

**BROWN CITY COUNCIL PROCEEDINGS  
OCTOBER 24, 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: Bill Walters, Julie Miller, Ross McIvor, Pat Jacobson, Eugene Navock. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

**ABSENT:** Councilmember Dan Loutzenhiser.

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:** None.

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Walters, second by CM Navock, to accept the Regular Meeting Council Minutes of October 10, 2011 as presented. Motion carried.

**PAY BILLS:**

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: General - \$9,193.53 (4905-4921), Payroll - \$13,639.43 (5214-5230), Major Street - \$5,957.00 (3740-3741), Sanitary Sewer - \$379.31 (3175-3176), Water - \$14,245.48 (1994-2001), Equipment - \$1,868.66 (1308). Motion carried.

Motion by CM Jacobson, second by CM Navock, to pay Sewer System Project Bond in the amount of \$15,884.72. Motion carried.

Motion by CM Jacobson, second by CM Navock, to pay Arsenic Abatement Project in the amount of \$38,659.69. Motion carried.

**PUBLIC QUESTIONS & COMMENTS:** None.

**DPW REPORT:** Written report reviewed. No questions or comments.

**PERSONAL APPEARANCES:** Pam Sutton – Feasibility of local approval for beer & wine on premises license for proposed restaurant.

Pam Sutton was available to answer any questions that Council had regarding her interest in possibly obtaining a beer & wine license for her proposed restaurant. Council consensus was that they would support this beer & wine license if she does apply for this location.

**PUBLIC HEARING:** None Scheduled.

**UNFINISHED BUSINESS:** None Scheduled.

## PETITIONS & COMMUNICATIONS:

1. **4254 Main Street – Proposed Restaurant:** Requesting electrical and building permits to install two deep fryers, a range hood, and modify stovetop. Recommended for approval by the Planning Commission October 20<sup>th</sup>.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 4252 Main Street requesting electrical and building permits to install two deep fryers, a range hood, and modify stovetop. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-absent. Motion carried.

2. **7115 Maple Valley Road – Michigan Agricultural Commodities:** Requesting foundation and building permits to construct a 78' X 85' grain storage bin in the lot immediately east of existing bins. Recommended for approval by the Planning Commission October 20<sup>th</sup>.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 7115 Maple Valley Road (MAC) requesting foundation and building permits to construct 78' x 85' grain storage bin in the lot immediately east of existing bins. **ROLL CALL VOTE:** Navock-yes, Jacobson-yes, Mclvor-yes, Miller-yes, Walters-yes, Loutzenhiser-absent. Motion carried.

**ORDINANCES:** None Scheduled.

**RESOLUTIONS:** None Scheduled.

## MANAGER'S REPORT:

1. **Cade Road:** The project is mostly completed. Discussion with the engineer and project manager continues to try and resolve issues with the top asphalt coat. The contractor has submitted a change order to add gravel to the sides of the road – primarily the west side. Quoted price is \$3,080. The engineer believes that amount should be \$2,450 and that even with this increase the total cost should be below the bid price since little or no undercutting was required. How does the City Council wish to proceed?

Discussion with Huron Consultants Engineer Eric Ostling, who was present regarding concerns about this project, took place.

Motion by CM Walters, second by CM Mclvor, to authorize the City Manager to sign agreement for quote #2, aggregate road, not to exceed \$2,054.00 and this job be fully supervised by engineer. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-absent. Motion carried.

2. **Cade Road Speed Limit Signs:** The Mayor has recommended that with the improvement of Cade Road that speed limit signs be posted for the northbound lane. The southbound lane already has signs limiting speed to 35 MPH. If there

is no objection from the City Council, the City will install signs just north of the bank and Belview Drive. Council consensus to proceed with ordering signs.

3. **Maple Valley Lift Station:** The second VFD controller was installed on October 19<sup>th</sup>. The station is fully operational. The electricians – both the first responder (Maurer Electric) and the installer (HydroDynamics) provided statements that the damage was caused by a power surge. This information has been turned over to the City Attorney for action with DTE. The City's insurance company has been notified and is holding the claim pending a final resolution with DTE. These repairs, plus the overhaul of the one pump and purchase of a spare pump, and the large principal and interest payment due on the sewer bond has reduced the Sewer Fund to a dangerously low level.
4. **Maple Valley Road Repairs:** The Sanilac County Road Commission contacted the City and said that Maple Valley Road between M-90 and Peck Road is scheduled for grinding and repaving next summer. Cost to do the City's section (M-90 to the north City Limits) is estimated to cost \$141,480. However, because this is a federal project, the City would only be responsible for 20% or about \$28,296 but would require entering into a contract with MDOT and the Road Commission. Does the City Council wish to proceed with this project?

Motion by CM Walters, second by CM Jacobson, to participate in the 2012 Maple Valley Road Repairs at a cost of approximately \$28,296.00. **ROLL CALL VOTE:** Navock-yes, Jacobson-yes, Mclvor-yes, Miller-yes, Walters-yes, Loutzenhiser-absent. Motion carried.

5. **October Budget Amendment:** The budget is reviewed and amended as necessary halfway through the City's fiscal year. Copies of the draft amendment were provided to the Mayor and Tax & Finance Committee members (green). The Committee should consider whether to have a meeting to review the amendment prior to the City Council taking action on the document at their next regular meeting on November 14<sup>th</sup>. How does the Committee and City Council wish to proceed? Chairperson does not wish to hold a committee meeting prior.
6. **Sanilac Tourism Association:** The City has applied for membership, paid the necessary dues, and submitted the required 80-word description to join the Sanilac Tourism Association. They have also been paid for a ¼-page ad and will assist the City in designing it at no charge.
7. **Government Units Survey:** The City was sent an 8-page US Census survey asking for information concerning our type of government and background, finances, debt, retirement and healthcare systems, taxes, services and activities. The survey was completed and returned.
8. **Street Lights:** The City police department inspected all of the streetlights in the City on October 20<sup>th</sup>. Those found to be out have been reported to DTE for repair.

9. **Channel 6:** A representative from Comcast appeared at the City Hall on October 20<sup>th</sup> to install the cable they believed would make Channel 6 operational. It did not work. The City was informed that “apparently” a different graphics card is needed. Staff plans to acquire a dedicated computer for Channel 6 and is researching the necessary components. Plan to have the system up as soon as possible.
10. **Boxxster Recycling:** A recycling company was established at the old Active Homes site on M-53. They are interested in setting up a recycling site in the City. They would provide the boxes for each of the recycled material (plastics; cardboard; metals; glass; batteries; etc.). The City would identify a location (need the equivalent of 4-5 parking spaces) and pay each time a box was dumped (about \$20). Profits from the recycled material would be split with the City. Full details are available in a brochure from the company that provides this service. How does the City Council wish to respond to this offer? Council consensus to not participate at this time.
11. **Halloween Hours:** A reminder that Halloween Trick or Treat hours for the City of Brown City are 5:30 PM to 7:30 PM on Monday, October 31<sup>st</sup>.
12. **Veterans Day:** The City offices, DPW and Police Departments will be closed on Friday, November 11<sup>th</sup> in observance of Veterans Day. The Brown City VFW William Setter Post will conduct a brief ceremony, to include placing a wreath, at 10 AM that day at the war memorial in VFW Park on Main Street.

#### **ATTORNEY’S REPORT:**

City Attorney will be drafting a letter to DTE regarding reimbursements at the pump station.

**TREASURER’S REPORT:** None.

#### **MAYOR’S REPORT:**

1. Proclamation honoring Raymond Witmer for 43 years of service to the Brown City Community Park as Founder and Board Member.

Motion by CM Walters, second by CM Miller, to adopt the Proclamation honoring Raymond Witmer for 43 years of service to the Brown City Community Park as Founder and Board Member. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-absent. Motion carried.

2. Motion to close the Brown City Library for Election Day 2011 on November 8<sup>th</sup>.

Motion by CM Miller, second by CM Navock, to close the Brown City Library for Election Day 2011 on November 8<sup>th</sup>. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-absent. Motion carried.

Motion by CM Miller, second by CM Navock, to appoint the following Election Workers for the November 8, 2011 Election: Nicole Sanchez, Chairman, Juanita Smith, Eleanor Hillman, Sarah Steigerwald, Ruth Render, Bud Render and Stella Pepper. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-absent. Motion carried.

**COMMITTEE REPORTS:**

1. Police (Miller) – none.
2. Water and Sewer (Navock) – none.
3. Tax and Finance / Thumb Soybean Festival (Jacobson) – none.
4. Streets and Sidewalks (Loutzenhiser) – none.
5. Building and Grounds (Walters) – none.
6. Personnel (Mclvor) – none.

**GENERAL CONCERNS OF THE COUNCIL:**

CM Walters presented a brief Par Plan update.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Miller, second by CM Navock, to adjourn at 7:53 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel  
City Clerk