

**BROWN CITY COUNCIL PROCEEDINGS
SEPTEMBER 28, 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 McIvor, Julie Miller, Alecia Parks, and Bill Walters; City Clerk Juanita Smith, City Attorney Gregory Stremers.

ABSENT: City Manager Clint Holmes.

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 September 14, 2015 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$18,922.02 (7049-7069), Payroll - \$14,156.87 (7109-7126 plus EFT), Major Street - \$90.00 (3873), Sanitary Sewer - \$2,172.09 (3502-3507), Water - \$1,461.59 ((2561-2565). Arsenic Abatement - \$229.39 (1297-1299). Storm Sewer - \$72.07 (1185). Motion carried.

PUBLIC QUESTIONS & COMMENTS:

Larry and Sarah Steigerwald – 4083 2nd Street: Larry and Sarah voiced their concern over the way the water from the fire hydrant flushing was directed. On their side of the road it was directed into the ditch as it should have been but across the road they sprayed it onto the road which wore down into the gravel and threw water, stones, and rocks into Steigerwald's yard. Larry and Sarah both reported that as Larry mows the lawn the rocks are being flung in every direction and the rocks and stones need to be raked up by the city workers. He does not feel that it is his responsibility. He has cleaned it up before and feels the city needs to take it upon itself to clear the yard of rocks.

Larry also brought up the subject of the drainage ditch that is on 2nd Street and runs to 1st Street and has not been cleaned up after he brought it to the attention of the Council on July 13, 2015. At that time he was told that the DPW would check into it. The woods next to this ditch and just past the Fire Hall that he reported on that date also as becoming a place to dump unwanted items still needs checking into.

DPW REPORT: Report reviewed. One question was asked, "Did they really install the water heater?"

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS:

1. **Resolution 15-06** – A Resolution Formally Causing to be Levied a Special Tax or Assessment to Recover Monies Owed the City of Brown City.

Motion by CM Walters, second by CM Parks, to adopt Resolution 15-06: A Resolution formally causing to be levied a special tax or assessment to recover monies owed the City of Brown City. ROLL CALL VOTE: CM Miller – yes, CM Walters – yes, CM Jacobson – yes, CM Parks – yes, CM Loutzenhiser – yes, CM Mclvor – yes. 6 Yes votes, 0 No votes, 0 absent, 0 abstaining. Motion carried.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

MANAGER’S REPORT:

1. **Brown City Festival Commission:** At the Commission’s regular meeting on September 17th, the Chairperson, Co-Chairperson, Secretary, Treasurer, and one other Commissionmember resigned from both the Festival and Homecoming Commissions. These individuals, who have done a superb job for both the Festival and the City, stated that after the many years they have served that it was time for them to move on to other projects. The Ordinance (green) states that: “The Brown City Festival Commission shall itself be responsible for the recruitment, appointment, and replacement of Commissioners.” The next regular meeting of the Commission is scheduled for October 15th at 6:30 PM in the City Library. Area residents who are interested in continuing the Soybean Festival and/or Homecoming are invited to attend.
2. **Maple Valley Lift Station Meter:** The DPW is working with the Contractor. The new equipment is in the process of being ordered and should be installed within the next few weeks.
3. **Belview Lift Station:** The pumps at the Belview Lift Station have been replaced and the old pump that still works was taken to the DPW Garage and will be kept as an emergency spare. The DPW Foreman reported that the lift station is fully operational.
4. **School Utility Bills:** The City and School water meters continue to report the same amount of water used. We both will continue monitoring the meters, and the School will investigate the reason(s) for their high water usage.
5. **Michigan Department of Natural Resources (MDNR):** The City Park received a grant to improve the pond five years ago. The Park also received a grant for the tennis courts and playground equipment at least 20 years ago. Inspections are required on grant projects every five years. The City received inspection forms for both projects which included requests for photos. The forms have been completed and returned to MDNR along with the relevant photographs.

6. **Parkside Drive:** A real estate agent called concerning the status of the Certificate of Occupancy (COO) for the new house on Parkside Drive. She was informed that the electrical and building permits are still open, and no Certificate of Occupancy (COO) has been issued. The permit requirements and drainage amelioration required before the City will authorize Sanilac County to issue the COO were explained in detail. The City will continue to monitor the situation.
7. **Fire Hydrant Flushing:** The DPW conducted hydrant flushing September 21-25. No significant issues were noted.

See Public Questions and Comments on first page from Larry Steigerwald

8. **Well #4 Bypass:** The contractor has completed the plumbing for the raw water bypass at Well #4. The associated meter needs to be modified to meet the terms of the contract. Project should be completed soon.
9. **SBA Cell Tower:** The owner of the cell tower on the east side of the City, sent plans for a proposed upgrade to the site and requested information concerning the need for zoning approvals and building permits. A copy of the information was forwarded to Sanilac County for review, which replied that only an electrical permit was required from them. The SBA plan is to add a carrier to the tower and an equipment box at the base. Both are authorized under the current contract between the City and SBA. T-Mobile users should see improved service within the next few weeks.
10. **Sidewalks:** The City DPW removed and recycled the sidewalk sections due for repair. The Contractor has replaced the concrete. The project, to include the area at City Hall, is complete.

Several Councilmembers spoke of the mess left on the yards by tire tracks, dirt, and the yards being torn up. The yards were left in very poor condition.

11. **Downtown Development Authority:** The DDA met on Tuesday, September 15th to discuss 4223 Main Street – Timeless Creations. The DDA Board decided to renew the mortgage and land contract.
12. **SUNOCO Trees:** The new owner of the SUNOCO station requested to remove the trees in the right-of-way in front of the parking lot adjacent to his business in order to improve visibility for customers entering and leaving the property. The City did not plant the trees; apparently they were put there by the owner of Star Oil Company. The City had no objection to their removal for the reason stated and the work was done at the owner's expense.
13. **Halloween Hours:** For the past few years, the City Council has set Halloween hours from 5:30 to 7:30 PM. Halloween is Saturday, October 31st. Requires Motion.
Motion by CM Miller, second by CM Parks to set Halloween Trick or Treat hours from 5:00 p.m. to 7:00 p.m. Motion carried.
14. **International City Managers Association Annual Meeting:** I would like to again thank the City Council for the opportunity to attend this ICMA event.

ATTORNEY'S REPORT:

City Attorney Gregory Stremers reported that he has been working on the MMA (Michigan Municipal Association) uniform sign ordinances.

CLERK'S REPORT:

1. November 3rd Special Election. Special Election Update and request for Motion to close Library on November 3rd.

The City has received word from Nicholas Daum, Michigan Bureau of Elections, and Theresa Spencer, Lapeer County Clerk, that the Lapeer County Voters must be permitted to vote at their regular polling location which is the Brown City City Hall building at 4205 Main Street, Brown City, MI on November 3rd for the Special Election.

Since the election will be held in the Library area of the City Hall building it will be necessary to close the library on November 3, 2015 for the Special Election.

Motion by CM Miller, second by CM Jacobson, to close the library on November 3, 2015 for the Special Election. Motion carried.

MAYOR'S REPORT:

1. Report on the 2015 Michigan Municipal League Convention in Traverse City.

Mayor Lee reported that many in attendance of the Michigan Municipal League Convention didn't like the format of the Convention. One building was not large enough to hold the people in attendance and so they had to use several places for their meetings which meant that the attendees had to be bused around to various buildings.

2. Semi-Annual City Manager Evaluation is due.

The Semi-Annual City Manager Evaluation showed an impressive 97% approval rating to City Manager Clint Holmes. He received a score of 1117 out of a possible score of 1155.

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: None.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Jacobson, to adjourn at 7:29 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk