

BROWN CITY COUNCIL PROCEEDINGS

APRIL 25, 2016

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, Alecia Parks, and Bill Walters; City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

ABSENT: None.

GUESTS: Mark Shadley; Elaine Roberts; Kim, Samantha, Bradley and Madalynn Gierman; Steven Kovac representing the Brown City Banner; Larry Steigerwald; Justin Faber; Frank Fiorello and Jamie Bird.

PRESENTATION OF A PROCLAMATION BY THE MAYOR TO BRAD GIEMAN FOR OUTSTANDING ATHLETIC PERFORMANCE: Mayor Christine Lee presented Brad Gierman with a Proclamation recognizing his outstanding athletic performance. Mayor Christine Lee read his Proclamation aloud for all the Councilmembers and visitors to hear. Pictures were taken of Brad and Mayor Christine Lee as he received the signed, sealed and framed document.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: City Manager Clint Holmes reported that there would be four additional items to the agenda. One under Personal Appearances, one under Petitions & Communications, one under the Manager's Report, and one under the Mayor's Report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM McIvor, to accept the Regular Meeting Minutes of April 11, 2016 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$38,112.35 (7380-7393), Payroll - \$12,347.64 (7393-7408 plus EFT), Major Street - \$1,427.00 (3886), Local Street - \$2,662.00 (4243), Sanitary Sewer - \$6,702.48 (3544-3546), Water - \$3,350.30 (2640-2641), Arsenic Abatement - \$520.00 (1322), Equipment - \$150,101.28 (1509-1511). Motion carried.

PUBLIC QUESTIONS & COMMENTS:

Larry Steigerwald of 4083 2nd Street, Brown City, came to the Council with a repeat complaint about the storm drain behind his house still not running, trees and junk in the ditch one block east of his house, and sink holes in his yard. He would like to see some action taken by the City to have these items taken care of. He said he has requested City

help previously but nothing has been done. Mayor Lee will meet with Mr. Steigerwald on Wednesday, April 27th to check out his complaints.

DPW REPORT: Report reviewed. CM Jacobson asked if the manholes were being cleaned off. She said that some have quite a bit of dirt on them. City Manager Clint Holmes will check this out.

PERSONAL APPEARANCES:

1. **Use of City Property for Rotarian Fundraiser:** Mark Shadley, representing the Brown City Rotary Club, addressed the Council about using City owned property for the use of a Beer Tent during the Brown City Festival Days. The property is located at 4153 First Street, between the Colonial Car building and the City parking lot north of the Harrington Inn. The International Rotary Club has unlimited insurance to cover the event. The City must be an “additional insured” on this policy for approval.

Motion by CM Walters, second by CM McIvor, to allow the Brown City Rotary Club the use of this City owned property for the Beer Tent during the Brown City Festival days. Motion carried.

2. **Presentation of Artwork to the City:** Elaine Roberts presented a picture taken from her porch looking across the Runway Strip on a fog shrouded morning. A picture was taken of her presenting her farewell gift to the City to Mayor Lee.
3. **Candidate for the 83rd State House District:** Justin Faber announced his candidacy to represent Sanilac and St. Clair County residents in the Michigan House of Representatives 83rd District. Mr. Faber is currently Chairman of the Sanilac County Board of Commissioners. He spoke to the Council about his experiences, to include his public and military service. He said he would like the voters to send him to Lansing to put his experience to work.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. 4039 Main Street –extend fence north about 100’.

Motion by CM Parks, second by CM Jacobson, to issue a building permit to the owners of the property at 4030 Main Street to extend their fence north about 100’ with 6’ fencing. Motion carried.

MANAGER'S REPORT:

1. **New Dump Truck:** The DPW picked up the new City dump truck on April 21st. Since the dealer was in Saginaw, they were able to put the truck right to work by picking up a load of asphalt cold patch on the way back to Brown City. Tri-County Bank did an excellent job in helping the City to make this project possible. What does the City Council want to do with the old dump truck?

CM Walters suggested putting the dump truck on the Public Surplus Website to see if we could sell it at a reasonable price. City Manager Clint Holmes will advertise it in this way and see if it will sell.

2. **City Assessor:** The City has received a couple more enquiries from assessors interested in working for the City beginning in August. Applications are being accepted through the end of the month.
3. **Union Negotiations:** The Union that represents the DPW has requested an appointment to discuss the contract. That meeting will take place either May 10th or 17th. Once this preliminary discussion has been completed, there may be a recommendation to schedule a Personnel Committee meeting.

A meeting has been scheduled for Tuesday, May 10th. The members of the Personnel Committee is invited to attend this meeting.

4. **Police Laptops:** The Brown City Police received their refurbished laptops on April 21st. The Chief noted they are significantly faster than the previous ones. Software has been installed or transferred and they should fully operational and installed.
5. **Sewer Valve:** The City, several years ago, installed a shut-off valve near the school to reduce or prevent the likelihood of sewage backups into the school in the event of severe weather or a mechanical catastrophe. The current valve needs to be shut off manually and is in need of replacement. The DPW Foreman is recommending a type of check valve that would work automatically. Estimates were received from two different companies along with maintenance and warranty information. One bid was for \$1,038.40 and the other for \$1,195.00. Recommend that the Council approve this upgrade.

Motion by CM Loutzenhiser, second by CM Miller, to approve the upgrade to a check valve that will work automatically to prevent sewage backups into the school caused by severe weather or a mechanical failure. ROLL CALL VOTE: CM Parks – yes, CM Loutzenhiser – yes, CM McIvor – yes, CM Miller – yes, CM Walters – yes, CM Jacobson – yes. 6 Yes Votes, 0 No Votes, 0 Absent, 0 Abstain. Motion carried.

6. **City Lawsuit:** The attorneys in the lawsuit against the City have reached an agreement. As a result, the two settlement conferences and trial scheduled for May have been cancelled. The process and paperwork should be finalized soon.
7. **MDOT Rail Safety:** The City DPW and a contractor completed the repairs and replacement of the sidewalk crossing the railroad tracks at Second and St Marys Streets.

Coordination with the railroad ensured that no trains were sent the day of the repairs. Also, railroad representatives stated that concrete could not be used between the rails and they no longer supplied timbers to place between tracks. Currently, the area between the tracks has been filled with gravel. During the Lincoln Street Project, or when the asphalt plants open, the gravel will be replaced with asphalt, as recommended by the rail road.

8. **Blue Stuff:** The Brown City Police Chief was able to track down the source of the “blue stuff” that had stained City streets on April 11th. Turns out it is blue pond/pool dye that is water soluble and non-toxic. It should disappear after a few rains.
9. **MEDC Grant:** The Michigan Economic Development Corporation (MEDC) has indicated they will soon announce a new sewer and water infrastructure grant program. It is designed specifically for “low and moderate income communities” within Michigan, and will only require a 10% dollar match. An engineering plan needs to be in place when they announce the grant since applications will only be accepted for “shovel ready” projects. The City needs to contact engineering firms to determine the costs associated with a proposed water main replacement project and start planning. City Manager Clint Holmes will get preliminary cost information for the Council and provide it at the next Council Meeting.

ATTORNEY’S REPORT:

City Attorney Gregory Stremers stated that he has been involved with the lawsuit involving the City. He spoke of the excellent way that the City Manager had handled the situation.

TREASURER’S REPORT: None.

CLERK’S REPORT: None.

MAYOR’S REPORT:

1. Nominate Karen Burgess to the Cemetery Board with a term ending 12/31/2020.

Motion by CM Miller, second by CM Mclvor, to appoint Karen Burgess to a term on the Cemetery Board ending December 31, 2020. Motion carried.

COMMITTEE REPORTS:

1. Police (Miller) – None.
2. Water and Sewer (Loutzenhiser) – None.
3. Tax and Finance (Jacobson) – None.
4. Streets and Sidewalks (Walters) – Committee minutes (attached). Notice to Lincoln Street property owners and published announcement (attached). Motion to schedule Public Hearing.

Motion by CM Miller, second by CM Loutzenhiser, to schedule a Public Hearing for 7:05 PM on May 9, 2016, for the purpose of gathering public comments and recommendations concerning renovating Lincoln Street from Maple Street south to the end of the existing pavement this summer. Also to discuss removing and

replacing the existing asphalt, and the concrete curbs and gutters. Discussion also will include the sidewalks on the east and west sides of the street—shall they be removed and not replaced? Motion carried.

5. Building and Grounds (Parks) – None.
6. Personnel (Mclvor) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Loutzenhiser questioned the handling of Larry Steigerwald's situation. Could we have dealt with it in a different way?

CM Walters asked when the streets were going to be swept. He remarked that they were very dusty and dirty. CM Jacobson wanted to know if our street sweeper is usable and why we were not using it.

Mayor Christine Lee mentioned that the yellow paint on some of the curbs and streets was very faded and they need to be repainted.

City Manager Clint Holmes stated that the fire hydrants would be flushed the week of May 16th.

PUBLIC QUESTIONS & COMMENTS

Brown City resident Elaine Roberts stated that it would be nice if a notice was published prior to sweeping the streets so homeowners could be prepared.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Jacobson, to adjourn at 8:02 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk