

BROWN CITY COUNCIL PROCEEDINGS OCTOBER 22, 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, City Clerk Juanita Smith, and City Attorney Gregory Stremers.

ABSENT: None.

GUESTS: Stacy Biell, Steven Kovac, representing the Brown City Banner, Scott Anglebrandt, Melissa Anglebrandt, Madison Anglebrandt, Megan Anglebrandt, Michelle Ford, Riley O'Dell, Molly O'Dell, Steve Fuller, Stevie Fuller, and Marguita Fuller.

PRESENTATION OF PROCLAMATIONS TO THE BCCS EQUESTRIAN TEAM:

Mayor Julie Miller opened the Council Meeting with a presentation of a Proclamation to each of the well deserving Equestrian Team for their highly successful season. A signed and framed Proclamation was presented to each member of the Equestrian Team. Mayor Miller read aloud the Proclamations while presenting them to each team member. The team members consist of: Senior Madison Anglebrandt, Senior Alexis Crenshaw, Senior Riley O'Dell, Freshman Megan Anglebrandt, and Freshman Stevie Fuller. The team was expertly coached by Coach Michelle Ford and Assistant Coach Melissa Anglebrandt. Pictures were taken of the team and their coaches accepting the Proclamations from Mayor Miller. The Mayor and City Council Members commend each of these team members for their exemplary achievements as an athlete and for their outstanding contribution to the Brown City High School Equestrian Team. Alexis Crenshaw was unable to attend to accept her Proclamation.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Walters, second by CM McIvor, to accept the Regular Meeting Minutes of October 8, 2018 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds: **General** - \$15,173.94 (8870-8886), **Payroll** - \$15,925.79 (8626-8649 plus EFT), **Major Street** - \$144.15 (3976-3977), **Local Street** - \$54.14 (4302), **Sanitary Sewer** - \$972.32 (3767-3770), **Water** - \$3,437.71 (2987-2994), **Arsenic Abatement** - \$150.70 (1417-1418), and **Equipment** - \$117.88 (1635). Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT: Report reviewed. No questions or concerns.

UNFINISHED BUSINESS: None Scheduled.

PUBLIC HEARING: 7:10 PM - City Ordinance 130.06 –Prohibition of Marihuana Establishments.

Mayor Julie Miller opened the Public Hearing at 7:10 p.m. for the purpose of gathering public comments on the proposed adoption of Ordinance Section 130.06: Prohibition of Marihuana Establishments. There were no questions or comments. The Public Hearing was closed by Mayor Julie Miller at 7:11 p.m.

ORDINANCES:

1. **City Ordinance 130.06** – Prohibition of Marihuana Establishments

Ordinance 130.06 – Prohibition of Marihuana Establishments: Motion by CM Lee, second by CM Walters, to Prohibit Marihuana Establishments in the City of Brown City. ROLL CALL VOTE: CM Lee – Yes, CM Walters – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Kosal – Yes, CM Mclvor – Yes. 6 Yes Votes, 0 No Votes, 0 Abstaining, 0 Absent. Motion carried. The Ordinance will become effective in 30 days.

RESOLUTIONS:

1. **Resolution No. 18-10:** A Resolution Formally Causing To Be Levied A Special Tax Or Assessment To Recover Monies Owed The City Of Brown City.

Motion by CM Walters, second by CM Mclvor, to adopt Resolution 18-10: A Resolution Formally Causing To Be Levied A Special Tax Or Assessment To Recover Monies Owed The City Of Brown City. ROLL CALL VOTE: CM Walters – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Kosal – Yes, CM Mclvor – Yes, CM Lee – Yes. 6 Yes Votes, 0 No Votes, 0 Abstaining, 0 Absent. Motion carried.

PETITIONS & COMMUNICATIONS: None Scheduled.

MANAGER’S REPORT:

1. **Cell Tower Update:** The City was contacted by the contractor on October 11th. They are currently looking at the old City landfill on Maple Valley Road as a possible location for the new AT&T cell tower (see photos). Staff recommended that they begin putting together a formal proposal that can be reviewed and acted upon by the Planning Commission and City Council. Expect to receive this proposal within the next few weeks.
2. **PFA’s Testing:** MDEQ took water samples from each municipal well on the afternoon of October 18th. Results of the testing should be available in “about 6 weeks.” Once the status of the City’s drinking water is known, an appropriate course of action can be developed.

3. **City Fire Hydrants:** Three hydrants are off-line due to internal parts failures. Rather than replacing the entire hydrant, rebuild kits have been ordered to repair them. The needed parts should arrive within the next two weeks and the DPW will complete repairs.
4. **2018-2019 City Budget Amendment:** The mid-year budget amendment is due for City Council review and action. Recommend the Finance Committee schedule a meeting for 6:00 PM immediately prior to the City Council meeting on November 12th. Copies of the proposed budget amendment will be included in the City Council packets for that meeting. Requires motion.

A meeting of the Tax and Finance Committee to review the 2018-2019 mid-year City Budget Amendment meeting was scheduled for 6:00 p.m. immediately prior to the City Council meeting on November 12th.

5. **Declaratory Ruling Request:** The City forwarded the request to MDEQ (as did fifty other communities as of October 11th). The MDEQ response was received on October 12th and stated (in part) that: “the relief sought is beyond the MDEQ’s authority under the APA” [Administrative Procedures Act]. Anticipate the lawsuit filed by the Great Lakes Water Authority (GLWA), *et alia*, to continue forward.
6. **Sewer Inspection:** The City received notice from Michigan Pipe Inspection that they are finalizing scheduling with their sub-contractor. They should let the City know soon when cleaning and televising the sanitary sewer system north of Main Street from Cade Road to the Maple Valley Road Lift Station will begin and the duration of the work.
7. **Halloween Hours:** The City Council set Halloween hours for the City from 5:00 to 7:00 PM on Wednesday, October 31st.
8. **Veterans Day:** This holiday falls on a Sunday so City Hall, police and DPW will be closed on Monday, November 12th. The City Council meeting will take place as scheduled.

ATTORNEY’S REPORT:

Attorney Gregory Stremers reported that the petition the Mayor had sent was being handled by another attorney and is in good hands. It will probably end up in litigation. He will keep the Council updated.

TREASURER’S REPORT: None.

CLERK’S REPORT:

We have mailed out 77 Absentee Ballots at this time. 47 have been returned. The Public Accuracy test is set for Thursday, October 25th at 5:00 p.m at the City Hall. You are invited to attend. Stephanie Stimson and I have a training session in Sandusky on November 1st at 1:30 p.m.

MAYOR’S REPORT:

The Mayor expressed her surprise that no one showed up for the Marihuana Public Hearing scheduled for 7:10 p.m.

The Mayor praised the Festival Committees Trunk or Treat activity held on October 20th. She said that 176 kids attended and that all were dressed in Halloween costumes.

The Festival Commission is selling ornaments for \$4.00 to raise money for their coming activities. They are available in three colors—red, green or blue. They will be selling them at the school Craft Show on November 3rd.

A Tree Lighting will be held on December 8th on Main Street in front of the City Hall. Time is to be determined at a later date.

COMMITTEE REPORTS:

1. Tax and Finance (Jacobson) – A mid-year City Budget Amendment meeting is set for 6:00 p.m. prior to the City Council meeting on November 12th.
2. Streets and Sidewalks (Kosal) – None.
3. Police / Fire Authority (Lee) – CM Lee reported on the Fire Safety Open House on Saturday, October 13th. She said a nice crowd attended where they found many activities for the kids to partake in. A few of the activities were using maps for escape plans, using a fire hose, trying on fireman's gear and apparatus, and watching as a car was taken apart with the jaws of life.
4. Building and Grounds (Mclvor) – None.
5. Personnel (Parks) – None.
6. Water and Sewer (Walters) – None.

GENERAL CONCERNS OF THE COUNCIL: None.

PUBLIC QUESTIONS & COMMENTS: Steven Kovac from the Brown City Banner asked if anyone had pictures from the Trunk or Treat Halloween event. He would like to have a few if available. Mayor Miller will contact someone she believes took pictures to see if she would be willing to share them.

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 M Smith
City Clerk