

**BROWN CITY COUNCIL PROCEEDINGS**  
**August 12, 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 (arrived at 7:04 p.m.), Julie Miller, and Bill Walters, City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

**ABSENT:** Councilmember Ross McIvor.

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA.**

City Manager Clint Holmes stated that there would be one addition to the agenda under the City Manager Report.

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Miller, second by CM Walters, to accept the Regular Meeting Minutes of July 22, 2013 as presented. Motion carried.

**PAY BILLS:**

Motion by CM Pat Jacobson, second by CM Miller, to pay the bills in the following funds: General - \$22,034.41 (5869-5907), Payroll #1- \$13,462.34 (6060-6078 plus EFT), Payroll #2 - \$11,796.34 (6079-6092 plus EFT). Total payroll #1 and #2 is \$25,258.68. Major Street - \$2,203.82 (3795-3798), Local Street - \$1,048.83 (4197-4198), Sanitary Sewer - \$5,047.20 (3319-3325), Water - \$48,932.23 (2244-2259), Arsenic Abatement - \$5.80 (1219), Storm Sewer - \$65.98 (1144), Equipment - \$1,474.30 (1388-1390). Motion carried.

**PUBLIC QUESTIONS & COMMENTS:** None.

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

Ron Smith, Chief of Police, commented that the annual Hogtown Run and after-party at the park was very well self-policed and there were no problems reported.

**PERSONAL APPEARANCES:** None Scheduled.

**UNFINISHED BUSINESS:** None Scheduled.

**PETITIONS & COMMUNICATIONS:**

1. **4450 Parkside Drive** – The owner of the home located at 4450 Parkside Drive is requesting a permit to construct a 12' X 16' barn-type shed on a concrete slab to be constructed on the lot he owns adjacent to his home. The Planning Commission recommends approval.

**After several questions and answers from the Council about the placement of the barn-type shed, CM Walters made a motion, second by CM R. Jacobson, to approve the construction of a 12' x 16' barn-type shed on a concrete slab to be constructed on the lot he owns adjacent to his home. This barn-type shed must follow the City Ordinance Appendix K: Yard and Bulk Requirements that states in part: "In all districts, the required front yard setbacks shall not be used...and shall remain as open space, unoccupied and unobstructed from the ground upward, except for landscaping, plant materials, or vehicle access drives." Motion carried.**

**PUBLIC HEARING:** None Scheduled.

**ORDINANCES:** None Scheduled.

**RESOLUTIONS:** None Scheduled.

**MANAGER'S REPORT:**

**1. 2013 Water Main Project:** The City received bids for the project to replace the water mains immediately north and south of the Central business District. The project was advertised in the Sanilac County News and bid requests were sent to the six companies that had bid on the Walter Street water main project. The bids were opened at 2:00 PM on Tuesday, August 6<sup>th</sup> and reviewed by a representative from the engineering company – Flies & Vandenbrink. The City received three bids: Murray underground out of Pt Huron - \$128,550.<sup>00</sup>; Cassino Building & Development from Sterling Heights - \$90,840.<sup>00</sup>; and Lynch Trucking of AuGres - \$126,777.<sup>42</sup>. The engineer has successfully worked with Cassino in the past. How does the City Council wish to proceed?

**Two gentlemen from Cassino Building and Development attended the Council Meeting to answer any questions that Councilmembers had regarding their work or bid. There was a Motion by CM R. Jacobson, second by CM Loutzenhiser, to award the bid to Cassino Building & Development from Sterling Heights for \$90,840.00. ROLL CALL VOTE: CM Loutzenhiser – yes, CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes, CM R. Jacobson – yes, CM Mclvor – absent. 5 Yes votes, 0 No votes, 1 absent. Motion carried.**

**2. 2013 Streets Project:** The City opened bids for the proposed Walter and Maple Streets Project at 2:00 PM on Thursday, August 8<sup>th</sup>. The project was advertised in the Sanilac County News and bid requests were sent to the six companies that had bid on the Cade Road project. Bids were received from James P Contracting from Washington Township - \$133,757.<sup>35</sup>; Astec Asphalt of Brown City - \$89,014.<sup>50</sup>; and Ace Asphalt and Paving in Flint - \$131,584.<sup>65</sup>. Astec has an outstanding reputation. How does the City Council wish to proceed?

**Motion by CM Miller, second by CM Loutzenhiser, to grant the bid for the Walter and Maple Streets Project to Astec Asphalt of Brown City for \$89,014.50. ROLL CALL VOTE: CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes, CM R.**

**Jacobson – yes, CM Loutzenhiser – yes, CM McIvors – absent. 5 Yes votes, 0 No votes, 1 absent. Motion carried.**

3. **ParPlan Grant:** As discussed by CM Walters at the last meeting of the City Council, the City received official notification that our request for \$2,000 to increase the protection level of police bullet-proof vests was denied. The next grant cycle opens October 1<sup>st</sup>. Of note, the Brown City Area Fire Department, which had requested \$2,000 for a three-day Jaws of Life training class, was awarded \$1,000.

**CM Walters will be working on the committee for the ParPlan Grants. Hopefully he will be able to determine what information we need to be including in our grant applications for approval.**

4. **Surplus Motor Auction:** The auction company stated that the motor may do well in one of their Statewide Farm and Construction Equipment Online Auctions. The next auction of this type will close on September 17th, 2013. There is a \$50 entry fee to get it into the auction. If the City wishes to have a reserve and the item does not sell, then there is an additional cost of \$50. Since the value of the item is unknown, recommend against setting a reserve. Does the City Council wish to proceed and authorize me to submit the necessary paperwork and photos and pay the fee?

**The City Council wishes to proceed with the Online Auction to sell the surplus motor. They also authorize City Manager Clint Holmes to submit the necessary paperwork, submit photos of the motor, and pay the \$50.00 entry fee to get it into the auction. The City Council recommends against setting a reserve.**

5. **City Pins:** The City last purchased pins in May 2010. Contact with the manufacturer revealed that a replacement supply of 100 pins is the same price as last time - \$1.99 each (plus \$10 shipping). Does the City Council wish to make this purchase?

**The City Council would like to purchase a replacement supply of 100 pins at \$1.99 each plus a \$10.00 shipping charge.**

6. **Hogtown, Inc.** The annual Hogtown Run is scheduled for August 10<sup>th</sup> and activities will take place in the Brown City Community Park. A copy of the notice letter sent to property owners adjacent to the Park is enclosed.

**The annual Hogtown Run took place on the scheduled August 10, 2013 date. This was the biggest turnout that they have ever had, in part due to the perfect, beautiful weather. There were no problems reported to the police.**

7. **City Police Car:** The report from the Michigan State Police concerning the accident on May 31<sup>st</sup> still has not been issued.

8. **City Assessor:**

**The City Assessor's term will run out soon. The City Council would like to see this position be placed up for bids for the new term.**

**ATTORNEY'S REPORT:**

1. The City Attorney Gregory Stremers stated that the legislature has changed the fireworks law. He asked the City Council if they are interested in an ordinance pertaining to fireworks being allowed in the City of Brown City. The consensus of the City Council was that none is needed at this time.
2. City Attorney Gregory Stremers announced recent court rulings that affect enforcement of the Medical Marijuana Act.

**TREASURER'S REPORT:** None.

**MAYOR'S REPORT:** None

**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) – None.
5. Building and Grounds (Walters) – None.
6. Personnel (Mclvor) – None (Mclvor was absent).

**GENERAL CONCERNS OF THE COUNCIL:** None.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Miller, second by CM Pat Jacobson, to adjourn at 7:19 p.m. Motion carried.

Respectfully submitted,

Juanita Smith  
City Clerk