

BROWN CITY COUNCIL PROCEEDINGS

June 10, 2019

OATH OF OFFICE (6:55 PM):

1. Councilmember Walter Robison.

City Clerk Juanita Smith administered the Oath of Office to new Councilmember Walter Robison. Photos for the City's website were taken after the meeting.

MEETING CALLED TO ORDER BY MAYOR JULIE MILLER AT 7:00 PM.

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

PRESENT: Mayor Julie Miller, Councilmembers: Stacy Biel, Patricia Jacobson, Christine Lee, Ross McIvor, Eugene Navock and Walter Robison; City Manager Clint Holmes, City Clerk Juanita Smith and City Attorney Gregory Stremers.

ABSENT: None.

GUESTS: DPW Foreman Phil Bartle, Police Chief Ron Smith, Dan Jones, Joe Biel.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

There will be two additional items under Petitions & Communications, stated City Manager Clint Holmes.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM McIvor, second by CM Navock, to accept the Regular Meeting Minutes of May 27, 2019 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds: **General - \$18,216.69 (9251 – 9283), Payroll - \$15,496.87 (8956 – 8973 plus EFT), Major Street - \$90.00 (3995), Local Street - \$1,388.62 (4321 – 4322), Sanitary Sewer - \$3,355.50 (3808 – 3810), Water - \$1,161.85 (3065 – 3072) and Equipment - \$1,321.26 (1668 – 1672).** Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or concerns. Police Chief Ron Smith reported that things went well during the Brown City Festival Days.

UNFINISHED BUSINESS: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **6974 James Street:** Request building permit to construct 20' X 24' garage. Permit request must also include a zoning variance since the proposed garage does not meet City zoning set-back requirements. The Planning Commission recommends approval of the variance and building permit.

Motion by CM Navock, second by CM Mclvor, to accept the Planning Commission's recommendation to approve the request for a zoning variance and building permit to the owner of 6974 James Street to construct a 20' x 24' garage. The zoning variance is required since the proposed garage does not meet City zoning setback requirements. Motion carried. The owner of this site may pick up the permit on Tuesday, June 11, 2019 after 10:00 a.m. A permit is required from Sanilac County.

2. **4152 Main Street – SUNOCO Station:** Request building permit to remove existing illuminated sign and replace with one larger and with more panels. Permit request must also include a zoning variance since the proposed sign does not meet zoning size limits (40 sqft maximum (Ordinance §152.173)). The Planning Commission recommends approval of the variance and building permit.

Motion by CM Lee, second by CM Mclvor, to accept the Planning Commission's recommendation to approve the request from the SUNOCO Station at 4152 Main Street to remove the existing illuminated sign and replace it with one larger and with more panels. The building permit also includes a zoning variance since the proposed sign does not meet zoning size limits (40 sq ft maximum (Ordinance 152.173)). Motion carried. The owner/manager of the SUNOCO Station at 4152 Main Street may pick up the building permit at the City Hall on Tuesday, June 11, 2019 after 10:00 a.m. A required permit must then be purchased at the Sanilac County Court House in Sandusky.

3. **4156 Maple Street:** Request Building Permit to construct a new 7' 6" X 37' porch on the front of the house. The Planning Commission recommends approval of the building permit.

Motion by CM Navock, second by CM Biel, to accept the Planning Commission's recommendation to approve a request for a building permit to construct a new 7' 6" x 37' porch on the front of the house at 4156 Maple Street. Motion carried. A building permit must be pulled from Sanilac County Court House to complete the project. The City building permit may be picked up at the City Hall after 10:00 a.m. on Tuesday, June 11, 2019.

4. **4448 Parkside Drive:** Request building permit to construct an 8' X 8' porch on the front of the house.

Motion by CM Mclvor, second by CM Jacobson, to approve the request for a building permit at 4448 Parkside Drive to construct an 8' x 8' porch on the front of the house. Motion carried. The City building permit may be picked up after 10:00 a.m. on Tuesday, June 11, 2019. The owner of 4448 Parkside Drive must then go to the Sanilac County Court House in Sandusky to purchase the required County permit.

5. **4030 Main Street:** Request building permit to install a 24' diameter above ground swimming pool.

Motion by CM Mclvor, second by CM Lee, to approve the request for a building permit to install a 24' diameter above ground swimming pool at 4030 Main Street. Motion carried. The permit may be picked up at the City Hall after 10:00 a.m. on Tuesday, June 11, 2019.

6. **6808 James Street:** Request building permit to replace windows and a patio door.

Motion by CM Navock, second by CM Mclvor, to approve the request for a building permit to replace four windows and a patio door at 6808 James Street. Motion carried. The owner of 6808 James Street may pick up the building permit at the City Hall after 10:00 a.m. on Tuesday, June 11, 2019.

7. **Brown City Schools – Heavy Rain Storm:** The Brown City School suffered heavy rain storm damage on May 25th when we received approximately 2 ½ inches of rain within a half hour. They said the cost to clean up by the staff totaled \$857.32 which they want the City to pay for.

The consensus of the Councilmembers is to have our City Manager Clint Holmes fill out and file insurance papers and see how the insurance company plans to proceed.

8. **2018 Consumer Confidence Report:** City Manager Clint Holmes said that this annual report concerning the City's water quality will be published in the paper, provided to EGLE, and mailed to the Lapeer and Sanilac County Health Departments.

MANAGER'S REPORT:

1. **AT&T Cell Antenna:** The City has not yet received the proposed contract for the lease of space near the base of the water tower for an equipment building and for the placement of LTE and 4G cell phone antennas on the top.

This will probably be awhile before we receive the proposed contract for the lease of space so at this time we will take it off the agenda until we hear further from AT & T.

2. **Sewer Main Replacement:** The City Council was briefed on the need to replace about 150' of sewer main on the north side of east Main Street. Replacement of this 8" main will require digging a trench at least 12' deep, installing trench boxes and replacing the main and line connections. The repair will also require the removal of one large tree and part of another. The City is coordinating with a local contractor to determine how best to design the project with the minimum effect on adjoining properties. How does the City Council wish to proceed?

The Sewer/Water committee will meet on June 17th at 7:00 p.m. to discuss how we will finance the Sewer Main Replacement and the Wastewater Engineering (see #3 below)

3. **Wastewater Engineering:** The City has requested a proposal from Spicer Engineering to design a replacement lift station on Maple Valley Road. The proposal should be available in time for the meeting.

4. **Annual Audit:** King & King CPAs were in the City offices June 5th and 6th to conduct Phase I of the City's annual financial audit. No issues were noted at that time. They also performed the audits for the Fire Authority and City Library. Phase II is to complete the report of the City's audit. Anticipate that the results will be provided to the City Council at the regular July 8th meeting.
5. **Brown City Street Projects:** Contact with contractors revealed that plans to mill and resurface Maple Valley Road from the railroad tracks south to the City Limits will begin on June 10th. The detour while this work is being done will be Wilcox Road to Lincoln Street. The work will include refurbishing the railroad crossing and is estimated to take about two weeks. The Thelman Avenue, Belview Drive and Autumn Gold Project will begin June 17th.

A slight change in plans brings the starting date on the Maple Valley Road project to Wednesday, June 12th instead of the scheduled date of June 10th.

6. **Michigan Public Policy Survey:** The University of Michigan Center for Local, State, and Urban Policy released their latest survey, concerning the opinions of Michigan's local government leaders regarding relationships among members of their board or council as well as between the board/council and local government employees on June 5th. The full survey is available for review at City Hall or at www.closup.umich.edu.
7. **Lincoln Street Sidewalk Bills:** The City mailed out the annual sidewalk bills for the twelve properties on Lincoln Street that decided to make equal payments over five years. As stated in the June 27, 2017, letter sent to Lincoln Street property owners, the current policy for this program is that the cost is split (50/50) between the City and the property owner. Late payments will have a 10% penalty fee added. Payments are due to City Hall by August 1, 2019. Missed payments will be added to the tax roll.
8. **Union Contract:** The Union is rumored to have approved the contract on April 30th. To date, the City has neither received a signed copy of the document nor been officially informed of the approval.
9. **L-4029:** The City received a request from the Sanilac County Clerk for a copy of the City's L-4029. This is the document used to identify the millage rate for City Winter Taxes. The millage rate approved by the City Council on March 11th, following a Public Hearing, is 16.8733. This millage rate has been unchanged since 2001. Two copies must be signed by the Mayor and Clerk for both Sanilac and Lapeer Counties. Of note, the City's Total Taxable Value in 2007 was \$25,687,860, and in 2019 is \$21,819,449, a decrease of \$3,868,418 or about 15.51%. Requires motion.

Motion by CM Lee, second by CM Navock, to release two copies of the City's document L-4029—one to go to Sanilac County and the other to Lapeer County. This document is used to identify the millage rate for City Winter Taxes. Authorization is given for Mayor Julie Miller and City Clerk Juanita Smith to sign the documents L-4029 on behalf of the City of Brown City. Motion carried.

10. **Infrastructure Asset Management Training:** This no cost training, to take place in Lapeer on June 20th, is part of a state-wide program to design an approach to upgrade

infrastructure, to include transportation, water, utilities and communications assets. Grants and loans should be included in the session.

11. Brown City Clean-Up Day: This annual event is scheduled for Wednesday, June 19th. All appliances and scrap metal should be stacked separately from non-metal eligible items. First notice was published in *The Banner* on June 3rd and the second will be on the 17th. Details are also on Channel 6.

12. Lincoln Street: The second of two annual inspections contracted for with the completion of the Lincoln Street Project will take place at 2:00 PM on Thursday, June 13th.

ATTORNEY'S REPORT:

Speaking of the Sewer Main replacement City Attorney Gregory Stremers said that the USDA-RD offers low loans/grants and it might be to our advantage to check on them. City Manager Clint Holmes believes our City needs to be metered to qualify for these low loans.

TREASURER'S REPORT: None.

CLERK'S REPORT: None.

MAYOR'S REPORT:

1. Proclamations for track athletes (Presentation scheduled for June 24th).
Proclamations for the track athletes and the BOTS Robotics will be presented June 24th if the team members are available.

2. City Council Committee Assignments: **The following City Council Committee assignments were announced by Mayor Miller for 2018-2020.**

Building and Grounds: Chairman Ross Mclvor (also serves on Planning commission & DDA), Stacy Biel and Gene Navock.

Personnel: Chairperson Stacy Biel, Pat Jacobson and Christine Lee.

Police: Chairperson Christine Lee, Gene Navock and Walter Robison.

Streets and Sidewalks: Chairman Gene Navock, Ross Mclvor and Walter Robison.

Tax and Finance: Chairperson Pat Jacobson, Stacy Biel and Christine Lee.

Water and Sewer: Chairman Walter Robison, Pat Jacobson and Ross Mclvor.

Fire Authority: Christine Lee

Festival Commission: Stacy Biel

Mayor Miller said that the Brown City Festival Days went pretty good. She is going to put a letter in the paper thanking people for their cooperation in making the weekend a success.

COMMITTEE REPORTS:

1. Building and Grounds (Mclvor) – None.
2. Personnel (Biel) – None.
3. Police / Fire Authority (Lee) – None.
4. Streets and Sidewalks (Navock) – None.
5. Tax and Finance (Jacobson) – None.
6. Water and Sewer (Robison) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Lee reported that the “stop” sign on Lincoln Street is leaning over quite a bit. It needs to be straightened.

Mayor Miller spoke to DPW Foreman Pail Bartle about cold-patch that needs to be applied in several places around town – one especially on St. Marys Street.

CM Biel spoke to City Attorney Gregory Stremers about the situation with the school sewerage problem and what can be done about it.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Lee, second by CM Biel, to adjourn at 7:49 p.m. Motion carried.

Respectfully submitted,

Juanita M. Smith
City Clerk