

BROWN CITY COUNCIL PROCEEDINGS SEPTEMBER 10, 2018

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: Patricia Jacobson, Gerald Kosal, Christine Lee, Ross McIvor, Alecia Parks, and William Walters; City Manager Clint Holmes, City Clerk Juanita Smith and City Attorney Gregory Stremers.

ABSENT: None.

GUESTS: Steven Kovacs representing the Brown City Banner, Police Officer Adam Stracenrider, Geno Navock, and Randy King from Knox Disposal.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Walters, second by CM McIvor, to accept the Regular Meeting Minutes of August 27, 2018 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds: **General - \$28,367.10 (8787-8819), Payroll - \$15,663.11 (8579-8592 plus EFT), Major Street - \$210.94 (3970-3972), Local Street - \$427.91 (4301), Sanitary Sewer - \$755.56 (3756-3758), Water - \$1,591.28 (2966-2973), Storm Sewer - \$86.97 (1277-1278), Equipment - \$258.71 (1628).** Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or comments.

UNFINISHED BUSINESS: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **4030 Main Street:** Request building permit to construct 20' X 8' vinyl fence between existing backyard garage and property line.

Motion by CM Lee, second by CM Kosal, to approve a building permit to construct a 20' x 8' vinyl fence between the existing backyard garage and the property line of 4030 Main Street. Motion carried.

MANAGER'S REPORT:

1. **Evergreen Cemetery:** The cost estimate from Jones Memorial for polishing the granite Veterans Memorial in the cemetery and the purchase and installation of medallions on the memorial by Bad Axe Marble and Granite have been requested but not yet received.
2. **Garbage Contract:** The bids for the three year contract beginning October 1, 2018 were opened on September 6 at 4:00 PM. Waste Management – Tri-County Hauling of Carsonville did not respond; MEL-LAR Enterprises, LLC dba/Midway Disposal provided a formal letter stating: “We therefore regretfully decline to submit a proposal.” Knox Disposal bid the same price as is the current contract. By City Charter, both the Mayor and Clerk are required to sign the new contract if approved by the City Council. How does the City Council wish to proceed?

Motion by CM Walters, second by CM McIvor, to award the bid for the three year Garbage Contract to Knox Disposal beginning on October 1, 2018 with Mayor Julie Miller and Clerk Juanita Smith signing the new contract on behalf of the City of Brown City. Motion carried.

3. **MDEQ Source Water Assessment:** The Source Water Assessment Score (SWAS) is a process that factors geologic and water well attributes, water chemistry, and the potential contaminant sources for each drinking water source into a ranking to determine the relative potential for contamination. MDEQ conducted the evaluation on August 16, 2018. Both Well #3 and Well #4 received a score of “Very Low.” This is the BEST score we can earn and indicates that the City’s drinking water source is as safe as possible. The Brown City DPW has done an exceptional job protecting the City’s water supply.
4. **Cell Tower:** The company tentatively accepted an initial contract term payment of \$1,250 per month with the 5-year automatic increases limited to the CPI. The City also explained the associated timeline for public hearings, ordinance creation and Planning Commission/City Council evaluation and action. A formal proposal from them is expected.
5. **Lagoon Geese:** Two individuals signed waivers and were issued gate keys to hunt geese at the City’s lagoons. No additional access will be granted. However, a couple of groups have since appeared at City Hall complaining that they did not have an opportunity to apply. A list of individuals desiring access to the lagoons for goose hunting has been started. The City Council may wish to consider having a lottery of some sort for next year.

6. **EMCOG:** The East Michigan Council of Government (EMCOG) are having a Full Council meeting, followed by a Regional Economic Development (RED) Team meeting on Friday, September 14th in Standish. The meetings begin at 10 AM and I plan to attend.
7. **MML Conference:** The Annual Michigan Municipal League Conference will take place in Great Falls September 19-22. The Mayor, Councilmember Parks and the City Manager will attend.
8. **Sewer Inspection:** The discussions with the two companies that clean and televise sewer systems would be more efficient if an RFP was released rather than continue the informal telephone discussions. This RFP requests prices for the same area as was done in 2006: North of Main Street from Cade Road to the Maple Valley Road Lift Station for a total of 15,700 feet. The Spicer Report recommended from the school to the lift station for a total of about 4,850 feet. How does the City Council wish to proceed?

The City Council would like City Manager Clint Holmes to release an RFP at this time but to change the wording on the Purpose of Proposal to read “Sewer Cleaning and Video Inspection for up to 15,700 feet to 8” to 10” sanitary sewer main on the north side of the City”.

ATTORNEY’S REPORT:

There is a seminar meeting in September concerning the new lead and copper rule that City Attorney Greg Stremers believes would be a good idea for Mayor Miller and perhaps some Councilmembers to attend.

City Attorney Greg Stremers has been in contact with the daughter of a neighbor next to the home on Main Street constructing the fence to enclose marijuana plants. She believes the setback line needs to be farther back on the owner’s yard. The owner needs to be aware of the fact that he must follow the state’s laws and not just the city regulations. It was suggested that our City Police Chief go and speak with the owner building the fence and make sure he is aware of all city and state laws and also what the finished fence will look like. The plants cannot be visible to others around them. Our Attorney has volunteered to write a letter stating such facts to them if the Council so wishes.

TREASURER’S REPORT: Nothing.

CLERK’S REPORT:

1. On September 4, 2018 Paul Muxlow’s recount was held for the County Commissioner District #5 jurisdiction. We took our ballots to Sandusky to be counted that morning. Muxlow gained one vote but still lost to Wyatt by 5 votes.
2. We have submitted a cost estimate to “Emily” and are waiting to hear back from them. Sue Dobson of Croswell, President of our Sanilac Clerks group, was very helpful in figuring out how we could reduce the size of the ballots to

fit on a regular sized paper to meet “Emily’s” requirement. We will do nothing until we have a check in hand from this requesting group.

MAYOR’S REPORT:

1. City Manager Semi-Annual Evaluation

City Manager received a rating of 895 out of a possible 1155 for a 77% score.

Mayor Miller received a letter from City resident, Savannah Wolanin concerning the speed limit of 35 miles per hour through the downtown area. She feels this is too fast with all the foot traffic in this area especially with the school children coming and going to school. Mayor Miller will respond to her letter stating that the State, not the City, sets the speed limit through Brown City.

Mayor Miller brought up the subject that now that our elected City Treasurer, Carol Walters, is back to work that City Manager Clint Holmes could be relieved from his temporary Deputy Treasurer position.

Motion by CM Parks, second by CM Mclvor, to relieve City Manager Clint Holmes from his temporary Deputy Treasurer position and have City Treasurer Carol Walters resume all duties of her elected post. ROLL CALL VOTE: CM Walters – Yes, CM Mclvor – Yes, CM Parks – Yes, CM Lee – Yes, CM Kosal – Yes, CM Jacobson – Yes. 6 Yes Votes, 0 No Votes, 0 Abstaining, 0 Absent. Motion carried.

COMMITTEE REPORTS:

1. Tax and Finance (Jacobson) – None.
2. Streets and Sidewalks (Kosal) – None.
3. Police / Fire Authority (Lee) – CM Lee reported that the Fire Authority Safety Open House will be held on October 13th from 10:00 a.m. to 2:00 p.m. There will be fun and games for everyone. Donations are needed. If you would like your name included on the flyer you must donate money by September 13th. CM Lee also read a list of things that the firemen have been doing on their own with no pay to make the fire station look nice.
4. Building and Grounds (Mclvor) – None
5. Personnel (Parks) – None.
6. Water and Sewer (Walters) – CM Walters asked City Manager Clint Holmes if he had been in contact with Travco about the land the City was interested in purchasing from them. Clint Holmes replied that, “Yes”, he had been in touch with them and that there should be no problem with them selling land to the City. At this time we don’t know how much land we would need for the new lift station project.

GENERAL CONCERNS OF THE COUNCIL:

CM Jacobson had two concerns for the Council.

1. CM Jacobson was concerned about the trench at St Marys and Second Street. The dirt has settled around the turn off and needs filling in.

2. The tree on the corner of John and Main was to have been cut down. It has not been done at this time and now we have the school children going by it daily on the way to and from school. City Manager Clint Holmes will check into this situation.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Walters, second by CM Lee, to adjourn at 7:33 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk