

# **BROWN CITY COUNCIL PROCEEDINGS**

## **March 25, 2013**

**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, Robert Jacobson, Dan Loutzenhiser, Ross McIvor, Julie Miller, and Bill Walters. City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

**ABSENT:** None.

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:** None.

**CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Miller, second by CM McIvor, to accept the Regular Meeting Minutes of March 11, 2013 as presented. Motion carried.

**PAY BILLS:**

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$14,098.97 (5679-5702), Payroll - \$14,256.01 (5883-5900 plus EFT), Major Street - \$1,468.17 (3782-3783), Local Street - \$1,832.41 (4186-4187), Sanitary Sewer - \$322.65 (3291), Water - \$1,249.85 (2190-2192), Arsenic Abatement - \$21.95 (1208).

**PUBLIC QUESTIONS & COMMENTS:** None.

**DPW REPORT:** Report reviewed. No questions or comments.

**PERSONAL APPEARANCES:**

1. **Bob Armstrong – WMIC 2013 Fairs and Festivals Guide.**  
**Bob Armstrong of WMIC radio handed out copies of the 2012 Fairs and Festivals Guide to the Councilmembers. He stated that WMIC/WTGV-fm is again publishing a special Activity Guide for 2013 covering all of the events in the Thumb and Blue Water Area. They have put together a special advertising package for the City of Brown City whereby the City would receive 60 commercials to promote the community plus ads in the Activity Book. The ads in the Activity Book are free with the purchase of the radio advertising. The total investment for the Radio and Activity Guide advertising is \$865.00. A motion was made by CM Walters, second by CM Loutzenhiser, to purchase the radio advertisement plus the free ads in the Activity Book for a total cost of \$865.00. Motion carried.**

**UNFINISHED BUSINESS:**

1. Dumpster Parking – City North Parking Lot.

**The dumpster has been moved as requested by the City Council.**

**PETITIONS & COMMUNICATIONS:** None.

**PUBLIC HEARING:**

1. **PUBLIC HEARING: 7:15 PM – Ordinance 17.210:** Ordinance concerns the transfer of a railroad easement. (see Ordinances below).

**A Public Hearing on Ordinance 17.210 was opened at 7:15 p.m. The Public Hearing was closed at 7:16 p.m. The word “vacate” needs to replace the word “transfer” in Ordinance 17.210. Motion made by CM Walters, second by CM Miller. Motion carried.**

2. **PUBLIC HEARING: 7:20 PM** – A Public Hearing for the purpose of gathering public comments on the proposed Brown City Fiscal Year 2013-2014 Budget. **The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

**A Public Hearing on the proposed Brown City Fiscal Year 2013-2103 Budget was opened at 7:20 p.m. The Public Hearing was closed at 7:22 p.m. There was just one question from the public. What is the total amount of our proposed budget? The City Manager answered this question.**

**RESOLUTIONS:**

1. **Resolution 13-04** – Resolution of the City of Brown City to Amend the City’s 2012-2013 Budget to Better Reflect Revenues and Expenditures.

**Motion by CM Walters, second by CM Pat Jacobson, to Amend the City’s 2012-2013 Budget to Better Reflect Revenues and Expenditures. ROLL CALL VOTE: CM Pat Jacobson – yes, CM Robert Jacobson – yes, CM Loutzenhiser – yes, CM Mclvor – yes, CM Miller – yes, CM Walters – yes. 6 yes votes, 0 no votes. Motion carried.**

2. **Resolution 13-05** – A Resolution Formally Approving the City of Brown City Millage Rate of 16.8733 Mills and the Brown City Park Millage Rate of 1.25 Mills and the Fiscal Year 2013-2014 Budget.

**Motion by CM Pat Jacobson, second by CM Miller, to Approve the City of Brown City Millage Rate of 16.8733 Mills and the Brown City Park Millage Rate of 1.25 Mills and the Fiscal Year 2013-2014 Budget. ROLL CALL VOTE: CM Robert Jacobson – yes, CM Loutzenhiser – yes, CM Mclvor – yes, CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes. 6 yes votes, 0 no votes. Motion carried.**

## **ORDINANCES:**

- 1. Ordinance 17.210:** An Ordinance to Amend the Brown City Code by adding a new section which new section shall be known as Section 17.210 of Title XVII – Special Ordinance. Ordinance concerns the transfer of a railroad easement.

**Motion by CM Walters, second by CM Miller, to amend the Brown City Code by adding a new section which shall be known as Section 17.210 of Title XVII – Special Ordinance. This ordinance concerns the transfer of a railroad easement.**

**ROLL CALL VOTE: CM Loutzenhiser – yes, CM Mclvor – yes, CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes, CM Robert Jacobson – yes. 6 yes votes, 0 no votes. Motion carried.**

- 2. Ordinance 17.215:** Introduction of an Ordinance to Amend the Brown City Code by adding a new section which new section shall be known as Section 17.215 of Title XVII – Special Ordinance. Ordinance concerns the transfer of a road easement – a portion of Soybean Drive.

**CM Miller introduced an Ordinance to Amend the Brown City Code by adding a new section which shall be known as Section 17.215 of Title XVII—Special Ordinance. This Ordinance concerns the transfer of a road easement—a portion of Soybean Drive.**

**Motion made by CM Miller, second by CM Pat Jacobson, to schedule a Public Hearing for 7:15 p.m. on Monday, April 8, 2013 concerning the transfer of a road easement—a portion of Soybean Drive. Motion carried.**

## **MANAGER’S REPORT**

- 1. Utility Services:** Utility Services provided signed copies of the proposed maintenance contract updated with the City’s requested changes. Signatures from the Mayor, City Clerk, Attorney and Manager are required to implement the agreement. Thumb Cellular will coordinate with Utility Services concerning the antenna and cable replacement on the water tower.
- 2. Project Bids:** Bids for the MDEQ-mandated Hydrology Study and the water line replacement project were opened at City Hall on Thursday, March 21<sup>st</sup>. Bids for each were received from (in order of receipt) Spicer Group of Saginaw, Fleis&Vandenbrink of Flint, and Huron Consulting of Port Huron. The submissions for Fleis&Vandenbrink and Huron Consulting were substantially complete; while those from Spicer Group were not. The bids and associated information are on the attached spreadsheet. How does the City Council wish to proceed?

**In reviewing the bids that were received for the MDEQ Hydrology Study the City Council rejected all of them and authorized the City Manager to place the MDEQ Hydrology Study up for rebids.**

**The Water Line Replacement Project had three bids—Spicer Group, Fleis&Vandenbrink, and Huron Consultants. City Manager Clint Holmes recommended Fleis&Vandenbrink after**

**studying each bid. Fleis&Vandenbrink bid is \$9,230 “not to exceed”. A motion was made by CM Walters, second by Pat Jacobson, to award the bid to Fleis& Vanderbrink for \$9,230 “not to exceed”. ROLL CALL VOTE: CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes, CM Robert Jacobson – yes, CM Loutzenhiser – yes, CM McIvor – yes. 6 yes votes, 0 no votes. Motion carried.**

3. **Well #3 Overhaul:** The City received the report from Northern Pump and they recommend that the well be overhauled this year. They are providing an estimate of the associated costs and the City has requested the same from Layne Northern. Information concerning the costs associated with installing a variable frequency drive (VFD) unit on Well #4 (and possibly Well #3) is still being drafted by the contractor.
4. **Board of Education:** The City Manager attended the most recent Board of Education meeting to answer any questions concerning the City’s recent utility rate adjustment. Answers were provided concerning the status of the water meter and its planned testing; that the Schools was now paying the same rate as other metered customers without the deep discounts available in the past; that the City was researching the cost to install additional meters in the School; and that the City met or exceeded notification and posting requirements required by state law concerning adoption of ordinances. (The School used 139,600 gallons during this reporting period and their bill for April is estimated at \$1,015.40.)
5. **Rural Task Force 7A:** There was a meeting in Tuscola County on March 12<sup>th</sup> to discuss additional funding that may become available for road projects in Sanilac County. The SCRC received \$90,624 which will be applied toward the Miller Road Project. South Cade Road does not qualify because it is not a “major collector.” However, funding could be available for improving Corn Drive to an “all season” road, but not until the 2018 budget cycle.
6. **Soybean Festival Fireworks:** Wolverine Fireworks requests a permit for fireworks in the City Park during the Soybean Festival on June 8<sup>th</sup>.

**Motion by CM Miller, second by CM Robert Jacobson, to grant a permit for fireworks in the City Park during the Soybean Festival on June 8, 2013. Motion carried.**

7. **Lints Deed:** The deed for the property that is now a parking lot north of the CBD has been recorded in Sandusky.
8. **Good Friday:** The City Offices, Police and DPW will be closed on Friday, March 29<sup>th</sup> for the Good Friday Holiday. The Staff wishes the Mayor and City Council a Happy Easter weekend.

**ATTORNEY’S REPORT:**

1. Status of Land Purchase by M.A.C.

**City Attorney Gregory Stremers reported that the Land Purchase by M.A.C. is nearly completed. With the word change to “vacate” instead of transfer, the deed should be ready to be signed, the City would receive a check from M.A.C. and the land purchase completed.**

**TREASURER'S REPORT:** None.

**MAYOR'S REPORT:**

1. Semiannual city manager evaluation is required. Completed forms due to the Mayor on or before the next City Council meeting (April 8<sup>th</sup>).
2. Mayor Lee reported that Brown City Elementary School is having a reading program during the month of March whereby adults read to the students showing them the importance of reading in their jobs. Policeman Ron Smith read to a class of 1<sup>st</sup> graders. Mayor Lee also read to the students last week and will be reading again this week.

**COMMITTEE REPORTS:**

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

**GENERAL CONCERNS OF THE COUNCIL:**

CM Walters spoke about the Par Plan website and the opportunity for a grant. City Manager said that the Fire Authority has a great idea to write up for a grant.

**PUBLIC QUESTIONS & COMMENTS:**

Chuck Kunisch – MAC wanted to alert the council that if the DTQ grants permission they will be moving a drain on the eastern boundary up to the wetlands edge. The City Attorney Gregory Stremers replied that this would be no problem if the DTQ and the drain commissioner have no problem with it.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

**Motion by CM Miller, second by CM Pat Jacobson, to adjourn at 7:47 p.m. Motion carried.**

Respectfully submitted,

Juanita Smith  
City Clerk