

# BROWN CITY COUNCIL PROCEEDINGS DECEMBER 10, 2018

## OATH OF OFFICE (6:55 PM):

1. Mayor Julie P. Miller; Councilmembers Stacy Biel, Patricia Jacobson, Christine Lee, Eugene Navock, Ross Mclvor, and Alecia Parks. City Treasurer Tiffanie Bissett.

City Clerk Juanita Smith administered the Oath of Office to Mayor Julie P. Miller; Councilmembers Stacy Biel, Patricia Jacobson, Christine Lee, Eugene Navock, Ross Mclvor, and Alecia Parks; and City Treasurer Tiffanie Bissett. Photos for the City's website were taken after the meeting.

**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, Eugene Navock, Ross Mclvor, and Alecia Parks; City Manager Clint Holmes, City Clerk Juanita Smith, and City Attorney Gregory Stremers.

**ABSENT:** None.

**GUESTS:** City Treasurer Tiffanie Bissett, Steven Kovac representing the Brown City Banner, Police Chief Ron Smith, Al Jenkins II, Joe Biel, Chris Page, and Madison Uhrig.

## **ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:**

City Manager Clint Holmes reported that there would be two additions under the City Manager's Report.

## **CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Mclvor, second by CM Navock, to accept the Regular Meeting Minutes of November 26, 2018 as presented. Motion carried.

## **PAY BILLS:**

Motion by CM Jacobson, second by CM Lee to pay the bills in the following funds: **General** - \$17,805.11 (8953-8986), **Payroll** - \$15,486.55 (8703-8723 plus EFT), **Local Street** - \$5,500.00 (4305), **Sanitary Sewer** - \$816.98 (3780-3782), **Water** - \$740.35 (3009-3012), **Arsenic Abatement** - \$150.00 (1422) and **Equipment** - \$1,200.11 (1640-1644). Motion carried.

**PERSONAL APPEARANCES:** None Scheduled.

**PUBLIC QUESTIONS & COMMENTS:** None.

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

**UNFINISHED BUSINESS:** None Scheduled.

**PUBLIC HEARING:** None Scheduled.

**ORDINANCES:** None Scheduled.

**RESOLUTIONS:**

1. **Resolution 18-13:** Resolution Identifying The Procedures And Application Process For Real Property Exemptions Under Mcl211.7

**Motion by CM Parks, second by CM Navock, to adopt Resolution 18-13: A Resolution Identifying The Procedures And Application Process For Real Property Exemptions Under MCL 211.7. ROLL CALL VOTE: CM Mclvor – Yes, CM Lee – Yes, CM Biel – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Navock – Yes. 6 Yes Votes, 0 No Votes, 0 Absent, 0 Abstaining. Motion declared carried.**

2. **Resolution 18-14:** Waiver Of Penalty Associated With Not Filing Property Transfer Affidavits (Form 2766) Timely.

**Motion by CM Parks, second by CM Biel, to adopt Resolution 18-14: A Resolution to Waiver Of Penalty Associated With Not Filing Property Transfer Affidavits (Form 2766) Timely. ROLL CALL VOTE: CM Lee – Yes, CM Biel – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Navock – Yes. CM Mclvor – Yes. 6 Yes Votes, 0 No Votes, 0 Absent, 0 Abstaining. Motion carried.**

**PETITIONS & COMMUNICATIONS (pink):**

1. **4217 Main Street - Get Serious Fitness:** Requesting building permits (building, electrical, plumbing and mechanical) to construct an approximately 2,000 sq ft apartment in the rear of the existing building.

**Motion by CM Mclvor, second by CM Biel, to accept the Planning Commission's recommendation to approve the request for building permits (building, electrical, plumbing and mechanical) to construct an approximately 2,000 sq. ft. apartment in the rear of the existing building at 4217 Main Street – Get Serious Fitness building. Motion carried.** Permits may be picked up at the City Hall on Tuesday, December 11, 2018 after 10:00 a.m. by the owner of 4217 Main Street or a representative. The owner of this address, Chris Page, or his representative must then go to the Sandusky Court House to pull the required permits. No cost is involved in getting the permits from the Brown City City Hall but in pulling the permits at the Sandusky Court House there will be a charge.

2. **4212 Fourth Street – Ed Woodruff:** Requesting building permits (building, electrical, plumbing and mechanical) to construct an approximately 960 sq. ft addition in the rear of the existing home.

**Motion by CM Mclvor, second by CM Parks, to accept the Planning Commission's recommendation to approve the request for building permits (building, electrical, plumbing and mechanical) to construct an approximately 960 sq. ft. addition in the rear of the existing home at 4212 Fourth Street – owned by Ed Woodruff. Motion carried.** Ed Woodruff or his representative may pick up his permits at the City Hall on Tuesday, December 22, 2018 after 10:00 a.m. He must then go to the Court House in Sandusky to pick up the required permits. There is a cost involved in getting the permits at the Court House.

**3. 4005 Main Street – Deer View Golf Course:** Requesting sign installation permit for a 4'X8' sign on the SW corner of Maple Valley Road and Main Street. **Motion by CM Mclvor, second by CM Jacobson, to accept the Planning Commission's recommendation to approve the request for a sign installation permit for a 4' x 8' sign on the SW corner of Maple Valley Road and Main Street. A 33' set-back requirement must be met from the center of M-90 for the sign placement. Motion carried.** No permit is necessary from the Sandusky Court House for this request of a sign installation.

**4. 4090 Main Street – Brown City Fire Department:** Requesting building permit to install a 12' X 16' skid shed on the NE corner of the property **Motion by CM Mclvor, second by CM Navock, to accept the Planning Commission's recommendation to approve the request for a building permit to install a 12' x 16' skid shed on the NE corner of the property at 4090 Main Street – Brown City Fire Department building. Motion carried.** No permit for installing a 12' x 16' skid shed is necessary from the Sandusky Court House.

#### **MANAGER'S REPORT:**

**1. Cell Tower Update:** The City met with the contractor on December 5<sup>th</sup>. Their current plan is to ask the City Council to allow them to install their antennas on the City water tower rather than construct a new cell tower. A formal proposal will be forwarded to the City so it can be reviewed and acted upon by the Planning Commission and City Council. **More information will be brought to the next Council Meeting on January 5, 2019 for the Council to review.**

**2. Per- and Polyflouroalkyl Substances (PFAS):** (PFAs) are a group of man-made chemicals that are not found naturally in the environment. These PFAs were used to protect products like carpet and fabric, and as a coating for paper and cardboard packaging. They can also be found in some fire-fighting foams. Most companies have stopped making these two chemicals. However, due to potential health risks associated with PFAs, MDEQ tested the City's water supply as part of a state-wide testing program. The results of these tests revealed that there are no detectible levels of PFAs in the City's water supply. A copy of these test results is available for review at City Hall.

**3. Maple Valley Road and the Sanilac County RTF:** The Sanilac County Rural Task Force met on November 28<sup>th</sup> in Sandusky to identify and prioritize road and transit projects for 2020-2023. The Maple Valley Road Project was included in the discussion. Bids for the project were posted last month and were released December 7<sup>th</sup>. The original engineer's estimate for Maple Valley Road was \$200,818.70. The low bid for the project in 2017, which was rejected because it was more than 10% over the engineer's estimate, was \$242,092.76 (120.37% over estimate). When the project was rebid last month, the low bid came in at \$205,991.41. The federal government is paying \$160,000, the City is responsible for the remaining \$45,991.41.

**Base crushing and hot mix asphalt resurfacing on Maple Valley Road from South City limits of Brown City to the Huron and Eastern Railroad in the City of Brown City. This is a Local Agency project. The bids came in from Ace-Saginaw Paving Co. at \$205,991.41, T.G. Prighs LLC at \$219,874.00, and Pyramid Paving and Contracting Co. at \$248,318.65.**

**The low bid, which was accepted by MDOT – the Project Manager, was \$205,991.41 from Ace Saginaw Paving Co.**

- 4. Sewer Inspection:** The City contracted with Michigan Pipe Inspection to clean and televise the sanitary sewer system north of Main Street from Cade Road to the Maple Valley Road Lift Station. The work is more than half completed. The City is working with the contractor to streamline the project to reduce cost and schedule the completion.
- 5. CVTRS Submission:** The state Revenue Sharing Program has changed into the City, Village, and Township Revenue Sharing (CVTRS) program. There is still a requirement to submit the same four reports as previously (Citizen’s Guide, Performance Dashboard, Debt Service Report and Projected Budget Report), prior to December 1<sup>st</sup>. The City’s Munetrix-hosted submission was successfully forwarded to Department of Treasury to meet the City’s requirement. The report – CVTRS City Financial Report 2018 - is on the City’s web page ([www.ci.brown-city.mi.us](http://www.ci.brown-city.mi.us)) under Financial Info.
- 6. Street Repairs:** The City was able to have the five asphalt patches on St Marys Street completed by coordinating with Aztec Asphalt when they did a local parking lot installation.
- 7. Street Sweeping:** The City, under the auspices of the Brown City/Sandusky Local Cooperation, Collaboration and Consolidation Agreement, contracted for use of their new street sweeper and driver on December 4<sup>th</sup>. All streets were swept; however, some leaves remained because they were frozen to the concrete. Anticipate using this service in the future.
- 8. Michigan Public Policy Survey:** The University of Michigan Center for Local, State, and Urban Policy released their latest survey, concerning local government fiscal health on December 5<sup>th</sup>. Approximately 143 governments, to include Brown City, responded to the survey and the results are available for review at City Hall or at [www.closup.umich.edu](http://www.closup.umich.edu).
- 9. Blight and Junk Cars:** The City sent out another round of blight and junk car letters. Property owners must meet ordinance requirements by December 20<sup>th</sup> or will be ticketed and possibly charged to have the City contract the work to be completed.
- 10. DTE & Street Lights:** The City was notified by DTE that the charge for plugging street Holiday Decorations into non-metered receptacles on their street light poles will be \$10.97 per pole per month (an increase over last year’s \$10.74 per pole). A report identifying the number of poles used and their serial numbers was submitted to DTE. The cost is estimated at \$115.19, or about \$14.95 more than last year. However, this charge is only for the seven (7) poles Downtown – the other fixtures are on a meter, so this will be in addition to those costs.
- 11. December Meetings:** Neither a Park Board Meeting nor Festival Commission Meeting is scheduled for December. The Park Board will next meet on February 14, 2019 and the

Festival Commission is scheduled to have their next meeting January 17, 2019. The next Library Board meeting will be January 7, 2019.

**12. Proposition 1 Memo:** With the passage of Proposal 1 effective December 6th, for those who are 21 years old or older the possession and use of marijuana is legal in Michigan under certain restrictions, along with home grow limitations. Request the City Council review the enclosed Memo so any changes can be incorporated prior to copies being delivered to staff.

**13. Industrial Facilities Tax Exemption (IFTE) Request:** Local company owner and representatives met with the Michigan Economic Development Corporation (MEDC), the Sanilac County Economic Development Director and staff to discuss factory expansion plans. To receive assistance from MEDC they require a letter of support from the City stating an IFTE would be considered. A draft of the proposed letter has been created and requires the signature of the Mayor and City Manager. How does the City Council wish to proceed?

**Motion by CM Lee, second by CM McIvor, to authorize Mayor Miller and City Manager Clint Holmes to sign a letter stating that the City Council would review and act on a Tax Exemption Request.**

**14. Hazard Mitigation Meeting:** The next installment to create a Sanilac County Hazard Mitigation Plan will take place at 1:00 p.m. in Sandusky. City Manager Clint Holmes will be attending this meeting.

#### **ATTORNEY'S REPORT:**

City Attorney Gregory Stremers thanked the City Councilmembers for the opportunity to represent them for another year. Attorney Stremers also asked if the Council would like him to attend the next meeting on the 17<sup>th</sup> of December or if it would be okay if he not come as the meeting is changed from the 24<sup>th</sup> of December. The Council wished him a Merry Christmas and said he did not have to attend as they had his phone number if a need came up.

#### **TREASURER'S REPORT:**

Winter Tax notices have been sent out.

**CLERK'S REPORT:** None.

#### **MAYOR'S REPORT:**

**The Mayor welcomed the new City elected officials – to include the City Clerk, City Treasurer and City Councilmembers.**

1. Christmas Tree Lighting Ceremony update.

**Mayor Miller said that approximately 300 people attended the first Christmas Tree Lighting Ceremony. She said many people contributed to the success of this Tree Lighting Ceremony. Thanks went out to:**

**Tom and Irene Verren; Polk Salad Annie's for the hot chocolate and the sound system; Michelle Cyphers, Jamie Bird and her daughter, Missy Bennett, Cathy Mack, Lorie Callop, Troy Gilbert and Frank Fiorello; the Fire Department; the**

**Police Department; DPW for the barricades; Santa Claus; Chris Lee for reading Christmas stories in the Library and providing the bags of candy; and Shirley Wood for handing out popcorn and for making the Christmas Story reading possible.**

**2. City Council Committee assignments.**

**The following City Council Committee assignments were announced by Mayor Miller for 2018 – 2020:**

- Building and Grounds:** Chairman Ross Mclvor (also serves on Planning Commission and DDA), Gene Navock and Alecia Parks.
- Personnel:** Chairwoman Alecia Parks, Pat Jacobson, and Christine Lee.
- Police:** Chairwoman Christine Lee, Stacy Biel, and Gene Navock.
- Streets and Sidewalks:** Chairman Gene Navock, Stacy Biel, and Ross Mclvor.
- Tax and Finance:** Chairwoman Pat Jacobson, Christine Lee, and Alecia Parks.
- Water and Sewer:** Chairwoman Stacy Biel, Ross Mclvor, and Pat Jacobson.
- Fire Authority:** Christine Lee.
- Festival Commission:** Alecia Parks.

**3. Board and Commission Appointments.**

- a. Planning Commission (terms expiring 12-31-2021):** Julie Miller, Jay Berry & Mike Frey.
- b. Downtown Development Authority (terms expiring 12-31-2022):** Jay Berry, Jack Nickens & Keith Redlin.
- c. Election Commission (term expiring 12-31-2020):** David R. Van Cura.
- d. Board of Review (term expiring 12-31-2020):** Jack Bell, Ron Campbell, and Imogene Sealey.

**Motion by CM Biel, second by CM Parks, to reappoint the following individuals to terms ending on December 31<sup>st</sup> of the indicated year.**

- a. Planning Commission:** Jay Berry and Mike Frey. (2021)
- b. Downtown Development Authority:** Jay Berry, Jack Nickens and Keith Redlin. (2022)
- c. Election Commission:** David R. VanCura. (2020)
- d. Board of Review:** Jack Bell, Ron Campbell, and Imogene Sealey. (2020)

**Motion carried.**

**4. Reminder – the final City Council meeting for 2018 has been rescheduled from December 24<sup>th</sup> to next Monday – December 17<sup>th</sup>. The Heritage Girls will do a Flag Ceremony at the beginning of this Council Meeting.**

**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:**

Councilmember Mclvor thanked the new Councilmembers for being willing to serve as Councilmembers.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Lee, second by CM Mclvor, to adjourn at 7:34 p.m. Motion carried.

Respectfully submitted,

Juanita Smith  
City Clerk