

BROWN CITY COUNCIL PROCEEDINGS

MARCH 12, 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 McIvor, Pat Jacobson, Geno Navock and Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

Motion by CM Miller, second by CM Navock, to add new building permit request to the agenda. Motion carried.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM McIvor, to accept the Regular Meeting Minutes from February 27, 2012 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Walters, to pay the bills in the following funds: General - \$14,917.08 (5100-5139), Payroll - \$14,582.23 (5401-5416), Major Street - \$1,641.53 (3751-3752), Local Street - \$1,743.67 (4172-4173), Sanitary Sewer - \$750.66 (3201-3204), Water Fund - \$1,867.52 (2039-2045), Equipment - \$448.01 (1327-1330). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT:

Written report reviewed. No questions or comments.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC HEARINGS: None Scheduled.

UNFINISHED BUSINESS:

1. **6840 Walter Street:** Non-Conforming Use Permit subject to City Ordinance § 152.171, valid until the land is sold or transferred to another owner; utility bill. City Manager asked that the City Attorney's response be reviewed and discussed and also noted that taxes have been paid on this dwelling since 2007 per the City Assessor.

Motion by CM Walters, second by CM Jacobson, for this unfinished business to return to the table for discussion. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

Discussion regarding attorney opinion as well as pros and cons and possible scenarios of granting various types of use permits for this property.

Motion by CM Walters, second by CM Loutzenhiser, to grant a Non-Conforming Use Permit to the dwelling at 6840 Walter Street that is not to be expanded beyond what it is currently used for. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

Motion by CM Walters, second by CM Jacobson, to seek payment for back water bills monies due from the additional dwelling at 6840 Walters Street for the past two years based on the rate of 4 occupants. ROLL CALL VOTE: Loutzenhiser-no, Navock-no, Jacobson-yes, Mclvor-yes, Miller-yes, Walters-yes. Motion carried.

PETITIONS & COMMUNICATIONS: Added building permit request -

Motion by CM Walters, second by CM Miller, to accept the pre-application building permit for 4038 Main Street for a portion of a 30' porch to be closed in for a closet extension and to cover the entire 30' area with a roof. Motion carried.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 12-03** – A Resolution to Formally Adopt Guidelines for Poverty Exemptions for Property Taxes. A review of bulletins from Department of Treasury revealed a requirement to set a limit on assets for individuals requesting a poverty tax exemption. A survey of other municipalities revealed limits that varied from \$5,000 to \$150,000. Recommend setting a limit equal to one-half the median household income for the City of Brown City (\$13,404). The HHS Poverty Guidelines were also updated to 2012 levels; otherwise the rest of the Resolution remains unchanged from last year.

Motion by CM Miller, second by CM Navock, to adopt Resolution 12-03, *A Resolution to Formally Adopt Guidelines for Poverty Exemptions for Property Taxes*. A review of bulletins from Department of Treasury revealed a requirement to set a limit on assets for individuals requesting a poverty tax exemption. A limit will be set equal to one-half the median household income for the City of Brown City (\$13,404). ROLL CALL VOTE: Walters-yes, Miller-yes, McIvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

MANAGER'S REPORT:

1. **2012-2013 Budget:** The Budget Overview Memo (orange); Draft 2011-2012 Final Budget Amendment (lavender); and proposed 2012-2013 Budget (green) are enclosed for review by the City Council. The amendment and budget will be reviewed in detail. There is no recommendation to change the current millage rate. State law requires a public hearing prior to final action of the budget and approval of the millage rate for 2012 taxes. Recommend scheduling the Public Hearing for 7:15 PM on Monday, March 26th as part of the next regularly scheduled City Council meeting. **REQUIRES MOTION.**

Motion by CM Miller, second by CM Navock, to schedule a Public Hearing on March 26, 2012 at 7:15 p.m. For the 2012-2013 Budget and to set millage rates. Motion carried.

City Manager reviewed the proposed 2011-2012 Final Budget Amendment and 2012-2013 Draft Budget with City Council.

2. **City Water Wells:** The City's wells and pumps were extensively tested on February 24th by Northern Pump and Well Company. They provided a copy of the report (blue). Their recommendation, based on the study, is to delay the overhaul at least one year since the wells are currently performing well. The engineer from the DEQ Drinking Water Division conducted an inspection of the City's water system and said it was performing well. After his review of the information from Northern Pump, he concurred that the scheduled overhaul could be delayed. A recommendation concerning the scheduling of the overhaul will be provided to the City Council following the results of next year's test and evaluation of Well #3.
3. **EMCOG Meeting:** EMCOG and the RED Team met on March 9th in Saginaw. Included in the information was a memo concerning the Governor's Personal Property Tax Reform Bills (yellow). Discussion also included various economic development projects in the region and pending legislation.
4. **Board of Review:** The board will hear protests from Brown City property owners concerning their assessments on Tuesday March 13th from 2:00-5:00 PM and 6:00-9:00 PM; and on Wednesday March 14th from 9:00 AM to noon and 1:00-4:00 PM, at City Hall.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: Lapeer County tax dollars collected were reported.

MAYOR'S REPORT:

1. Brown City Elementary School reading program – Mayor and City Manager are volunteering time to read, seeking further volunteers.
2. The Girl Scouts of America is celebrating its 100th birthday today.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – none.
4. Thumb Soybean Festival – Meeting 3-13-12 at 6:30 p.m.
5. Streets & Sidewalks – none.
6. Buildings & Grounds – none.
7. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

CM Jacobson questions the announcement of a new store providing dog grooming and boarding, she questions the boarding of animals. City Manager reports that owners were informed that is not allowed under current Planning Commission regulations.

PUBLIC QUESTIONS & COMMENTS:

County Commissioner Daws provided an update on Sanilac County business.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Navock, to adjourn at 8:33 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk