

BROWN CITY COUNCIL PROCEEDINGS

AUGUST 11, 2014

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 July 28, 2014 as presented. Motion carried.

PAY BILLS:

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$15,865.97 (6420-6456), Payroll - \$11,690.95 (6567-6580 plus EFT), Major Street - \$1,157.80 (3832-3834), Local Street - \$250.60 (4216), Sanitary Sewer - \$1,446.97 (3408-3411), Water - \$844.33 (2399-2403), Arsenic Abatement - \$108.00 (1254), Storm Sewer - \$60.00 (1160), and Equipment - \$3,963.71 (1438-1443). 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. **6897 Walter Street:** New 28' X 36' garage on the east side of the existing house. Note that the proposed plan is 936 square feet and has a 19' peak. The ordinance limits structures to 18' and 750 square feet (Appendix K (1)) so a variance would be necessary. The Planning Commission recommends the City Council approve the building permit application and variance.
2. **4104 Third Street:** New 30' X 40' pole barn on the lot north of the existing structure. Note that the proposed barn 1,200 square feet on an unoccupied but contiguous lot. The ordinance limits structures to 750 square feet (Appendix K

(1)) so a variance would be necessary. The Planning Commission recommends the City Council approve the building permit application and variance
Motion by CM Miller, second by CM McIvor, to schedule a Public Hearing at 7:10 p.m. on Thursday, August 28, 2014 to discuss the new 28' x 36' garage which needs a variance at 6897 Walter Street and also the new 30' x 40' pole barn at 4104 Third Street which will need a variance granted by the City Council. Motion carried.

Motion by CM Walters, second by CM Loutzenhiser, to change the date of the next regularly scheduled Council Meeting from Monday, August 25th to Thursday, August 28th for the purpose of satisfying the 15 day notice requirement for the Public Hearing on the properties at 6897 Walter Street and 4104 Third Street. The Public Hearing notices will be mailed out on Tuesday, August 12, 2014.

3. **4030 Main Street:** New fence on property.
Motion by CM Walters, second by CM R. Jacobson, to grant a permit to the owner of the property at 4030 Main Street to install a 6' wooden fence 30' to the North, and 18' East to the side of his home. Motion carried.

RESOLUTIONS: None Scheduled.

PUBLIC HEARING: None Scheduled.

ORDINANCES: None Scheduled.

MANAGER'S REPORT:

1. **MDOT Trunkline Maintenance Contract:** The five-year contract the City has with MDOT to maintain M-90 is due for renewal. A review of the new contract determined that it was substantially the same as those in previous years. The Mayor and City Clerk both need to sign the contract if approved by the City Council. How does the City Council wish to proceed?

Motion by CM Miller, second by CM Pat Jacobson, to have Mayor Christine Lee and City Clerk Juanita Smith sign the five-year renewal contract with MDOT to maintain M-90. The new contract is substantially the same as in previous years. Motion carried.

2. **MDOT MCL 247.668j Certification:** This newly created certification program requires that the City generate various documentation concerning employee compensation and healthcare even if road repair is a collateral duty. Documents must be posted on the City's webpage and a certification form (MDOT 2067) signed by the Street Administrator and City Treasurer and forwarded to Lansing by the end of next month.

Motion by CM Walters, second by CM Pat Jacobson, to have Documents concerning employee compensation and healthcare posted on the City's webpage and a certification form (MDOT 2067) signed by the Street Administrator and the City Treasurer and forwarded to Lansing by the end of next month. Motion carried.

- 3. Tree Trimming:** On August 4th, a contractor and I inspected all of the trees in City street rights-of-way. There are twelve trees that require various degrees of trimming and at least two that should be removed. The estimated cost is \$6,100. Letters were sent on August 4th to each individual property owner stating that the program would be reviewed by the City Council on August 11th, and that if they had any concerns they should contact the City or attend the City Council meeting. How does the City Council wish to proceed?

Motion by CM Pat Jacobson, second by CM Walters, to contract with J. P. Tree Service to trim twelve trees and remove two trees in the City street rights-of-way at an estimated cost of \$6,100.

ROLL CALL VOTE: CM Walters – yes, CM Pat Jacobson – yes, CM R. Jacobson – yes, CM Loutzenhiser – yes, CM McIvor – yes, CM Miller – yes. 6 Yes Votes, 0 No Votes, 0 Absent. Motion carried.

- 4. City Hall Maintenance:** Concrete Creations began repairing the bricks on the east side of City Hall and at the base of the clock on August 8th. The project should be completed by August 11th.

The City Council would like to have a sealer applied to the repaired bricks on the east side of the City Hall and at the base of the clock to protect the bricks from deteriorating from the rain, snow and ice.

- 5. DPW Computer:** The City IT Department refurbished one of the recently replaced City Hall computers and swapped it for the antediluvian DPW computer. The DPW's "new" computer is now fully operational. Computer and printer carcasses will be disposed of during the Burnside Township electronic recycling event September 15 20.
- 6. Brown City Rotary:** The DPW transported and installed the new peastone for both playground areas in the Brown City Park. Brown City Rotary has agreed to pay for the work and will be invoiced for \$385.62, which was the total cost of the project.
- 7. City Park Projects:** The youth group associated with the Brown City Missionary Church Camp did an excellent job demolishing and cleaning up the horse shoe pit area in the Park. The Park Board was very pleased with the success of the project.
- 8. 4211 Vine Street:** A (certified/return receipt) letter was sent to the owner of the property stating that unless the owner contacted the City within 14 days (August 13th) that the City would begin the process to demolish the structure. No correspondence has been received to date. How does the City Council wish to proceed?

City Attorney Gregory Stremers said that the Council needed to authorize the attorney to do a title search to determine who actually owns the property at 4211 Vine Street and also to have an administrative search warrant issued and contract with the Sanilac County Building Department to conduct an inspection.

There is a tree on the roof of the house at 4211 Vine Street. A Civil Infraction will be issued to have the tree removed for safety reasons.

9. **MML Workers' Compensation:** The City had our semi-annual inspection by a representative from the MML Workers' Compensation Fund on Tuesday, July 29th. He is strongly recommending that the City improve their policies and procedures concerning road-work safety; MISS DIG coordination; gas detection meter calibration and confined space entry program. Policies will be updated and the company formally notified by letter within 30-days.
10. **2014 Michigan Public Policy Survey:** This survey was conducted last spring and the City participated. A summary of the results is enclosed. A full copy of the survey is available at: closup.umich.edu.
11. **City Hall Columns:** The cast iron columns donated to the City for installation on the front of City Hall have been cut by George Emmie at Emmie Die and Engineering, welded by Greg Wilcox, sandblasted by Joe Berry, and are being painted by Rick Swoish at Great Reflections. The City has a contract with Bryan's Carpentry to install the columns once they are ready.
12. **Resolution 14-07:** On July 29th, copies of the Resolution were mailed to Canadian Prime Minister Stephen Harper, Ontario Premier Kathleen Wynne, Canadian Federal Minister of the Environment Leona Aglukkaq; and Michigan Governor Rick Snyder, Michigan State Senator Phil Pavlov and U.S. Representative Candice Miller.

ATTORNEY'S REPORT: None.

TREASURER'S REPORT: Report reviewed. No questions or concerns.

MAYOR'S REPORT:

1. Report on Girl Scout Leadership Conference.

Mayor Christine Lee reported on her participation in the Girl Scout Leadership Conference. She took part in a 3 person (women in government positions) panel where they were asked questions about being a woman in a government position of being a mayor. Was discrimination a problem they were asked? Mayor Lee stated that it was a very interesting conference and that she would attend again if asked.

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 asked if a home on Welles Street had applied for a permit for new rafters on the house. City Manager Clint Holmes replied that they indeed had applied and were granted a permit for the new rafters.

CM R. Jacobson inquired about the clock in front of the City Hall being fixed to tell the correct time.

CM R. Jacobson requested information on the fire hydrant and the needed repairs on it.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM McIvor, to adjourn at 7:43 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk