

BROWN CITY COUNCIL PROCEEDINGS
September 12, 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 Mclvor, Julie Miller, Alecia Parks, and Bill Walters; City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

ABSENT: None.

GUESTS: Steven Kovac representing the Brown City Banner, Larry Steigerwald, and Kevin Miller.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA.

City Manager Clint Holmes reported that there would be three additional items added to the agenda: One under Petitions and Communications and two under the Manager's Report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Mclvor, to accept the Regular Meeting Minutes of August 22, 2016 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$17,712.88 (7598-7628), Payroll - \$13,835.29 (7564-7577 plus EFT), Major Street - \$90.00 (3900), Sanitary Sewer - \$977.56 (3582-3587), Water - \$660.06 (2692-2699), Arsenic Abatement - \$6.80 (1334), Storm Sewer - \$1,026.62 (1214-1216), Equipment - \$194.27 (1531). Motion carried.

PUBLIC QUESTIONS & COMMENTS:

Larry Steigerwald of 4083 2nd Street, Brown City, came to the Council with a repeat complaint about the weeds, trees, and junk in the ditch near his home on the North side of the road and on Buby Street. He would like to have some action taken by the City to have this area taken care of. He said he has requested City help previously but nothing has been done.

City Manager Clint Holmes told him that the jail crew had been in the ditch weed whacking and cleaning it as much as they could, but they are limited as to what they can do as they can only work on City property. They are not allowed to go on private property to work. The City will check this area of concern.

Mr. Steigerwald also complained of many used tires at Brown City Tire and Auto at 6930 Maple Valley Road. He also questioned the many cars that have expired plates or no plates on them at the same establishment.

Police Chief Ron Smith said that he will check on the tires and cars tomorrow.

POLICE REPORT: Report reviewed. No questions or concerns.

UNFINISHED BUSINESS: None.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **7081 Maple Valley Road:** Request Permit to construct a 40' x 120' commercial building. The building plans as submitted do not meet the current set-back requirements (see attached drawing). Moving the proposed building 10' will meet the setback requirements. The Planning Commission recommended approval to the City Council subject to the building meeting set-back requirements.

Motion by CM Parks, second by CM Walters, to accept the Planning Commission's recommendation to approve a permit to construct a 40' x 120' commercial building at 7081 Maple Valley Road with the stipulation that the proposed building must be moved 10' South as the current building plans as submitted do not meet the current set-back requirements. ROLL CALL VOTE: CM Miller – abstain, CM Walters – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Loutzenhiser – Yes, CM McIvor – Yes. 5 Yes Votes, 0 No Votes, 1 Abstained, 0 Absent. Motion carried. The permit may be picked up at the City Hall on Tuesday, September 13, 2016, after 10:00 a.m. The owners must then go to the Sandusky Court House to purchase the required permits.

2. **6955 Walter Street:** Request Permit to construct a 32' X 48' garage with an attached 12' x 48' lean-to; garage to be 21.5' tall (see attached drawing). This application, in a slightly different form, was approved by the Planning Commission last June. City Ordinance states outbuildings can be no higher than 18'; therefore, a Non-Conforming Use Permit is required. The Planning Commission recommends approval, primarily as a function of its proposed location.

Motion by CM Miller, second by CM Parks, to accept the Planning Commission's recommendation to approve a Non-Conforming Use Permit to construct a 32' x 48' garage with an attached 12' x 48 lean-to; with the garage being 21.5' tall. The

City Ordinance states that outbuildings can be no higher than 18' and therefore a Non-Conforming Use Permit is required. This garage is to be built at 6955 Walter Street. ROLL CALL VOTE: CM Walters – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Loutzenhiser – Yes, CM Mclvor – Abstain, CM Miller – Yes. 5 Yes Votes, 0 No Votes, 1 Abstained, 0 Absent. Motion carried. The owners of the property at 6955 Walter Street may pick up the permit at the City Hall on Tuesday, September 13, 2016, after 10:00 a.m. at which time they must go to the Sandusky Court house to purchase the building permits.

- 3. 4231 4th Street – backyard fence:** Enclose the back yard with a fence beginning at the SE corner of the house—rejoin the house at the center at the West side. Part of the back yard is already fenced but will join and enclose the area already fenced in for children's safety.

Motion by CM Walters, second by CM Miller, to grant a building permit to the owners of 4231 4th Street to install a backyard fence from the SE corner of their house, reinforce the section of the yard already fenced in, and join at the West side. ROLL CALL VOTE: CM Jacobson – Yes, CM Parks – Yes, CM Loutzenhiser – Abstain, CM Mclvor – Yes, CM Miller – Yes, CM Walters – Yes. 5 Yes Votes, 0 No Votes, 1 Abstained, 0 Absent. Motion carried.

MANAGER'S REPORT:

- 1. Lincoln Street Drainage:** The DPW picked up two additional storm water catch basins in Bay City on September 8th. The plan is to install them the week of September 12th. The City requested estimates from two surveying companies to mark the easement between Lincoln and Welles Streets to allow for the replacement of storm water piping. The first estimate was received, and the second should be here before the City Council meeting.

The second estimate was not here before the City Council meeting. This item continues as the estimate may be here tomorrow, Tuesday, September 13th.

- 2. Tornado Siren:** Brown City Fire Chief Keith Redlin has requested that Sanilac County submit a grant request for a new tornado siren for the west side of Brown City. The grant should become available in the spring of 2017.
- 3. Gas Detector:** The oxygen sensor on the City's gas detector module failed. Research revealed that they are designed to last only 2-3 years and we are at the limit of that timeframe. The DPW Foreman is researching whether it would be more cost effective to repair our current machine or purchase a new one. The DPW must have a working gas detector when checking pumps at the Maple Valley Road Lift Station and for use in other confined spaces.

CM Jacobson asked if the sensor is checked yearly. City Manager Clint Holmes replied that he didn't know, but would check on it tomorrow.

- 4. Fire Authority Guidelines:** The Brown City Fire Authority adopted formal guidelines for the Brown City Fire Department at their meeting on September 6th. These updated

guidelines are a significant improvement over those adopted several years ago. A copy will be made available to each firefighter as well as to future members of the Department.

- 5. Union Contract:** The Union representative has contacted the City and requested a meeting to go over the final language in the new contract. Expect this meeting to take place relatively soon. Anticipate a contract ready for signature prior to the next City Council meeting.

A meeting between the Union and Local representatives is scheduled for this coming Friday morning at 10:00 a.m. Expect the contract to be finalized at this time.

- 6. MML Workers Compensation Inspection:** The MML Risk Management Representative conducted the annual inspection of Brown City on September 7th. The City has reached the point where no claims appear in our file, and we are paying the lowest rate possible for Workers Compensation Insurance. This year the emphasis was on the Department of Public Works. No significant issues or deficiencies were noted.
- 7. Maple Valley Lift Station:** The DPW Foreman contacted a second company for an estimate to repair/replace one of the two pump valves at the Maple Valley Lift Station. A brief inspection conducted by the second company's field agent indicated only the packing, rather than the whole valve, needed replacement. An estimate and proposed schedule for the work is pending.
- 8. Street Lights:** DTE Energy notified the City that a rate hike had been requested from the Michigan Public Service Commission (MPSC) on February 1st, 2016. Since no response was received from the (MPSC) within 180 days, DTE has "self-implemented an increase to all electric rates of approximately 5.3%" effective August 1st. For the City, this means the monthly street light electric bill will increase by about \$156 to \$3087.40 a month (or \$37,048.80 a year).
- 9. Michigan Agricultural Commodities (MAC):** MAC hosts an annual luncheon and training seminar for farmers and growers in the area that is scheduled for next week. They have decided to expand the guest list and invite area elected and appointed city and village officials to this function in Marlette. The City Manager, the Police Chief, and DPW foreman will be attending. Any other City elected officials interested in attending are to let the City Manager know.
- 10. Semi-Annual City Manager Evaluation:** Please return forms to the Mayor at or before the next City Council meeting on September 26th.

ATTORNEY'S REPORT:

City Attorney Gregory Stremers said that he had been working on the Union Contract. He believes the wording is all worked out and he will not be attending the meeting scheduled for Friday morning, September 16th at 10:00 a.m. unless he is needed.

City Attorney Gregory Stremers also believes that the new Medical Marijuana law, which allows for dispensaries, will be passed.

TREASURER’S REPORT:

The summer taxes have been collected and the payments have been sent to Sanilac County in two separate checks. The amount from July 1, 2016 to July 31, 2016 totaled \$35,497.53. The second payment which covered August 1, 2016 to August 31, 2016 was \$58,397.69. Of the amounts collected, the City of Brown City received a total of \$3,041.05 for the July collection and \$584.63 for the August collection.

CLERK’S REPORT: None.

MAYOR’S REPORT:

Mayor Christine Lee reported that she had a grand time on Mackinac Island this year. This was her last year to be attending as she has been part of this Girl Scout Program for 28 years. She also thanked CM Pro-Tem Julie Miller for running the Council Meeting in her absence on August 22, 2016.

COMMITTEE REPORTS:

1. Police (Miller) – None.
2. Water and Sewer (Loutzenhiser) – None.
3. Tax and Finance (Jacobson) – None.
4. Streets and Sidewalks (Walters) – None.
5. Building and Grounds (Parks) – None.
6. Personnel (Mclvor) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Walters reminded the Council and City Manager that the new RRG (Risk Reduction Grant Program) grant application period begins October 1, 2016.

CM Jacobson asked about the old dump truck that the City owns. She questioned what we are going to do with it. City Manager Clint Holmes replied that it is for sale but no one has asked about it and it probably should be re-advertised for sale.

City Manager Clint Holmes remarked that the Festival Committee will be meeting, Tuesday, September the 13th, at 7:00 p.m. They are planning a Zombie fundraiser on Saturday, October 29.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Jacobson, to adjourn at 7:28 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk