

**BROWN CITY COUNCIL PROCEEDINGS
MAY 11, 2015**

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, Dan Loutzenhiser, Ross McIvor, Julie Miller (7:02 p.m.), Alecia Parks, 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 that there would be several additional items under the Manager's Report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Walters, second by CM Parks, to accept the Regular Meeting Minutes of April 27, 2015 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$17,010.06 (6827-6863), Payroll - \$14,924.93 (6928-6946 plus EFT), Major Street - \$74.31 (3854-3855), Local Street - \$64.73 (4229), Sanitary Sewer - \$19.47 (3463), Water - \$489.16 (2499-2503), Arsenic - \$5.95 (1283), Storm Sewer - \$194.20 (1173), Equipment - \$19.27 (1478). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or concerns.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

- 1. 4094 Third Street** – Install 15' X 48' above ground pool. Requestor was provided with a copy of the Swimming Pool Ordinance and associated setback requirements.

Motion by CM Loutzenhiser, second by CM Jacobson, to grant a permit to the owners of the property at 4094 Third Street to install a 15" x 48" above ground pool on their property. Motion carried.

- 2. 4070 Third Street** – Install 3.5' X 6.5' concrete slab and 30KW stand-alone natural gas powered emergency generator for Thumb Cellular.

Motion by CM Loutzenhiser, second by CM Parks, to grant a permit to Thumb Cellular, 7585 West Pigeon Road, Pigeon, MI 49755 to install a 3.5' x 6.5" concrete slab and a 30KW stand-alone natural gas powered emergency generator at the Thumb Cellular building at 4070 Third Street. Motion carried.

- 3. 6827 Walter Street** - Erect fence along the property line in the back yard and between the house and pole barn.

Motion by CM Miller, second by CM McIvor, to grant a building permit to the owners of the property at 6827 Walter Street to erect a fence along the property line in the back yard and between the house and the pole barn. Motion carried.

MANAGER'S REPORT:

- 0. Street Sweeper:** DPW Foreman Phil Bartle is working with the City of Marlette to arrange to rent their street sweeper before the Soybean Festival. He is also negotiating with the City of Croswell to use their vac truck to clean storm drains after the Soybean Festival.

- 1. School Utility Bill:** Brown City Schools have decided that due to the higher than expected cost, rather than install permanent magnetic-flow readers, they will contract for temporary ones at the elementary and high schools. No schedule has been set for this installation.

Also, a technician from SLC Meter conducted an external inspection of the school water meter for the City and noted no irregularities. He also pointed out ways in which water could be lost other than a leak or defective meter; information which was passed on to the school administration. The company has offered to conduct a full test of the meter – a two-hour process – at an estimated cost of \$475 if authorized by the City. They also noted that replacing the meter would be \$8K-\$10K. How does the City Council wish to proceed?

The City Council authorized a full test of the meter which would be approximately a two-hour process at a cost of \$475 to the City.

- 2. Comcast Cable TV Lease:** The response from Comcast is (still) pending.

3. **MML Workman's Compensation Insurance:** The Michigan Municipal League notified the City that we were one of twenty-nine recipients in the State of Michigan of a Loss Control Achievement Award for "outstanding efforts in maintaining safe work environments and ... dedication to reducing worker's compensation losses through employee training." Also, the City was one of the two most improved state-wide. The framed certificate will be placed on display at the DPW Garage.
4. **East Michigan Council of Governments (EMCOG):** The EMCOG Full Council and Regional Economic Development (RED) Team met in Gladwin on May 1st. The Full Council reviewed MDOT Transportation Planning and other projects throughout the counties making up the EMCOG region. The RED Team was provided with an overview of the ALICE (Asset Limited, Income Constrained, Employed) Study developed by United Way of Michigan. The 242-page report identifies the income required for those households that do not qualify for public assistance programs but have "Household Survival and Stability Budgets." Brown City leads Sanilac County in households that fall in the Poverty/ALICE category. Summary copies are available for review.
5. **Freedom of Information Act (FOIA):** A series of new laws and regulations will change aspects of FOIA beginning July 1st. The Fire Authority's insurance company is sponsoring a class in Bay City on May 18th to review the new requirements. I plan to attend this training on behalf of the Fire Authority and the City. There is no fee for this event.
6. **Geographic Information Systems (GIS):** Sanilac County notified the City that they are proceeding with developing a GIS system to track land parcels within the county. The cost for the City to have access to this system is \$1.50 per land parcel in the City with the county paying an equal amount. The City has 677 parcels for an initial cost of \$1,015.50. Additional costs would be associated with any further information that the City would want to add to the system in the future. Recommend the City pay this fee to be included in the project.

Motion by CM Walters, second by CM Miller, to be included in the GIS project to track land parcels within the county by paying an initial cost of \$1,015.50 to cover the 677 land parcels at \$1.50 per parcel that the City has. The County would pay an equal amount. Additional costs will be associated with any further information that the City would want to add to the system in the future. Motion carried.

7. **National Pollutant Discharge Elimination System (NPDES):** This permit is required so that the City can periodically clean the pipes and tanks associated with the water production and arsenic elimination facilities located at Well #3 and Well #4. The permit must be renewed annually. The renewal application was submitted last February. In late April, MDEQ requested the City provide various graphics and annotated aerial photographs tracking the route of discharge water through the facilities to the Lapeer-Sanilac Drain to the Black River to Lake Huron. These photos and drawings were forwarded to MDEQ on May 6th. A follow-up email on May 11th from MDEQ requested copies of various water discharge test, which will be provided.

8. **SBA Tower Lease:** The City Council tentatively approved extending the cell tower lease by 15-years, bringing the lease to 31-years. The associated documents need to be approved and the Mayor, Clerk and Mayor Pro-Tem authorized to sign on behalf of the City.

Motion by CM Loutzenhiser, second by CM Jacobson, to approve extending the cell tower lease by 15 years, bringing the current lease to 31 years. Mayor Christine Lee, City Clerk Juanita Smith, and Mayor Pro-Tem Julie Miller are authorized to sign the associated documents on behalf of the City. City Manager Clint Holmes will sign as a witness. Motion carried.

9. **Fire Hydrant Flushing:** The DPW will conduct hydrant flushing May 18-22. Notices will be published in The Banner on May 11th and 18th 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.
10. **Annual Audit:** The accounting firm of King and King of Marlette is scheduled to conduct the annual audit of the City, Library and Fire Authority on June 3rd and 4th. No issues are anticipated.
11. **7136 Welles Street:** The City received an Application for Building Permit and Plan Examination for construction of an addition and large garage at this address. The Application was returned via mail since it was not complete. Coordination with Sanilac County revealed that at a minimum a site plan, construction prints and roof truss specifications must accompany the Application. Also, the Planning Commission will have to address the Application before it can be submitted to the City Council for action.
12. **May 25, 2015 Council Meeting** – Monday May 25th is Memorial Day. The City and DPW offices will be closed. Scheduled events include a parade up Main Street beginning at 10 AM followed by a brief ceremony at the Veteran's Memorial and a subsequent service at Evergreen Cemetery. The City Council will meet at the Library at 7:00 PM as scheduled.
13. **Michigan Township Participating Plan (MTPP):** At the last City Council meeting, Councilmember Walters noted the MTPP planned to provide dividend payments to their customers. On May 11th the City received a check from MTPP for \$680.13.
14. **DPW Pickup Truck:** The City DPW's blue pickup truck is a 1998 F250 with over 160,000 miles and accelerating corrosion and maintenance problems. The DPW Foreman was directed late last year to be on the lookout for a used truck in good condition. He found a 2011 F250 with 53,000 miles and basic interior package at Tubbs Brothers in Sandusky. The truck was brought to the City and inspected. Using the 1998 F250 as a trade-in, cost would be \$20,900. How does the City Council wish to proceed?
Motion by CM Walters, second by CM Loutzenhiser, to authorize Mayor Christine Lee to okay the purchase of the 2011 F250 pickup with 53,000 miles and basic interior package at Tubbs Brothers in Sandusky if after checking out the prices on a new pickup deems unacceptable. If a new pickup is within five or six

thousand more we will not purchase the used pickup. **ROLL CALL VOTE: CM Loutzenhiser – yes, CM Mclvor – yes, CM Miller – yes, CM Walters – yes, CM Jacobson – yes, CM Parks – yes. 6 Yes Votes, 0 No Votes, 0 absent. Motion carried.**

ATTORNEY’S REPORT:

City Attorney Gregory Stremers told the Council that the issue with 4223 Main Street may come up again in the future.

CLERK’S REPORT:

City Clerk Juanita Smith reported that the Election of May 5, 2015 went very smoothly. In the City of Brown City there were 232 total votes cast. Of these 232 votes, there were 188 “No” votes, 43 “Yes” votes, and 1 blank ballot cast.

MAYOR’S REPORT: None.

COMMITTEE REPORTS:

Police (Miller) – None.
Water and Sewer (Loutzenhiser) – None.
Tax and Finance (Jacobson) – None.
Streets and Sidewalks (Walters) – None.
Building and Grounds (Parks) – None.
Personnel (Mclvor) – None.

GENERAL CONCERNS OF THE COUNCIL:

One concern of a Councilmember was that a house on Maple Street is putting a dormer on the back of the house. Was a building permit obtained?

Another concern of a Councilmember was the 4-wheelers and golf carts that are being driven all over town. What are the rules and regulations concerning them?
City Manager Clint Holmes said that they can go to the gas stations but other than that they are not to be driving on the City streets—especially on Main Street.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Mclvor, to adjourn at 7:45 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk