

# BROWN CITY COUNCIL PROCEEDINGS

## OCTOBER 8, 2018

**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: Patricia Jacobson, Gerald Kosal, Christine Lee, Ross McIvor, Alecia Parks, and William Walters; City Manager Clint Holmes, and City Attorney Gregory Stremers.

**ABSENT:** City Clerk Juanita Smith.

**GUESTS:** David R. Van Cura, Police Chief Ronald Smith, Stacy Biel, and Steven Kovac representing the Brown City Banner.

**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 September 24, 2018 as presented. Motion carried.

### **PAY BILLS:**

Motion by CM Jacobson, second by CM Lee, to pay bills in the following funds:

**General** - \$19,089.54 (8835-8869), **Payroll** – \$16,138.66 (8609-8624 plus EFT), **Major Street** - \$990.00 (3974-3975), **Sanitary Sewer** - \$425.99 (3764-3766), **Water** - \$268.96 (2982-2986), **Arsenic Abatement** – \$44,547.24 (1413-1416) and **Equipment** - \$869.33 (1630-1634). Motion carried.

**PERSONAL APPEARANCES:** None.

**PUBLIC QUESTIONS & COMMENTS:** None.

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

**UNFINISHED BUSINESS:** None.

**PUBLIC HEARING:** None.

**RESOLUTIONS:** None.

### **ORDINANCES:**

1. Discussion and Introduction of City Ordinance 130.06 – Prohibition of Marihuana Establishments.

CM Walters introduced City Ordinance 130.06 – Prohibition of Marihuana Establishments.

Motion by CM Parks, second by CM McIvor, to schedule a Public Hearing on Monday, October 22, 2018 at 7:10 PM concerning City Ordinance 130.06 – Prohibition of Marihuana Establishments. Motion carried.

**PETITIONS & COMMUNICATIONS:** None.

**MANAGER'S REPORT:**

1. **Cell Tower Update:** The City has not been contacted since the last City Council update.
2. **PFA's Testing:** MDEQ contacted by City and stated that they will be in the area to draw water samples from each well head the afternoon of October 18<sup>th</sup>. Once the status of the City's drinking water is known, an appropriate course of action can be pursued.
3. **Declaratory Ruling Request:** The City Council should consider supporting the request by various drinking water providers that certain provisions of the new Lead and Copper Rule "fail to provide the necessary legal support and foundation" and are "arbitrary and capricious." Primary concern is the requirement that the City do certain work on private property.

**Motion by CM Walters, second by CM McIvor, to authorize Mayor Miller to sign the "Concurrence with Petitioners' Request for Declaration Ruling Re: MDEQ's Lead and Copper Rules" form. Motion carried.**

4. **Sewer Inspection:** The City sent an email to Michigan Pipe Inspection to schedule cleaning and televising the sanitary sewer system north of Main Street from Cade Road to the Maple Valley Road Lift Station. A schedule is still being developed.
5. **Sanilac Tourism Association (STA):** The City is being asked to renew our membership in the STA and whether we wish to have an ad in the Sanilac County Visitors Guide as we have had for many years. Cost of membership is \$100 and the ad is \$450 (less 10% discount with membership). How does the City Council wish to proceed?

**Motion by CM McIvor, second by CM Jacobson, to renew our membership in the Sanilac Tourism Association and to have an ad in the Sanilac County Visitors Guide for a total cost of \$505.00. Motion carried.**

6. **Fire Hydrant Flushing:** The Brown City DPW completed flushing fire hydrants on October 5<sup>th</sup> as part of this semi-annual program. No issues were reported.
7. **Sanilac County Hazard Mitigation Plan:** The group met again on Thursday, September 27<sup>th</sup> to continue the update of the County plan. Additional work is required before the plan can be provided to local Sanilac County governments for review and action.
8. **MML Loss Control Review:** The Loss Control Consultant from MML Workers' Compensation Fund met with City employees on September 25<sup>th</sup>. Topics discussed included claims review and fund status. The consultant then went to DPW to discuss distracted driving and road work among other issues.
9. **Halloween Hours:** The City Council has traditionally set Halloween hours for the City. Last year the hours were from 5:00 to 7:00 PM. Halloween is Wednesday, October 31<sup>st</sup>. Requires Motion.

**Motion by CM Parks, second by CM McIvor, to set Halloween Trick Or Treat hours for Wednesday, October 31, 2018 from 5:00 P.M. to 7 P.M. Motion carried.**

- 10. Main Street Holiday Decorations:** The new holiday lights and brackets should arrive beginning Monday. MAC has a lift truck and can make it available for the DPW to install these decorations.

**It is the consensus of the Council to install the new decorations on the poles at the same height as the previous ones.**

- 11. Tax Liens:** Property owners who owe fees or charges to the City have been notified (again) by mail. Expect to review and act on Resolution 18-10 Special Assessments at the next City Council meeting. Currently, there are eight property owners in arrears. Special Assessments are due to the Sanilac County Equalization Department prior to November 1<sup>st</sup>.

- 12. Columbus Day:** City Hall, police and DPW will be open on Monday, October 8<sup>th</sup>.

**ATTORNEY'S REPORT:** None.

**TREASURER'S REPORT:** None.

**CLERK'S REPORT:**

1. FOIA Request Status:
  - a. La'Bama T. Birt FOIA: I replied by e-mail on 09-25-18 at 4:15 p.m. that we would have approximately 100 AV ballots and that I couldn't be exact as applications are still coming in; and that AV ballots would be mailed on October 1, 2018.
  - b. Emily FOIA: Stephanie and I ran the ballots for "Emily" last Tuesday, Sept. 25th and mailed them out the same day. Their check of \$333 arrived on Friday, Sept. 21, 2018.
2. The Election Commission meeting was held on October 1, 2018, at which time the following Inspectors were appointed for the November 6, 2018 General Election: Stephanie Stimson, Chairman, Bud Render, Ruth Render, Nikki Sanchez, Jaci Frey, Amy Smith, Sarah Steigerwald, Myrt Kohn, Juanita Smith, Imogene Sealey, and Kate Loutzenhiser. Jaci Frey and Sarah Steigerwald will serve on the Receiving Board. Does the Council wish to make a motion to accept these appointees to work at the November 6, 2018 General Election?

**Motion by CM Lee, second by CM McIvor, to accept the following Inspectors to work at the November 6, 2018 General Election: Bud Render, Ruth Render, Nikki Sanchez, Jaci Frey, Amy Smith, Sarah Steigerwald, Myrt Kohn, Juanita Smith, Imogene Sealey and Kate Loutzenhiser, and Stephanie Stimson as Chairman. The Receiving Board will be served by Jaci Frey and Sarah Steigerwald. Motion carried.**

3. The library will need to be closed for the General Election on November 6, 2018. Does the Council wish to make a Motion to close the library on Tuesday, November 6, 2018 for the General Election?

**Motion by CM Lee, second by CM Walters, to close the Library on Tuesday, November 6, 2018, for the General Election. Motion carried.**

**MAYOR'S REPORT:**

1. Equestrian Proclamations: The proclamations will be presented at the October 22, 2018 Council Meeting.

**COMMITTEE REPORTS:**

1. Tax and Finance (Jacobson) – None.
2. Streets and Sidewalks (Kosal) – None.
3. Police / Fire Authority (Lee) – Fire Safety Open House – October 13<sup>th</sup> from 10 AM to 2 PM.
4. Building and Grounds (Mclvor) – None.
5. Personnel (Parks) – None.
6. Water and Sewer (Walters) – None.

**GENERAL CONCERNS OF THE COUNCIL:**

CM Kosal asked about storm water drainage at the new Tri-County Bank construction site.

CM Walters reported that a Par Plan representative would like to attend the next Brown City Area Fire Authority Board meeting.

Mayor Miller asked about the status of the fire hydrants that are out of service.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None.

**ADJOURNMENT:**

Motion by CM Lee, second by CM Mclvor, to adjourn at 7:29 PM. Motion carried.

Respectfully submitted,

David R. Van Cura  
for Juanita M. Smith, City Clerk