

BROWN CITY COUNCIL PROCEEDINGS

JULY 9, 2012

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: Bill Walters, Julie Miller, Ross Mclvor, Pat Jacobson, Eugene Navock, Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

City Manager Holmes noted there will be two additions to his Manager's Report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Mclvor, to accept the Regular Meeting Minutes of June 25, 2012 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: General - \$19,040.95 (5290-5316), Payroll - \$13,467.36 (5555-5568), Major Street - \$90.00 (3766), Sanitary Sewer - \$694.84 (3238-3242), Water - \$1,162.57 (2096-2103), Arsenic Abatement - \$224.58 (1191-1192), Equipment - \$467.10 (1349-1351). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT:

Written report reviewed. CM Miller noted that some underage drivers still are appearing on golf carts. Chief Smith took note and asked that any names of driver's to please be forwarded to him.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **6827 Cade Road:** The owner of this property is requesting a building permit for an attached 22' X 24' carport directly to the west of the existing attached garage

(which was converted into a family room in the past). The Planning Commission recommends approval.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 6827 Cade Road to construct a 22' x 24' carport directly to the west of the existing attached garage. Motion carried.

- 2. 4043 Main Street:** The owner of this property is requesting a building permit to install a manufactured 26' X 80' home on this 66' X 297' unoccupied lot at 4043 Main Street. House will be transverse mounted on a permanent foundation. The Planning Commission recommends approval.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 4043 Main Street to install a manufactured 26' x 80' home on this 66' x 297' unoccupied lot at 4043 Main Street. House will be transverse mounted on a permanent foundation. Motion carried.

The property owner was present and noted that the proper size of this home is 26' x 80'.

- 3. 6921 George Street:** The owner of this property is requesting a building permit to add a 10' X 16' bedroom on the southwest corner of the existing home.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 6921 George Street to add a 10' x 16' bedroom on the southwest corner of the existing home. Motion carried.

ORDINANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

MANAGER'S REPORT:

- 1. Brown City Park:** This grant project is essentially complete. The pond was drained and sculpted. A trail around the pond has been cut and covered with woodchips. The piping for the dry hydrant is place and the hydrant installation is pending. The cost of the work will be reimbursed by DNR once the work has been completed and the paperwork submitted and approved. Since the Park Board does not have the funds to pay the contractor recommend the City pay the contractor subject to reimbursement by the State of Michigan.

Motion by CM Walters, second by CM Miller, to loan the Park Board the funds to pay for the grant project pertaining to the pond and surrounding area an interest rate of 1% to be paid out of the General Fund while the Park awaits reimbursement from the DNR upon completion of this project. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

CM Walters suggests that the 1% interest rate be donated back to the Park upon completion of the transaction.

2. **Tax Auction:** The Sanilac County Treasurer has notified the City that 4353 Main Street is now subject to tax auction. The City received a letter that would allow the City to take possession of the property following payment of outstanding taxes (\$6,207.45). Does the City Council have any interest in this property? Also, 4467 Main Street (Flying Colours) is going up for bank auction on August 23rd. Council consensus that the City has not interest in obtaining this property.
3. **FCC:** The Fire Department was required to renew their radio license from the FCC. The required paperwork was submitted (in February) and the license received on July 6th. The license is good through June 10, 2022.
4. **Breakfast on the Farm:** There will be free breakfast on July 21st at the Goma Dairy on Aiken Road. The public is invited but must get a (free) ticket from either Ben's Supercenter, Exchange State Bank or Tri-County Bank. The invitation for City elected officials is enclosed.
5. **2012 Census of Governments:** The forms for the Fire Authority were received, completed and returned.
6. **Citizen Complaint:** The City received a letter from the resident of 7151 Lincoln Street. The owner requested that the City DPW remove a large quantity of stones from his yards. When the City Manager and the DPW Supervisor visited the property at his request, he was told that the City did not do any work on private property. This letter is his appeal to the City Council. How does the City Council wish to proceed?

Council discussion regarding this citizen complaint. Discussed that a good faith effort was attempted to assist with drainage by DPW. Discussion that the City does not do work on private property and has no interest in setting this precedence. City Attorney recommends that a copy of this citizen complaint be forwarded to the City's insurance company to inform them in the event of a future arising from this situation.

7. **MML Risk Management Inspection:** As part of our Workers Compensation Insurance policy with the MML, the City Hall and DPW was inspected on June 27th. The procedure included an interview with the City Manager and the DPW. The inspection resulted in two recommendations: That the City emphasize hydration to employees to reduce the risk of heat related injuries; and to establish and maintain an electrical safety program to include tag-out procedures and labeling circuit breakers. Once implemented, and within 30-days, a written report must be filed with MML.
8. **MML Workers' Compensation Fund:** The City was sent an election ballot for Trustees for the MML Workers Compensation Fund. A copy of the cover letter and candidate biographies is enclosed (blue). How does the City Council wish to proceed?

Motion by CM Walters, second by CM Miller, that the City of Brown City cast a vote in favor of Elva Mills for the Trustee election for the MML Worker's Compensation Fund. Motion carried.

9. **Fireworks:** City Manager discussed new legislation making commercial grade fireworks legal in Michigan as well as various options that Municipalities have to ban their use. City Manager also noted that contact with the Fire Chief and the Chief of Police revealed neither have encountered issues regarding fireworks at this time. City Attorney discussed that current legislation may be readdressed and suggests that council make no decisions on local ordinances until this review is complete in Lansing.

10. **Water Sales** – City Manager was contacted by a company in Pigeon that sprays fertilizer for various local farmers and is interested in buying water from the City to mix with their fertilizer for spraying. They would be in need of up to approximately 8000 gallons of water a week throughout the remainder of their season. City Manager calculated a fair price per gallon which computed to \$10 per 1000 gallons of water. Is the Council interested in selling water to this company?

Discussion regarding risks involved such as back flow into the City's system as well as proper manning of fire hydrant pumping waters. Consensus that the profits are not worth any risks involved and directed the City Manager to decline this request.

Council discussion pertaining to the lack of rain recently coupled with high temperatures and the possibility of needing to restrict lawn watering if this continues. City Manager reports that currently wells are not being stressed.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: None.

MAYOR'S REPORT: None.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – none.
4. Thumb Soybean Festival – next scheduled meeting is 7-18-12 @ 6:30 pm.
5. Streets & Sidewalks – none.
6. Buildings & Grounds – none.
7. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

CM Jacobson mentioned various street lights that are burnt out in town. Chief Smith will locate these and provide locations to City Manager for repair / replacement.

PUBLIC QUESTIONS & COMMENTS:

County Commissioner Daws informed council on current County business.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Walters, second by CM Miller, to adjourn at 7:37 pm. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk