

BROWN CITY COUNCIL PROCEEDINGS

September 9, 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 August 26, 2013 as amended. Motion carried.

PAY BILLS:

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$12,600.07 (5919-5940), Payroll - \$12,246.75 (6111-6124 plus EFT), Major Street - \$265.30 (3801-3802), Local Street - \$175.30 (4199), Sanitary Sewer - \$559.07 (3331-3333), Water - \$1,875.01 (2263-2270), Storm Sewer - \$574.51 (1146-1147), Equipment - \$233.72 (1391-1392). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or concerns.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS:

- 1. Crop Production Services – 7121 Maple Valley Road:** The owner of Crop Production Services, located at 7121 Maple Valley Road, is requesting the City Council approve a permit to construct an 80' X 180' warehouse to the north of their existing complex. The Planning Commission recommends approval.

Motion by CM Walters, second by CM R. Jacobson, to grant a permit to Crop Production Services at 7121 Maple Valley Road to construct an 80' x 180" warehouse to the north of their existing complex. Motion carried.

- 2. Maple Valley Plastics - 4119 Main Street:** The owner of Maple Valley Plastics, located at 4119 Main Street, requests the City Council approve a specific zoning variance – to allow a 90' X 100' addition to the existing warehouse located on the

south side of the property – and a building permit. City Ordinance Appendix K: Yard and Bulk Requirements requires that setbacks – the distance between the property line and the proposed building – be sixty feet (60') to the rear and thirty feet (30') to the side. The proposed building would be 15.8' to 17' on the east side and as little as five feet (5') on the south side (adjacent to the railroad easement). The Planning Commission held a Public Hearing on September 5th and recommends the City Council approve the variance and permit request.

Motion by CM Walters, second by CM McIvor, to approve a specific zoning variance to Maple Valley Plastics at 4119 Main Street. Motion carried.

Motion by CM Walters, second by R. Jacobson, to grant a building permit to construct a 90' x 100' addition to the existing warehouse located on the south side of Maple Valley Plastic's property at 4119 Main Street. Motion carried.

PUBLIC HEARING: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS: None Scheduled.

MANAGER'S REPORT:

1. **Water Tower Project:** Workers have completed sandblasting and painting the interior and water storage area; and power washing the exterior of the water tower. Exterior painting should be completed Sunday, and water purification and testing beginning the next day. Project should be completed by September 13th.

City Manager Clint Holmes reported that the Water Tower Project is not as far along as was expected at this time. It will probably be completed sometime next week.

2. **2013 Water Main Project:** This water project is underweigh. The new pipe has been installed on the north side of Main Street and trenching continues on the south side. Water service will be briefly interrupted on September 11th for the north portion and September 12th for the south while the switch from the old to the new mains takes place and water leads are reconnected. Property owners were notified of the schedule and will receive a final notice about 24-hours before the change-over takes place. This work will not affect the water supply to any property outside the Main Street Central Business District. A copy of the revised schedule is attached.

City Manager stated that this Project should be done by the middle of next week.

3. **2013 Streets Project:** The City received signed copies of the contract with Astec but require signatures from the Mayor and Clerk. . A preconstruction meeting is set for Friday, September 20, 2013. The work should start on Monday, September 23, 2013.

Motion by CM Loutzenhiser, second by CM Miller, to have Mayor Christine Lee and City Clerk Juanita Smith sign the copies of the contract with Astec Asphalt of Brown City so the work may begin as soon as it is scheduled. Motion carried.

4. **City Hall Painting:** Requests for estimates for the cost of minor drywall repair and painting of the interior of our City Hall were sent to area contractors on August 19th. Only one bid was received as of the deadline on September 5th. Total cost to repair drywall and paint is \$3,373. An additional estimate to repair the ceiling in the Library was for \$604. How does the City Council wish to proceed?

Motion made by CM Walters, second by CM McIvor, to authorize City Manager Clint Holmes to contract out the minor drywall repair and painting of the interior of our City Hall for a total cost of \$3,373. The motion also includes repairing the ceiling in the Library for \$604. Motion carried.

5. **EVIP I:** The deadline for Phase I (Accountability and Transparency) of the Governor's Economic Vitality Improvement Program is October 1st. Are there any questions or recommended changes to the Citizen's Guide, Performance Dashboard, Budget Report, or Long Term Debt Report provided to the City Council at the last meeting?

The City Council had no questions or recommended changes to the Citizen's Guide, Performance Dashboard, Budget Report, or Long Term Debt Report. City Manager Clint Holmes will therefore post these reports for EVIP I (Accountability and Transparency) of the Governor's Economic Vitality Improvement Program on our Website and forward a copy to Lansing.

6. **Police LEIN Access:** The Brown City Police Department currently uses Core Technology software accessed via a computer multi-bridge operated by the Sanilac County Sheriff Department. Recently, there have been numerous instances when officers were unable to access Core and the Law Enforcement Information Network (LEIN), or had the connection fail, primarily due to issues with the County's multi-bridge. The current annual service fee for access to Core and LEIN is \$1,780. However, Core Technology offers the option of direct access for an additional yearly connection fee of \$1,200. This will avoid unnecessary loss of reports and data as well as ensure immediate access to LEIN. Also, Core has several updates to their software that we cannot currently access because of limitations with the multi-bridge. Due to these issues, both Croswell and Marlette are also looking into direct connectivity with Core Technologies. Recommend the City Council authorize this link between the Brown City Police department and the Core Technology software. How does the City Council wish to proceed?

Following discussion between the City Council Members and Police Chief Ron Smith concerning the LEIN Access a Motion was made by CM Pat Jacobson, second by CM Miller, to authorize a direct link between the Brown City Police Department and the Core Technology software for the current annual service fee for access to Core and LEIN of \$1,780 plus the direct access connection fee with Core Technologies of \$1,200. Motion carried.

7. **Obamacare:** The most immediate of the plethora of requirements associated with the Patient Protection and Affordable Care Act (PPACA), also known as Obamacare, is to provide a formal notice to each employee of the availability of the New Health Insurance Marketplace Coverage Options. This form, provided by the Department of Labor, has been prepared for both elected officials and all City employees. There was one version for non-union and elected officials and a second for union members since each group is covered by a

different organization. Summaries for covered employees are also being provided. Elected officials copies are enclosed; those for City employees will be delivered with the September 20th paychecks or mailed. Notices must be delivered by October 1st.

8. **Park Grant:** The City received a partial payment of \$31,500 from the Department of Natural Resources for the Pond and Nature Trail Enhancement Grant for the Brown City Park. \$30,000 has been retained by the City to repay the loan made to the Park. The \$3,500 balance will be paid when the final paperwork is submitted and the DNR closes out the grant. The Park Board meeting has been moved up to September 10th to expedite this final paperwork. The City agreed to loan the money to the Park at 1% interest (about \$300). How does the City Council wish to proceed?

Motion by CM Walters, second by CM Loutzenhiser, to not charge the Park interest on the money that the City loaned them for the Pond and Nature Trail Enhancement Grant. The City Council wishes to forgive the 1% interest payment which was agreed upon. Motion carried.

9. **City Assessor:** The current contract between the City and Sanilac Appraisers expired August 31st. The City received no other bids for assessing services. Contact with the other cities in Sanilac County revealed their assessing was either done in-house or by Sanilac Appraisers. The last contract was for three-years, does the City Council wish to renew the contract, and if so, for how long?

The City Council wishes to renew the contract between the City and Sanilac Appraisers for three years. The current contract expired on August 31, 2013.

10. **Sanilac Tourism Association:** The Association has asked if the City wishes to renew our membership. Recommended contribution is \$250. However, the minimum contribution, which is the amount the City paid last year, is \$100. Membership allows for a 10% discount for an advertisement in the 2014 Sanilac Visitor's Guide. Cost to run an ad similar to last year is \$450 (\$405 if the City continues its membership). How does the City Council wish to proceed?

Motion by CM Walters, second by CM R. Jacobson, to renew our membership for the minimum contribution of \$100.00 with the Sanilac Tourism Association and run an ad similar to last year in the 2014 Sanilac Visitor's Guide for a total cost of \$405. Motion carried.

11. **November Election:** The City contacted Optech Insight, the manufacturer of the City's vote counting machine, and determined that they can program the device to read both regular City ballots as well as the ones from the Lapeer County portion of the City. This should resolve the issue between the City and the Clerks of Lapeer and Sanilac Counties. The cost for this service is not yet available. The proof ballot for the November Election has been received from Sanilac County; the one from Lapeer County is pending.

12. **City Police Car:** The report from the Michigan State Police concerning the accident on May 31st has been issued, and was received by the City on September 6th. The conclusion of this ½-inch thick report is: "This crash is the direct result of the cyclist disregarding the traffic control device on Reed Street and failing to yield the right-of-way to the eastbound Ford."

Also, "Prosecutor James Young reviewed this complaint and advised no charges would be issued as the (cyclist) was determined to be at fault in the crash." The Michigan State Police have closed the investigation.

City Manager Clint Holmes will forward a copy of the bill for the new windshield to the Insurance Company. This will close the case on the cyclist accident.

ATTORNEY'S REPORT:

City Manager Gregory Stremers stated that he is reviewing the payment in lieu of taxes (PILOT) contract with Cedar Trace Apartments pending the sale of this building.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Semiannual city manager evaluation.

The City Manager Clint Holmes received an outstanding evaluation from the City Councilmembers. Out of a possible 1155 points he received 1081 points for a 93.6% rating.

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 (Mclvor) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Pat Jacobson reported that Cindy Miller had spoken to her about a driveway concern at the Miller residence. The driveway had a hump in the approach. The City came out and took the asphalt out and put in gravel. Would it be possible for Astec Asphalt to replace the asphalt this driveway?

City Manager Clint Holmes will check on this possibility at the preconstruction meeting on September 20, 2013.

CM Pat Jacobson said there is a dead tree just east of the Sunoco station which should be removed.

CM Pat Jacobson questioned if the City has a Facebook page.

City Manager Clint Holmes replied that we do not have a Facebook page at this time.

CM Walters asked about the TV reception from Comcast and if there was any response on the poor reception being received from their company. **City Manager Clint Holmes stated that a fax had been sent to the Comcast regional office in Bad Axe; there has been no reply to date.**

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Pat Jacobson, to adjourn at 7:36 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk