

# **BROWN CITY COUNCIL PROCEEDINGS**

## **April 28, 2014**

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

**ABSENT:** Councilmember Julie Miller.

### **ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA.**

City Manager Clint Holmes stated there would be two additional items under "Pay Bills" and one additional item under the Manager's Report.

### **CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Loutzenhiser, second by CM Walters, to accept the Regular Meeting Minutes of April 14, 2014 as presented. Motion carried.

### **PAY BILLS:**

Motion by CM Pat Jacobson, second by CM McIvor, to pay the bills in the following funds: General - \$20,336.58 (6259-6277), Payroll - \$13,595.53 (6413-6430 plus EFT), Major Street - \$81.00 (3818), Sanitary Sewer - \$573.86 (3380-3381), Water - \$1152.13 (2360-2363), Arsenic Abatement Fund - \$5.80 (1242). Motion carried.

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay Cumper Brothers Electric, Inc. the amount of \$2,008.40. Motion carried.

Motion by CM Pat Jacobson, second by CM R. Jacobson, to pay HydroDynamics \$974.00 restocking fee for cancelled order of VFDs. Motion carried.

**PUBLIC QUESTIONS & COMMENTS:** None.

**DPW REPORT:** Report reviewed. The question was asked by a Councilmember if the sticks and brush was being picked up. City Manager Clint Holmes replied that the DPW workers have been picking up the sticks and brush but it is not done yet and more sticks and brush is being put at the curbs daily by the homeowners of Brown City.

The potholes were another concern of the Councilmembers. City Manager Clint Holmes told the Councilmembers that the DPW workers are cold patching many potholes throughout the city.

**PERSONAL APPEARANCES:** None Scheduled.

**UNFINISHED BUSINESS:** None Scheduled.

**PUBLIC HEARING: 7:15 PM - Maple Valley Plastics - 4119 Main Street:** The purpose of the Public Hearing is to consider an Industrial Facilities Exemption Certificate in accordance with Public Act Number 198 of 1974 (as amended) requested by Maple Valley Plastics for their planned 90' X 100' addition to an existing warehouse.

**A Public Hearing was opened at 7:15 p.m. for the purpose to consider an Industrial Facilities Exemption Certificate in accordance with Public Act Number 198 of 1974 (as amended) requested by Maple Valley Plastics for their planned 90' x 100' addition to an existing warehouse. The City Manager provided an overview of the request and the process involved and noted that the Public Hearing fee of \$150 had already been paid. Mr. Don Richardson of Maple Valley Plastics provided additional information to the City Council. The Public Hearing was closed at 7:20 p.m.**

**RESOLUTIONS:**

**Resolution 14-05:** A Resolution Approving The Application Of Maple Valley Plastics, Inc., For An Industrial Facilities Exemption Certificate For A New Facility In Brown City's Industrial Development District Number 1.

Motion also required to authorize the City Clerk to complete, sign and seal Michigan Department of Treasury Form 1012; authorize the Mayor and City Clerk to sign the Industrial Facilities Exemption Certificate Letter of Agreement Per PA 334 of 1993 and Industrial Facilities Exemption Application Affidavit of Fees.

**Motion by CM Walters, second by CM McIvor, to adopt Resolution 14-05: A Resolution Approving the Application of Maple Valley Plastics, Inc., for an Industrial Facilities Exemption Certificate for a new facility in Brown City's Industrial Development District Number 1 for a period of 12 (twelve) years. ROLL CALL VOTE: CM Pat Jacobson – yes, CM R. Jacobson – yes, CM Loutzenhiser – yes, CM McIvor – yes, CM Miller – absent, CM Walters – yes. 5 Yes Votes, 0 No Votes, 1 Absent. Motion carried.**

**Motion by CM Walters, second by CM R. Jacobson, to authorize the City Clerk to complete, sign and seal Michigan Department of Treasury Form 1012; and to authorize the Mayor and City Clerk to sign the Industrial Facilities Exemption Certificate Letter of Agreement Per PA 334 of 1993 and Industrial Facilities Exemption Application Affidavit of Fees. Motion carried.**

**ORDINANCES:** None Scheduled.

## **PETITIONS & COMMUNICATIONS:**

1. **4385 Vine Street:** Request approval of a permit to improve rear porch; install footings and build roof over porch.

**Motion by CM Walters, second by CM Pat Jacobson, to grant a permit to the owner of the property at 4385 Vine Street to improve the rear porch: install footings and build a roof over the porch of this property. Motion carried.**

2. **6905 Cade Road:** Request approval for permit to install 42' of vinyl fence about 143' east of Cade Road.

**Motion by CM Walters, second by CM R. Jacobson, to grant a permit to the owner of the property at 6905 Cade Road to install 42' (forty-two feet) of vinyl fence about 143' (one hundred forty-three feet) east of Cade Road. Motion carried.**

## **MANAGER'S REPORT:**

1. **Maple Valley Lift Station:** The repairs to the lift station pump being done by Northern Pump have been completed and the unit will be returned to the City soon. The pump will be delivered when the company next sends a truck to the area thus saving the City a special delivery fee; however, they can deliver it quickly if necessary. The electrician should be here this week to repair one VFD unit which is periodically displaying error messages but otherwise is working properly. Also, the insurance claim has been finalized and the City received a check for \$49,471 out of total costs of \$56,468.27 plus the \$1,000 deductible associated with the power surge in December 2013.
2. **South Cade Road:** City staff inspected South Cade Road from the Park Entrance to the City Limits. The asphalt is in very poor condition and the consensus was to have it pulverized. Staff is also recommending three large patches on St Marys Street and one on First Street west of James Street at an estimated cost of \$11,337. This would bring the total for the 2014 Street Project to \$174,469. At the City's request, Astec Asphalt also provided an estimate of \$15,200 to pulverize and resurface Third Street between St Marys and James Streets. If approved by the City Council, the necessary form is available for signature by the Mayor and City Clerk. How does the City Council wish to proceed?

**The City Council authorizes the Mayor and City Clerk to sign the necessary forms to do the recommended Street Projects by Astec Asphalt for the 2014 Street Projects. This would include having the asphalt pulverized from the Park Entrance to the City Limits, also three large patches on St. Marys Street and one on First Street west of James Street. It was decided not to pulverize and resurface Third Street between St. Marys and James Streets at this time.**

3. **2014 WMIC Fairs & Festival Guide:** The ad for this annual Guide was forwarded to WMIC and will appear in the publication.

4. **Well #4 Overhaul:** The well is due for overhaul this year. An estimate was received from Northern Pump and Well and one was requested from Layne Northern. The estimate from Northern Pump is \$38,518.45. If a new pump bowl is required, unknown until disassembly takes place, cost is an additional \$6,649. The estimate from Layne is due by 5 PM on Monday, April 28th. If received it will be made available to the City Council at the meeting.

**An estimate was received from Layne Christensen Company and presented to the City Councilmembers along with the estimate from Northern Pump and Well by City Manager Clint Holmes. A lengthy discussion and comparison on the Proposals presented by each company for the repair on the Well #4 ensued.**

**Motion by CM Walters, second by CM R. Jacobson to accept the Proposal from Northern Pump and Well but not to exceed the \$45,167.45 quoted to the City. ROLL CALL VOTE: CM Loutzenhiser – yes, CM Mclvor – yes, CM Miller – absent, CM Walters – yes, CM Pat Jacobson – yes, CM R. Jacobson – yes. 5 Yes Votes, 0 No Votes, 1 Absent. Motion carried.**

5. **Bonus in Lieu of Pay Raise:** The bonus in lieu of pay raise was given to qualified City employees during the last pay period in March of 2011 and 2012 for the preceding year. The bonus for 2013 will be provided to employees on May 8th this year for 2013.

6. **Fire Proof Filing Cabinet:** City staff requested additional storage space for City Council bound meeting minutes dating from the early part of the last century. These documents are very rarely required but must be maintained indefinitely. A used unit was located and purchased for about one-third ( $\frac{1}{3}$ ) the cost of a new unit.

7. **Library Renewal:** The Library rental contract is up for renewal. Provisions to be addressed include possible rent and utility costs.

**The consensus of the Council is to propose freezing the rent at \$515.00 per month as it has been for the past five years if the Library Board will increase the number of computer work stations by 5 (five) within one year. If agreed to by the Library Board, this rental amount would apply for the next five years. Otherwise the rent would be raised each year by \$25.00 (twenty-five dollars) per month. The Library would continue to be responsible for 20% of the utility bills for the building. City Hall remains responsible for building repairs in the Library.**

#### **ATTORNEY'S REPORT:**

City Attorney Gregory Stremers reported that he had been asked to help arbitrate in the Mitchell vs Murray boundary line issue. However, at this time he has not heard from the parties involved.

**TREASURER'S REPORT:** None.

**MAYOR'S REPORT:** None.

**COMMITTEE REPORTS:**

Police (Miller) – None.  
Water and Sewer (R. Jacobson) – None.  
Tax and Finance (P. Jacobson) – None.  
Streets and Sidewalks (Loutzenhiser) – None.  
Building and Grounds (Walters) – None.  
Personnel (McIvor) – None.

**GENERAL CONCERNS OF THE COUNCIL:**

The concrete surrounding the catch basin near 6864 St. Marys Street needs to be repaired. However, warmer weather is needed to repair this problem.

A letter from Superintendent Doug Muxlow regarding an update on getting information to the public about Brown City Schools happenings was discussed and the Councilmembers thought Mr. Muxlow will enhance our school district.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

Motion by CM Walters, second by CM Pat Jacobson, to adjourn at 8:07 p.m. Motion carried.

Respectfully submitted,

Juanita M. Smith  
City Clerk