

BROWN CITY COUNCIL PROCEEDINGS AUGUST 10, 2015

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, Dan Loutzenhiser, Ross Mclvor, Julie Miller, Alecia Parks, and Bill Walters; City Clerk Juanita Smith, City Manager Clint Holmes, and City Attorney Gregory Stremers.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA.

City Manager Clint Holmes reported that there would be two additions to the agenda—one under Petitions and Communications and one under the Manager's Report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Mclvor, to accept the Regular Meeting Minutes of July 27, 2015 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$17,922.00 (6977-7004), Payroll - \$12,457.86 (7061-7076 plus EFT), Major Street - \$355.92 (3865-3867), Local Street - \$616.76 (4233-4234), Sanitary Sewer - \$420.00 (3488), Water - \$2,071.44 (2540, 2542-2551), Arsenic Abatement - \$5.95 (1293), Storm Sewer - \$8.98 (1183), Equipment - \$269.74 (1487-1488). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT:

Report reviewed. No questions or comments.

Additional reports from the Police Chief:

1. 6840 Walter Street status: The house at 6840 Walter Street was checked out and no one is living there.
2. The Hogtown Motorcycle Run went well. There were no complaints received.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. 4291 Wood Street: A fire occurred at the home approximately three weeks ago. The owners would like to tear off the 5' x 5' room that was damaged by the fire and extend it to 10' long and 25' wide.

Motion by CM Parks, second by CM Walters, to grant a permit to the owners of the property at 4291 Wood Street to tear down the damaged 5' x 5' room and build a 10' x 25' room in its place. Motion carried.

MANAGER'S REPORT:

1. **Replacement Police Vehicle:** The 2016 Ford Explorer Interceptor, which is replacing the 2005 police Crown Victoria, has been ordered from Tubbs Brothers and will take 8-10 weeks to arrive. Outfitting the new vehicle (radios, consoles, radar, screen, decals, etc.) will add almost \$7,600 since little of the equipment from the 2005 vehicle can be used.
2. **Replacement DPW Vehicles:**
 - a. The bid from TNT Equipment in Sandusky, through the MiDeal Program, for a new backhoe is \$89,900 (the MSRP is \$112,772). (MiDEAL is the extended purchasing program which allows Michigan local units of government, such as Brown City, to use state contracts to buy goods and services.) They are offering \$14,000 for a trade in of the City's 1998 JCB 214 which would reduce the price to \$75,900. The DPW Foreman believes we can get a better price if the City sells it rather than trades it in.
 - b. To replace the 1994 dump truck, the City received bids from International and Freightliner. The International bid was missing key elements, such as the snow plow and box. The Freightliner bid was for \$110,347 but did not include a box cover. This bid does not include a trade in.
 - c. Coordination with Tri County Bank revealed that they are expecting the City to provide the Installment Purchase Contract. The City Attorney will draw up this contract as necessary information becomes available (such as the vehicle VINs).

How does the City Council wish to proceed?

The City Council would like to try to sell the City's 1998 JCB 214 ourselves instead of trading it in on the new one.

City Manager Clint Holmes will see that the new equipment is ordered tomorrow, August 11, 2015 as it may take several weeks for it to arrive.

3. **Storm Damage:** The severe weather on August 2nd caused some tree damage. The major limbs downed at St Marys and First Streets and on Welles Street were cut up and removed by the DPW. Additional trees also need to be trimmed or removed. Bids for this work were received from JP's Tree Removal (\$5,600) and Raymond's Tree Service (\$4,375). How does the City Council wish to proceed?

The City Council will contract with Raymond's Tree Service for the amount of \$4,375 to trim up or remove trees caused by the storm on August 2nd.

- 4. Sewer Issue:** Also related to the storm and subsequent power outages was a sewage backup into a house on Cade Road. A similar situation took place at the same address last year. At that time, the City contracted to have the sewer main televised to determine if there was an issue with the main – none was noted. Since the problem seems to be persisting, the City contacted Huron Consultants to recommend possible solutions.

The City will bring in an engineer from Huron Consultants to see what can be done about this situation and recommend possible solutions.

- 5. Street Signs:** The DPW has ordered the 14 street signs to replace those located at intersections in the northwest quadrant of the City that are no longer legible. The remaining three quadrants will be addressed over the next three years: Southwest in 2016; southeast in 2017; and northeast in 2018.
- 6. DPW Internet Upgrade:** The new equipment was installed by Air Advantage on July 27th and seems to be working well.
- 7. FOIA Requests:** The City received a formal written Freedom of Information Act (FOIA) Request from the union that represents the Brown City DPW requesting wage and salary information for all City employees. The information requested was mailed the same day and there has been no follow-up request for additional information. A second FOIA Request was received from a company on July 31st requesting a copy of the Fire Department Incident Report concerning a local house fire. A copy of the report was forwarded by fax.
- 8. Geographic Information Systems (GIS):** Sanilac County notified the City that they are finalizing their GIS system to track land parcels within the county. The cost for the City to have access to this system is \$1.50 per land parcel in the City with the county paying an equal amount. The City has 677 parcels for an initial cost of \$1,015.50. Additional information concerning the City's tax parcels has been requested and will be coordinated with the City Assessor on August 11th. Once the City's and County's databases are coordinated, the project should proceed.
- 9. Well #4 Bypass:** The City received the approved permit from MDEQ on August 3rd. Expect the contractor to schedule the work in the near future.
- 10. Lawsuit:** The Settlement Conference is to be April/May, 2016. The Trial date is set for May 10, 2016.
- 11. *addenda sunt*:** The fire hydrant on the corner of Lincoln and Wood Streets that was reportedly leaking has been addressed. The owner of Brown City Tire and Auto had all of the tires cleaned up before the deadline. He did an excellent job and was commended by the police chief.

ATTORNEY'S REPORT:

1. The Michigan Attorney General rendered an opinion that states that building officials should be directly employed by a municipality and not contracted with a third party. Currently, building official and inspections are done for the City by Sanilac County. Gregory Stremers suggests we continue just as we are. At this time he does not see an issue since, based on his interpretation of the opinion, the current building official is a government employee.

CLERK'S REPORT: None.

MAYOR'S REPORT:

1. Designate City's voting delegate at the MML Conference in Traverse City.
Requires Motion.

**Mayor Christine Lee will attend the MML Conference in Traverse City.
Motion by CM Miller, second by CM Jacobson, to designate Mayor Lee as the
voting delegate at the MML Conference. Motion carried.**

**Mayor Christine Lee attended the Michigan Association of Mayors (MAM) annual
convention in Battle Creek. There was a workshop on Grant Writing and other
municipal issues that were very informative.**

COMMITTEE REPORTS:

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

GENERAL CONCERNS OF THE COUNCIL:

The new driveway and associated excavations at 7048 Lincoln Street brought up the question of potential erosion. The City Manager said that a driveway permit was not required by Sanilac County. The DPW Foreman has spoken with the contractor and the City continues to monitor the situation.

Was the swale ever completed at Parkside Drive? City Manager Clint Holmes does not think that it was completed. However, the home is apparently finished and is for sale. City Manager Holmes spoke with Sanilac County officials and reminded them that the City objects to the issuance by Sanilac County of a Certificate of Occupancy permit for the new home until the drainage system is completed in accordance with the existing building permit.

Did the owners of the home on the corner of Welles and Vine ever get a building permit? City Manager Clint Holmes said that the permit application provided to the City was very incomplete and was returned it to the owners of the home with a letter detailing the additional information required. The owners then decided they would just re-shingle the roof as that did not require a permit. The Councilmember questioned this saying that the roof had been completely altered with a slope roof instead of a nearly flat roof. City Manager Clint Holmes will check into this.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Jacobson, to adjourn at 7:30 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk