

BROWN CITY COUNCIL PROCEEDINGS

JULY 23, 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 and Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: Councilmembers Eugene Navock and Pat Jacobson.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

City Manager has one addition under Petitions and Communications.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Loutzenhiser, to accept the Regular Meeting Minutes of July 9, 2012 as presented. Motion carried.

PAY BILLS:

Motion by CM Walters, second by CM McIvor, to pay the bills in the following funds: General - \$14,852.04 (5317-5333), Payroll - \$13,733.91 (5571-5593), Major Street - \$1,210.00 (3767-3769), Local Street - \$195.00 (4179), Sanitary Sewer - \$9,045.57 (3243-3247), Water - \$11,810.85 (2104-2110), Arsenic Abatement - \$104.24 (1194), Equipment - \$426.27 (1352). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT:

Written report reviewed. CM Walters questioned if the person who sprayed graffiti at the park has been identified. City Manager states that Chief Smith is still investigating.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS:

Motion by CM Walters, second by CM Miller, to accept the pre-application building permit for 6909 John Street for the addition of a handicap accessible ramp on the front of the home. Motion carried.

ORDINANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

MANAGER'S REPORT:

1. **Annexation Issues:** Faith Baptist Church on North Cade Road is planning an addition. The question concerning building permit authority came up again. Research revealed that the property that contains the church and the adjacent duplex were annexed into the City under PA 215 of 1895 and the transfer was completed in 1972. The Missionary and Catholic Churches were annexed under PA 425 of 1984 and the final transfer will be complete in 2050 and 2056 respectively. The issue at this point is whether Burnside Township must be involved in granting a building permit. This is being analyzed. However, PA 160 of 1974 allows the City Council to place a question on the November Ballot to adjust the County Line to move Faith Baptist Church and the duplex into Sanilac County. Whether the boundary can be expanded to include the other two churches remains open. The Ballot Question by statute (§ 45.102) would be "Shall the boundary of the county of Sanilac be adjusted to include all of the City of Brown City?" (There is still a question as to whether the PA 425 properties could be included. We are continuing to work with the State Boundary Commission and the State Law Library.) If so, a resolution of the City Council containing this language must be provided to Sandusky prior to August 28th. Does the City Council wish this question to be placed on the November Ballot?

Discussion regarding a proposed ballot question that would be required, education that would be required for voters, prior to the election as well as the benefits and drawbacks of this proposed ballot question. Council consensus that City Manager contact the Code Authority as well as Burnside Township regarding interpretation of authority of granting building permits.

2. **City Hall HVAC:** The contractor completed the replacement of the heating and air conditioning system in the Library and City Hall on July 20th. The complete installation took a little over a week.
3. **County Jail:** The Sanilac County Board of Commissioners invites the elected officials and residents of the City of Brown City to attend a groundbreaking ceremony for the Sanilac County Jail Addition and Renovation Project at 10 AM on Tuesday, July 24th in Sandusky.
4. **Walter Street:** The City met with a representative from the contractor and engineer for the Walter Street Water Main Replacement Project on July 20th. The project is scheduled to begin on Wednesday, July 25th and take approximately two weeks. Work should be completed no later than Friday, August 10th. The work will be done by Murray Underground of Port Huron. Water will have to be shut off completely for no more than a day for residents on Walter and Second Streets. The DPW will deliver notices at least 24-hours prior

to this shut off. The City will send letters to the affected property owners / occupants detailing the proposed schedule.

5. **Grass and Junk Car Notices:** The City sent out notices to certain residents for having grass higher than eight inches (8"). Letters were also sent to six property owners that had cars that were either unregistered/uninsured and/or not operational. These owners have until July 31st to register or remove the vehicles.
6. **Dare Devil Dash:** This "extreme" 5K run is scheduled to take place in the Brown City Community Park on July 28th. The organizers will be in the park the week prior setting up the course.
7. **Land Transfer:** City Resident John Liebler has donated three lots located northeast of the Fire Department to the Brown City Area Fire Authority. The area is approximately 41,283 square feet. The formal presentation ceremony is scheduled for 9:30 AM on July 23rd at the Fire Department.
8. **Festival Commission:** The Brown City Thumb Soybean Festival Commission had a special meeting on July 18th. The focus of the meeting was the resignation of Chairperson Patricia Jacobson. She plans to continue to serve on the Commission. City Ordinance §31.047.4.3 states that "Officers shall be selected by a majority vote of the Commissioners during a regular or special public meeting of the Commission." Therefore the City Council is not required to appoint/confirm a successor.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: None.

MAYOR'S REPORT: None.

COMMITTEE REPORTS:

1. Police – reminder for noxious weeds to be addressed at old gas station.
2. Water & Sewer - none.
3. Tax & Finance – none.
4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

City Clerk requests action pertaining to upcoming Primary Election.

Motion by CM Walter, second by CM Miller, to appoint the following election inspectors for the August 7, 2012 Primary Election: Rometta Hicks, Eleanor Hillman, Myrtle Kohn, Kathleen Loutzenhiser, Stella Pepper, Bud Render, Ruth Render, Nicole Sanchez, Juanita Smith, Sarah Steigerwald, Barbara Stimson. Motion carried.

Motion by CM Miller, second by CM Mclvor, to appoint Nicole Sanchez as Election Chairperson for the August 7, 2012 Primary Election. Motion carried.

Motion by CM Miller, second by CM Mclvor, to close the Brown City Library for the August 7, 2012 Primary Election. Motion carried.

Motion by CM Miller, second by CM Loutzenhiser, to hold the Public Accuracy Test for the August 7, 2012 Primary Election on Wednesday, August 1, 2012 at 2:00 p.m. Motion carried.

Motion by CM Miller, second by CM Mclvor, to appoint Barb Stimson to conduct and sign the appropriate forms for the Public Logic and Accuracy Test for the August 7, 2012 Primary Election. Motion carried.

Mayor Lee requests that trees that appear to be growing within drainage ditch on Kohler and Buby Streets be removed if they are a drainage hindrance. City Manager will investigate.

CM Walters questions sidewalk project progress. City Manager has investigated with DPW Supervisor and it appears as though most work required can be completed by the DPW. Report will be forthcoming.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Mclvor, to adjourn at 7:40 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk