

BROWN CITY COUNCIL PROCEEDINGS

October 14, 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 (arrived at 7:08 p.m.), and Bill Walters, City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA.

City Manager Clint Holmes stated there would be one modification to Resolution 13-09.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM McIvor, second by CM R. Jacobson, to accept the Regular Meeting Minutes of September 23, 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 - \$16,460.93 (5958-5993), Payroll - \$15,092.57 (6145-6168 plus EFT), Major Street - \$5,267.50 (3805-3806), Sanitary Sewer - \$22,752.02 (3340-3344), Water - \$1,709.46 (2283-2291), Arsenic Abatement - \$37,627.88 (1222-1223), Storm Sewer - \$15.47 (1150), Equipment - \$118.09 (1395-1396). Motion carried.

PUBLIC QUESTIONS & COMMENTS:

1. Elena Roberts of St. Marys Street reported cars speeding down St. Marys Street each afternoon around 3:30 to 5:00 p.m. The City Police Chief replied that he would rearrange his schedule and be in the area about that time.
2. Ray Dupuie of 4101 Maple Street questioned his water bill. He had paid the amounts that were billed to him but wanted the Council to be aware of the enormous amounts that he was charged April, May, and June of 2013. City Manager Clint Holmes stated they would pull the files tomorrow (Tuesday) and review them.

POLICE REPORT: Report reviewed. No questions or concerns.

City Police Chief Ron Smith reported that he had replaced the spotlights on the Police Car.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **6976 George Street:** The owner of the property is requesting a permit to complete the fence line around his property. Permit is a continuation of the one issued September 24, 2012. Owner plans to add about 85' of fence on the south side of his property.

Motion by CM Walters, second by CM Loutzenhiser, to grant a permit to the owner of the property at 6976 George Street to add about 85' of fence on the south side of his property. This is a continuation of the fence permit issued on September 24, 2012. Motion carried.

PUBLIC HEARING: 7:10 PM – City Fireworks Ordinance.

A Public Hearing on Chapter 98 - City Fireworks Ordinance was opened at 7:10 p.m. There was one comment made by Elena Roberts. Her comment being that the Fireworks Ordinance was a great idea! Chapter 98 – City Fireworks Ordinance was scheduled for a Public Hearing by CM Walters, second by CM R. Jacobson, at the last regular Council Meeting on September 23, 2013. The Public Hearing was closed at 7:12 p.m.

ORDINANCES:

1. **City Fireworks Ordinance:** An Ordinance to adopt a new chapter to the Brown City Code to regulate the ignition, discharge, and use of consumer fireworks as allowed under the Michigan Fireworks Safety Act, Act 256 of 2011, MCL 28.451 *et seq.*, which shall be known as Chapter 98 - City Fireworks Ordinance.

Motion by CM Miller, second by CM Pat Jacobson, to adopt a new chapter to the Brown City Code to provide for the Regulation of the Ignition, Discharge, and Use of Consumer Fireworks as allowed under the Michigan Fireworks Safety Act, Act 256 of 2011, MCL 28.451 *et seq.*, which shall be known as Chapter 98-City Fireworks Ordinance. ROLL CALL VOTE: CM Walters - yes, CM Pat Jacobson - yes, CM R. Jacobson - yes, CM Loutzenhiser - yes, CM Mclvor - yes, CM Miller - yes. 6 Yes votes, 0 No votes. Motion carried.

RESOLUTIONS:

1. Resolution 13-09: A Resolution formally causing to be levied a special tax or assessment to recover monies owed the City of Brown City.

Motion by CM Miller, second by CM Walters, to adopt Resolution 13.09: A Resolution formally causing to be levied a special tax or assessment to recover monies owed the City of Brown City.

ROLL CALL VOTE: CM Pat Jacobson - yes, CM R. Jacobson - yes, CM Loutzenhiser - yes, CM Mclvor - yes, CM Miller - yes, CM Walters - yes. 6 Yes votes, 0 No votes. Motion carried.

MANAGER'S REPORT:

- 1. Water Tower Project:** Workers completed sandblasting and painting the interior and exterior of the water tower. On the evening of September 27th, the DPW began to fill the tower and workers from Utility Services chlorinated the water. Unfortunately the tower began leaking. The next day, a second attempt was made to fill the tower, and again a major leak resulted. The source of the leak was identified as a poorly reinstalled gasket which was repaired and the tower was re-chlorinated and successfully filled. Samples were taken and sent to the lab on Monday, September 30th and again the next day. The tower was returned to full operation on Wednesday, October 2nd. The City received some reports of rusty water which was probably the result of opening the various large valves that had been closed during the maintenance period. The electrical supply to the churning motor was brought on-line by Rhodes Electric the following week. Of note, the cathodic corrosion protection system was taken off-line since Utility Services said it was no longer necessary. Corpro, the provider of this system, will be sent a letter stating their contract will not be renewed and that they can remove their equipment from the water tower.
- 2. 2013 Water Main Project:** The mains, taps, fire hydrant installation and asphalt replacement were completed and a final inspection with the DPW, contractor and engineer took place. All were satisfied that the project was completed in a satisfactory way.
- 3. 2013 Streets Project:** Astec Asphalt has completed the initial work on Walter and Maple Streets. Huron Engineering is completing the punch list so that the project can be finalized. Work began on the resurfacing of North Maple Valley Road on October 10th. The City worked with the county engineer and surveyor to ensure that the width of the road where it joins Main Street would be expanded to the full width of the easement. However, there will still be a gap between the street and parking lot at Mary Ann's Restaurant which will remain graveled; this area is outside the road easement.

Motion by CM Walters, second by CM R. Jacobson, to cost-share 50/50 with Mary Ann's Restaurant and the City to pave the area between the street and parking lot at Mary Ann's Restaurant. The amount to pave this area is \$1500.00. Mary Ann's Restaurant would be given one year to pay their portion. ROLL CALL VOTE: CM R. Jacobson – no, CM Loutzenhiser – no, CM McIvor – no, CM Miller – no, CM Walters – no, CM Pat Jacobson – no. 0 yes votes, 6 no votes. Motion denied.

Motion by CM Walters, second by CM Miller, to cost-share 50/50 with Mary Ann's Restaurant and the City to pave the area between the street and parking lot at Mary Ann's Restaurant with written correspondence stating that Mary Ann's Restaurant would be given eighteen months to pay their portion of the project. The total cost of paving would be \$1500.00. Of this cost of \$1500 the City would pay 50 percent and Mary Ann's Restaurant would pay 50 percent over eighteen months time period.

ROLL CALL VOTE: CM Loutzenhiser – yes, CM McIvor – yes, CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes, CM R. Jacobson – yes. 6 Yes votes, 0 No votes. Motion carried.

4. **City Office Clerk:** The City received 26 applications for the City Office Clerk position. Five individuals were interviewed on October 9th and 10th. The Brown City Police Department has been tasked with doing background checks on the two finalists. Hope to have the new employee begin work not later than October 22nd. Letters were sent to the non-finalists thanking them for submitting an application.
5. **City Hall Painting:** The City met with the painting contractor. Required paperwork, specifically, insurance and tax forms was submitted on October 10th. Drywall repair and painting is scheduled to begin the week of October 22nd. The work should only take no more than about five days.
6. **Mid-Year Budget Amendment:** The City generally does a mid-year budget amendment in October. However, because invoices for the major infrastructure projects have not yet been received, anticipate the draft budget amendment will be submitted to the Tax and Finance Committee at the first meeting in November, with action by the full City Council scheduled for the second meeting.
7. **Fire Hydrant Flushing:** The DPW will conduct hydrant flushing October 14-18. Notices were published in *The Banner* and on the City's website identifying the dates and reminding residents to avoid washing white and light-colored clothes while hydrants are being flushed.
8. **Halloween Parade:** Brown City Schools will conduct their annual Halloween Parade along Main Street starting at 1:30 PM on Thursday, October 31st. Request motion to set Halloween Trick-or-Treat hours; they were 5:30 to 7:30 last year.

Motion by CM Miller, second by CM Pat Jacobson, to set the Halloween Trick-or-Treat hours for 5:30 p.m. to 7:30 p.m. for Thursday, October 31, 2013. Motion carried.

9. **Human Resources Training:** Thumbworks sponsored Human Resources training in Marlette on October 10th. The City Manager attended in order to receive updates on current practices.
10. **Motor Sale:** The individual purchased the second well house motor for \$450. The cash was deposited in the Water Fund.
11. **Cell Tower:** The owner of the cell tower, SBA Communications, notified the City that they plan to upgrade the antennas and some equipment at the base of the tower to facilitate a transition from G3 to G4 technology. They also agreed to notify the City when they expect to have personnel on the site.

12. Veterans Day: City Hall will be closed on Monday, November 11th for Veterans Day. The first City Council meeting of November is scheduled for that day. Does the City Council wish to reschedule this meeting?

The City Council wishes to meet on the scheduled day of November 11, 2013.

ATTORNEY'S REPORT: None.

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.

GENERAL CONCERNS OF THE COUNCIL:

CM Bill Walters reported that with several phone calls to Comcast and the promise of a new cable box (which has never been received) his television service with Comcast is working great. The channels are coming in clear on 2nd Street at this time.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Mclvor, to adjourn at 7:49 p.m. Motion carried.

Respectfully submitted,

Juanita M. Smith
City Clerk