sewer** - \$2,026.00 (3661-3665), **Water** - \$1,053.46 (2802-2807), **Arsenic Abatement** - \$272.00 (1365-1366), **Storm Sewer** - **\$60.00 (1243)**, and **Equipment** - \$709.45 (1566-1568). Motion carried.

**POLICE REPORT:** Report reviewed. No questions or comments.

## **PUBLIC QUESTIONS & COMMENTS:**

Sarah and Larry Steigerwald of 4083 2<sup>nd</sup> Street: The tenants in the apartments south of their backyard are not putting their garbage in enclosed bags as they are supposed to. Therefore some of the garbage blows into the Steigerwald's yard. When the apartments were built a fence was to have been built between the Steigerwald's property and the apartments which would have stopped much of the debris from getting into their yard but the fence was never built. The police have been there several times to address the problem but have not connected with the owner to issue a complaint. The City Attorney said that he will send a letter to the owner stating the problem and see if that would take care of it.

The Steigerwalds also spoke of cars driving into the apartment's parking lot and that the lights shine directly into their living room. This distorts their TV viewing. A fence would help with the lights also.

Another area of concern is the play area for the apartments. The toys are scattered in their yard. Mowing the lawn causes a problem as the toys may be thrown when the lawnmower hits them.

Frank Fiorallo came to the Council asking if a Car Cruise could take place on Thursday evenings from 5:00 p.m. to 9:00 p.m. They would have angle parking around the LaFonda Restaurant on Main Street and on the side street beside LaFonda's. City Attorney Gregory Stremers said it should be no problem as long as they are not blocking traffic. Police Chief Ron Smith doesn't see any problem arising from the Cruise. Main Street Resident Y.E. Smith, Jr. spoke up and said that he would rather it not take place on a week night when it might disturb the sleep of people who get up very early to go to work the next day. The City Council voiced no objection for the cruise on a trial basis.

Amber Brown of 4084 Third Street came to the Council with regard to her son who has hearing issues. She would like to get signs up near her home stating a hearing impaired child lives in the neighborhood. The consensus of the Council is to have the signs moved from McMorrans Street and installed on East Third Street.

The owner of the new Music Store downtown in Brown City issued a Thank You for the support of the City for their new business.

**UNFINISHED BUSINESS:** None Scheduled.

**PERSONAL APPEARANCES:**

1. King & King: Annual City Audit Review

Mr. Lehn King of King & King CPAs LLC provided an Overview of the City Finances. They found the City's books to be in good order and the City is apparently in good financial condition. Mr. King reviewed the Overall Fund Rating report with the City Council.

**RESOLUTIONS:**

1. **Resolution 17-11:** Resolution To Formally Apply For Grant Assistance From The Michigan Secretary Of State To Purchase A New Voting System

**Motion by CM Walters, second by CM Lee, to adopt Resolution 17-11: A Resolution to Formally Apply For Grant Assistance From the Michigan Secretary of State to Purchase a New Voting System. ROLL CALL VOTE: CM Jacobson – yes, CM Kosal – yes, CM Lee – yes, CM McIvor – yes, CM Parks – yes, CM Walters – yes. 6 Yeas, 0 Nays, 0 Abstaining, 0 Absent. A quorum being present – Motion declared carried.**

- a. Contract with State of Michigan for Voting Machines.

**Motion by CM Parks, second by CM Lee, to authorize Mayor Julie Miller to sign and enter into the Voting System Grant Agreement on behalf of the City of Brown City. Motion carried.**

**2. Resolution 17-12: Resolution for Designation of Street Administrator. Motion by CM Lee, second by CM Jacobson, to adopt Resolution 17-12: A Resolution for Designation of Street Administrator. Motion carried.**

**PUBLIC HEARING:** None Scheduled.

**ORDINANCES:**

- 1. Resident Request for an Updated Fireworks Ordinance: (DRAFT)** An Ordinance Repealing City of Brown City Fireworks Ordinance Section 98.01 and Adopting Brown City Fireworks Ordinance Section 98.10. A copy of the current Ordinance 98.01 is enclosed

**The Updated Fireworks Ordinance was brought to the attention of the City Councilmembers. However, the Councilmember chose to address this at another time if need be.**

**PETITIONS & COMMUNICATIONS:**

- 1. Tri-County Bank – Site Plan Review:** The bank is seeking comment on and approval of the site plan for their new facility on the northeast corner of Main and James Streets. The bank is also requesting a permit to demolish the existing buildings on the site. The Planning Commission reviewed the plan and permit request at their regular July 6<sup>th</sup> meeting and recommend City Council approval.

**Motion by CM McIvor, second by CM Walters, to accept the Planning Commission’s recommendation to approve the Site Plan for Tri-County Bank for their new facility on the northeast corner of Main and James Streets and also accept the Planning Commission’s recommendation that the City Council approve the demolition application permit of all of the existing buildings on this site. Motion carried.**

**MANAGER’S REPORT:**

- 1. Lincoln Street Renovation Project:** On June 27<sup>th</sup>, the City sent letters to the residents of Grant and Wood Streets along with a copy of the schedule concerning the work on Lincoln Street. Residents of Lincoln Street were sent a copy of the proposed schedule and a similar letter that included their estimated cost for sidewalk replacement. A copy of the sidewalk costs spreadsheet is available for review by the City Council.
- 2. Lapeer-Sanilac County Drain:** The school has requested a meeting with the City and County Drain Commissioner to discuss tubing and covering that portion of the county drain on the north side of the school between the railroad tracks and where the drain turns due south. The Sanilac County Drain Commissioner scheduled a meeting of the Setter and Branches Intercounty Drain Drainage Board that took place at City Hall on July 10<sup>th</sup> at about 1:30 PM. Discussion included the procedures and estimated costs associated with enclosing the county drain from the railroad tracks west and south to South Cade Road. The Brown City Schools Superintendent stated that this was one of a number of contingencies the school was researching.

**The consensus of the City Council was to delay initiating this project pending formal action and request by the School Board.**

- 3. NPDES Inspection:** On June 1<sup>st</sup>, MDEQ staff conducted an inspection of the Brown City Waste Water Stabilization Lagoon (WWSL) to review the City’s compliance with

the National Pollutant Discharge Elimination System (NPDES) associated with the City's NPDES Certificate of Coverage under General Permit Number MIG580284. The letter detailing the results of the inspection was received on June 28<sup>th</sup>. MDEQ reported that, "All operations appear to be in order."

4. **Brown City 2016 CCR:** The 2016 Consumer Confidence Report, also known as the Water Quality Report, was submitted to MDEQ and the Lapeer / Sanilac County Health Departments on May 30<sup>th</sup>. MDEQ reviewed the submission on June 29<sup>th</sup> and required two small modifications as a result of a recent change in the EPA Lead/Copper Rule. The changes were made and updated copies were forwarded to the appropriate agencies to meet the July 1<sup>st</sup> due date. The City meets or exceeds all EPA/MDEQ requirements.
5. **Asset Management Training:** The MDEQ sponsored Asset Management 101 on Thursday, June 29<sup>th</sup> in Bay City. The DPW Foreman and City Manager attended the training to learn the requirements associated with preparing and submitting a report including a detailed inventory and estimated remaining service life of the City's drinking water infrastructure, associated operating costs and 20-year Capital Improvement Plan. Report is due to MDEQ before January 1, 2018.
6. **Property Tax Rates:** The Village of Paw Paw manager requested the tax rates for those communities in Michigan with a population of 5,000 or less. The City responded to the request and the summary developed by Paw Paw is available for your review.
7. **MML Wage & Salary Annual Survey:** Each year the Michigan Municipal League requires member organizations to update the Michigan Municipal Wage & Salary database maintained by the MML for their community. Completion of the survey allows the City access to the database for research and analysis. This was completed well prior to the July 1<sup>st</sup> deadline.
8. **City Water Tower:** The water tower is scheduled for an inspection and cleaning on July 19<sup>th</sup>. The DPW will begin emptying the water tower the morning of July 18<sup>th</sup>. Pumps will be programmed to operate as necessary to maintain water pressure throughout the City while the water tower is off-line. This maintenance should be completely transparent to the City's water customers.

**ATTORNEY'S REPORT:** None.

**TREASURER'S REPORT:** None.

**CLERK'S REPORT:** Thank you for acting on the Grant Agreement for the new voting equipment. We'll get it sent in right away.

**MAYOR'S REPORT:**

1. Accept the resignation of JoAnn Potts from the Planning Commission.

**Motion by CM Lee, second by CM Kosal, to accept the resignation of JoAnn Potts from the Planning Commission. Motion carried.**

2. Appoint Robert Jacobson to the Planning Commission for the term ending December 31, 2017.

**Motion by CM Lee, second by CM Mclvor, to accept the appointment of Robert Jacobson to the Planning Commission for the term ending December 31, 2017. Councilmember Jacobson abstained from the vote. Motion carried.**

**3. Flynn Township Recreation Grant**

**Mayor Miller handed out a map showing the location of property that Flynn Township has purchased with a grant. It is open to the public to use for fishing or other outdoor activities.**

**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 Parks has been approached by citizens complaining of residents not maintaining their yards properly. City Manager Clint Holmes said that letters will be sent out asking that the grass and weeds be cut.

**PUBLIC QUESTIONS & COMMENTS:**

Y.E. Smith, Jr. asked about the Micro Sealing or Chip and Seal that is to take place on M-90 and where the money will come from to pay for it. City Manager Clint Holmes replied that since M-90 is a state highway that the state will pay for it. No City money will be used for this project.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Walters, second by CM Mclvor, to adjourn at 8:09 p.m. Motion carried.

Respectfully submitted,

Juanita Smith  
City Clerk