

BROWN CITY COUNCIL PROCEEDINGS
May 13, 2013

MEETING CALLED TO ORDER BY MAYOR CHRISTINE LEE AT 7:00 PM.

PLEDGE OF ALLEGIANCE LED BY MAYOR CHRISTINE LEE.

PRESENT: Mayor Christine Lee, Councilmembers: Pat Jacobson, Robert Jacobson, Dan Loutzenhiser, Ross McIvor, Julie Miller, and Bill Walters. City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Pat Jacobson, to accept the Regular Meeting Minutes of April 22, 2013 as presented. Motion carried.

PAY BILLS:

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds:
General - \$24,173.74 (5738-5764), Payroll - \$12,317.84 (5954-5968 plus EFT),
Major Street - \$459.19 (3785-3786), Local Street - \$1,283.20 (4189-4191),
Sanitary Sewer - \$729.72 (3298-3299), Water - \$2,059.57 (2206-2213),
Equipment - \$995.68 (1376-1379). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or concerns.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None.

PETITIONS & COMMUNICATIONS: None Scheduled.

PUBLIC HEARING: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 13-06:** A Resolution to Authorize the City of Brown City to Execute the Contract for improvements to Maple Valley Road (Contract Number 125595)

Motion by CM Walters, second by CM McIvor, to authorize the City of Brown City to Execute the Contract for improvements to Maple Valley Road (Contract Number 125595). ROLL CALL VOTE: CM Pat Jacobson – yes, CM Robert Jacobson – yes, CM Loutzenhiser – yes, CM McIvor – yes, CM Miller – yes, CM Walters – yes. 6 Yes votes, 0 No votes. Motion carried.

2. **Resolution 13-07:** Even-Year Elections

After a lengthy discussion by the City Manager, City Attorney, and Councilmembers, the Resolution 13-07: Even-Year Elections, died for the lack of a motion at this time.

MANAGER'S REPORT

1. **Election Issues:** The City contacted the Bureau of Elections and the Department of State to try and resolve the status of the duplex on North Cade Road. A copy of the response letter is enclosed. Liaison with the Sanilac and Lapeer County Clerks revealed they have some issues with the response. Anticipate that the City Clerk, City Election Coordinator, Sanilac and Lapeer Clerks will continue to work together to resolve this issue.
2. **Water Tower Antennas:** Both Thumb Cellular and Air Advantage have antennas on the water tower. The contract with Thumb Cellular was just signed to allow them to upgrade their antennas. A clause in the contract was to have Utility Services – the City's maintenance contractor – review the installation plans and specifications. Utility Services said the cost to upgrade the antenna suite would be just under \$56,000. Thumb Cellular raised a serious concern. The City has been in negotiations with Utility Services, Thumb Cellular and Air Advantage to try and find a mutually agreeable solution to the situation. The primary concern is that with the current installation of antennas, painting and maintaining the tower will be difficult. Utility Services has agreed to design a more affordable plan. Recommend that the City, Thumb Cellular and Air Advantage all contribute toward the construction of "an antenna corral" to resolve this. Once Utility Services submits their plan, we will have a dollar number to work with.
3. **Water Main Project:** Fleis&Vandenbrink conducted the final inspection and survey of the areas north and south of the Central Business District for the Water-main Replacement Project. Anticipate that the plans will be ready by the end of the month.
4. **SAW Grant:** A Stormwater Asset Management Wastewater (SAW) grant or loan may be available to the City. The Michigan Department of Environmental Quality has \$450 million available for these programs and Fleis&Vandenbrink wants to contract to help prepare applications when they become available. There is a \$2 million SAW grant cap per community. Eligible SAW grant activities include: Asset management plans for sewage and storm water collection and treatment, GIS mapping, and Force Account Work related to the project. There would be no charge to the City for preparing the information for the grant.

Depending on City eligibility, grant match would be either zero or 10% (25% for the second million dollars. A copy of the proposal is attached.

The Council requested that City Manager Clint Holmes continue negotiating to find out a definite fee involved before any commitment is made by the City Council.

5. **Well #3 Overhaul and VFD:** Northern Pump & Well is ordering the parts and equipment to overhaul Well #3 and install VFDs on Wells #3 & #4. Anticipate the work to be completed by the end of the month. If parts are delayed, the work will begin after June 10th so as not to interfere with the Thumb Soybean Festival.
6. **School Water Meter:** The contractor tested both the high- and low-volume meters at the school on April 26th. Results varied based on the speed of the water flow; however, discrepancies benefit the school. The contractor recommended a rebuild of the water meters in about 10 years. A copy of the report is enclosed, and a copy was hand delivered to the Superintendent.
7. **Office Clerk:** The City advertised the position in the *Banner* and the *Sanilac County News*. Cover letters, resumes and applications were due by May 6th. The City received twenty-one application packages. Three individuals were invited to City Hall for an interview the morning of May 13th. Details will be provided at the meeting.

Three individuals were interviewed on Monday, May 13th. Several other candidates may also be evaluated for the Office Clerk position. No decision has been made at this time.

8. **Utility Bill Renter Contract:** The City has occasionally had problems collecting utility payments for rental properties. A poll of city managers around the state revealed some communities require a contract to be signed before allowing the utility bill to go to renters instead of the landlord. A copy of a proposed contract of this type is enclosed. How does the City Council wish to proceed?

No action was taken by the City Council.

9. **2013 Street Project:** Huron Consultants was provided with the list of streets recommended by the Streets and Sidewalks Committee - Walter and Maple Streets – and are finalizing plans and bidding documents. Also, the cost to micro-coat (verses chip and seal) Maple Street between Merrill and Welles Streets and North Cade Road is being researched.
10. **Cell Tower:** The City received documents from SBA – 2012 TC Assets, the owners of the cell tower in the City - to extend the duration of the existing contract by “two (2) additional successive terms of five (5) years.” A copy of the contract amendment and cover email are enclosed. How does the City Council wish to proceed?

The City Attorney, Gregory Stremers, can see no advantage to the City in extending the duration of the existing contract. He does not recommend that they do so. The City council therefore does not wish to proceed.

ATTORNEY'S REPORT:

1. Status of Land Purchase by M.A.C.

Our City Attorney, Gregory Stremers, received the closing packet for the Land Purchase by M.A.C. He presented the City with a check for this land purchase in the amount of \$48,442.75. The documents have been sent out to be recorded and Attorney Stremers has not gotten them back yet. When he receives them he will get them to City Manager Clint Holmes. The City will have the Ordinance for the vacation of a portion of Soybean Drive recorded at the Court House in Sanilac County.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. **May 27th Regular Meeting (Memorial Day) Scheduling.**

Motion made by CM Miller, second by CM Walters, to reschedule the Regular Council Meeting to from May 27th to Monday, May 20, 2013. Motion carried.

Mayor Christine Lee reported that she attended the Thumb Education and Communication Day XXII, Learning from Life—A Conference of Career Stories. Mayor Lee thought it a very interesting and worthwhile conference.

COMMITTEE REPORTS:

1. Police (Miller) – None.
2. Water and Sewer (R. Jacobson) – None.
3. Tax and Finance (P. Jacobson) – None.
4. Streets and Sidewalks (Loutzenhiser)

The Streets and Sidewalks committee met on Thursday, April 29, 2013. The discussion and recommendations of the committee included an update on the Maple Valley Road Project, discussion concerning available street funds, and the prioritization of 2013 street renewal projects.

Motion was made by CM Loutzenhiser, second by CM Pat Jacobson, to proceed with the Maple Valley Road Project in conjunction with Sanilac County, the cost to the City will be between \$24K and \$35K; resurface Walter Street (Main to Second Streets) and Maple Street (Merrill Street east to MVE); and determine cost effectiveness to micro-coat North Cade Road (Main Street to the City Limits), Maple Street (Merrill Street west to Welles Street, and possibly other streets within the City). Based on availability of funds, the City will repair sidewalks to meet the requirements of Act 170 of 1964 as amended. ROLL CALL VOTE: CM R. Jacobson – yes, CM Loutzenhiser – yes, CM McIvor – yes, CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes. 6 yes votes, 0 no votes. Motion carried.

5. Building and Grounds (Walters) – None.
6. Personnel (McIvor) – None.

GENERAL CONCERNS OF THE COUNCIL:

1. **The City contacted the owner of the repair garage at the corner of Maple Valley Road and Buby Street concerning the excessive amount of used tires. Many have now been removed, and the number will be kept under control in the future.**

2. **CM Pat Jacobson questioned if we were going to have the streets swept before the Soybean Festival to which City Manager Clint Holmes replied that we were once again working with the City of Marlette to arrange this.**

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM McIvor, to adjourn at 8:12 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk