

**BROWN CITY COUNCIL PROCEEDINGS
JULY 25, 2011**

Meeting called to order by Mayor Christine Lee at 7:00 p.m.

Pledge of Allegiance led by Mayor Lee.

PRESENT: Mayor Christine Lee, Councilmembers: William Walters, Julie Miller, Pat Jacobson, Eugene Navock and Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: Councilmember Ross McIvor.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Walters, to accept the Regular Meeting Minutes of July 11, 2011 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: General - \$19,884.03 (4763-4783), Payroll - \$13,795.25 (5085-5107), Major Streets - \$11,240.00 (3724-3725), Sanitary Sewer - \$5,970.12 (3145-3149), Water Fund - \$12,358.62 (1958-1964), Storm Sewer - \$497.70 (1102), Equipment - \$2,122.06 (1299-1300). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT:

Written report reviewed. CM Jacobson inquires when sewer work will begin on the end of Wells Street, especially since weather is very dry. City Manager expects this to begin soon.

CM Walters questions who is responsible for weed removal around stop signs, that many in town are in need. City Manager will task DPW to attend to this.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 11-08** – A Resolution to Formally Adopt Guidelines for Poverty Exemptions for Property Taxes. Also, take action on the associated City of Brown City Poverty Exemption Application Form – 2011.

Motion by CM Walters, second by CM Jacobson, to adopt Resolution 11-08, *A Resolution to Formally Adopt Guidelines for Poverty Exemptions for Property Taxes*. ROLL CALL VOTE: Walters-yes, Miller-yes, McIvor-absent, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

Motion by CM Walters, second by CM Jacobson, to accept the proposed City of Brown City Poverty Exemption Application Form – 2011. ROLL CALL VOTE: Walters-yes, Miller-yes, McIvor-absent, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

MANAGER'S REPORT:

1. **2011-13 Street Projects:** Huron Consulting is releasing the Request for Proposals (RFPs) for the repair and reconstruction of North Cade Road. They are due the week of August 15th and should be available for City Council review at the August 22nd meeting. Huron Consulting has also been asked to provide an estimate for the work to replace the water main on Walter Street between Main and First Streets.

Council consensus to seek costs estimates for proposal 3 regarding 2011-13 Street Projects.

2. **Four-Way Stops:** The signs have been installed at Fourth and Walter Streets. The DPW is still waiting on delivery of the "Stop Ahead" signs for north and south of Second Street on St Marys Street. Signs for that intersection should be in place well before school starts.
3. **2011 Tree Project:** The RFPs for the 2011 Tree Program were released (green). The City is requesting bids to remove and grind the stumps of eight (8) trees in the City: 4448 Autumn Gold, 6881 & 6933 James Street, 4188 Second Street (2), 4345 Maple Street, 7074 Reed Street, 7166 Welles Street. Trees in the list to be trimmed include: 6873 St Marys Street (2), 6881 James Street (2), 6821 James Street, 7072 Lincoln Street, 4227 and 4245 Maple Street. Bids are due August 4th. Bid packages were mailed to seven (7) local companies and advertised in the August 1st edition of the *Banner*.
4. **Federal Emergency Management Agency:** The City received three separate but identical certified letters from FEMA concerning Flood Insurance. Approximately 80 acres in the southwest corner of Brown City lay in a designated Special Flood Hazard Area (see attached SFHA map). Once FEMA provides a community with the flood hazard information upon which floodplain management regulations are based, the community is required to adopt a

floodplain management ordinance that meets or exceeds the minimum NFIP requirements. The overriding purpose of the floodplain management regulations is to ensure that participating communities take into account flood hazards, to the extent that they are known, in all official actions relating to land management and use. This new Ordinance (following review by MDEQ) must be forwarded and approved by FEMA along with various application materials. All must be completed with six months of the date the map is activated (January 1, 2012). Apparently, if the City fails to participate, residents living in the SFHA area will not be allowed to purchase federal flood insurance. MDEW as the lead agency for Michigan is providing sample ordinances and supplemental material.

5. **Alley Easement Abandonment:** The owner of 4287 Main Street has requested that the City abandon the alley easement on the south boundary of his property. A review of the abstracts of adjacent property owners, and consultation with the City Assessor and analysis of City records revealed that the City Alley on end adjacent to Reed Street was sold to the property owners in the late 19th Century. Therefore the City has no property to abandon or otherwise use in that area.
6. **Welles Street Drainage:** The City received three bids to install a concrete channel (~40') to direct storm water on the south end of Welles Street. Bids were: Flynn and Sons - \$2,675; Lone Star Concrete - \$1,500 and Tony's Custom Concrete - \$900. How does the City Council wish to proceed?

Council consensus to accept the low bid for Welles Street Drainage project from Tony's Custom Concrete.

7. **Sanilac County Tax Auction:** The Sanilac County Treasurer notified the City that three properties will be auctioned on September 14th: 4110 Main Street, 7086 Maple Valley Road and 6920 John Street. The City has the right to purchase one or more of these properties for a minimum bid of the amount owed in taxes and fees. The City must respond by August 10th. How does the City Council wish to proceed?

Council discussion regarding seeking ownership of Maple Valley Road property and possible usage/access for the future. Council consensus that the price is too high at this time, to wait and assess results from Tax Auction.

8. **Sunoco Station:** The City received a notice from the Michigan Liquor Control Commission concerning a request to transfer the beer and wine license (SDM) from Kohler Convenience Stores to KB Convenience. The City has 15 days to notify the LCC if the transfer would not be in compliance with City Ordinances. Does the City Council wish to take any action? No council objections.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: None.

MAYOR'S REPORT: None.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – none.
4. Streets & Sidewalks – concerns are still being raised regarding the placement of trailers at Ben's.
5. Buildings & Grounds - none.
6. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

CM Walters provided the City Council with a brief update from the Par Plan regarding a dividend program offered through insurance coverage as well as new grant programs available to members.

PUBLIC QUESTIONS & COMMENTS:

Laura Carpenter has concerns regarding trees being trimmed on private property and this becoming a p residence for residents. Council discussion resulted in a City Council consensus that a letter be sent to property owners regarding trees that are in need of trimming, asking for consent to allow the City to trim and for the home owners to be responsible for the costs.

County Commissioner Daws provided a brief update regarding County Commissioner business.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Loutzenhiser, second by CM Miller, to adjourn at 7:42 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk