

COUNCIL PROCEEDINGS FOR MARCH 22, 1999

Meeting called to order at 7:00 PM by Mayor Ken Brown.

Pledge of Allegiance led by City Manager Clint Holmes.

PRESENT: Councilmembers: Laura Carpenter, Jerry Johnson, Marvin Ford, Mike Lents, Judy Murray, Kelly Pavel; Mayor Ken Brown, City Clerk Julie Miller, City Manager Clint Holmes, (absent City Attorney Marilyn Zimmerman), Attorney John Lengeman arrived at 7:04PM.

Moved by CM Murray, supported by CM Ford to approve the Minutes of March 08, 1999 as written. Motion Carried.

PERSONAL APPEARANCES:

County Commissioner Eleanor Grout, representing District 6, addressed the following County issues: State Brownfields Program and the County Commission's plan to include local county governments with the County's applications; the proposed millage rate increase referendum on May 11, 1999 for the Sanilac Medical Care Facility; and the County-sponsored Y2K Conference on March 23 in Sandusky.

PAY BILLS:

Moved by CM Murray, supported by CM Ford to pay the bills as presented in the following funds: General Fund: \$21,117.38; Payroll Fund: \$10,845.50; Sanitary Sewer Fund: \$266.67; Major Street Fund: \$909.12; Local Street Fund: \$909.13; Water Recreation Fund: \$35.00; Investment Fund: \$23,573.55. Motion Carried.

PETITIONS AND COMMUNICATIONS: Pre-application Building Permits.

1. Moved by CM Carpenter, supported by CM Ford to approve a covered front porch for Charles Zuhlke, 4074 Main Street. Motion Carried.
2. Moved by CM Carpenter, supported by CM Johnson to approve new siding on garage for Donald Green, 7065 McMorrans Street. Motion Carried.

ORDINANCES:

Attorney John Lengeman presented chapters 1-4 to the City Manager for review. Also will provide a computer disk containing the same information.

PUBLIC HEARING: 1999-2000 Budget and "Truth and Taxation" opened at 7:15 PM. Public questioned "Why the raise"? Manager explained that the .6 is due to the Headley Amendment which would allow the City to charge equal/same millage rate as last year, adding the one (1) Mill increase would help offset costs to the Water Tower. Funds generated from the increase will go exclusively toward water system repairs and upgrades. Discussion on Property Values, Taxable Value. Discussion on Pool hours. Public questioned if the City was purchasing windmills for the Lagoons this year, answer: We are waiting for the Village of Peck to assess results of their windmill purchase and

will assess potential benefits to Brown City at that time. If the City purchases two windmills, the cost is \$5,500 each.

PUBLIC HEARING: Closed at 7:34pm.

Mayor opened Discussion on Resolution 99-04 by the Council. After much discussion the Council tabled this until later in the meeting due to need for a recess by the Personnel Committee to finalize one particular issue. Tabled.

RESOLUTION 99-05:

Moved by CM Ford, supported by CM Lents to approve Resolution 99-05, a Resolution formally increasing the 1998 City Millage rate of 15.8733 mills by one (1) mill for tax year 1999. ROLL CALL VOTE: Pavel=yes, Murray=yes, Lents=yes, Ford=yes, Johnson=yes, Carpenter=yes. 6=yes, 0=no. Motion Carried.

RESOLUTION 99-06:

Personnel Committee met with Department Heads and discussed new Employee Handbook, with the Manager acting as Mediator. Employees commented that they were pleased that they were invited. Discussion on Handbook verses contract. Committee said that employees were concerned with Council changing from year to year and having the "new Council" change the Handbook and reduce their job security. Discussion on Handbook being policy verses contract being an agreement. Committee said the main sentence that the employees looked at was on page 1 of the Handbook which reads "City reserves the right at its sole discretion to amend this handbook at any time", following good faith discussion or negotiations with the employees. Discussion on evaluation of employees yearly, and contracts yearly verses contract for 3 years. Manager stated that the Evaluation process needs to be done and in the future possibly yearly evaluations for yearly raises. Discussion on City Retirement issues.

Moved by CM Ford, supported by CM Carpenter to approve Resolution 99-06, a resolution formally approving the City of Brown City Department Supervisor and Employee Agreements for April 1, 1999 through March 31, 2002. ROLL CALL VOTE: Pavel=no, Murray=no, Lents=yes, Ford=yes, Johnson=yes, Carpenter=yes. 4=yes, 2=no. Motion Carried.

RESOLUTION 99-08:

Moved by CM Pavel, supported by CM Ford to approve Resolution 99-08, a resolution formally approving the March 1999 City of Brown City Employee Handbook. ROLL CALL VOTE: Pavel=yes, Murray=yes, Lents=yes, Ford=yes, Johnson=yes, Carpenter=yes. 6=yes, 0=no. Motion Carried.

RESOLUTION 99-07:

Moved by CM Johnson, supported by CM Lents to approve Resolution 99-07, a resolution formally approving hourly pay increases for select part-time employees of the City of Brown City. ROLL CALL VOTE: Pavel=yes, Murray=yes, Lents=yes, Ford=yes, Johnson=yes, Carpenter=yes. 6=yes, 0=no. Motion Carried.

Mayor called for a recess of 10 minutes for the Personnel Committee at 8:35 PM.

Mayor called meeting back to order at 8:45 PM.

CM Johnson reported that the Personnel Committee recommends raising City Manager's wage 15% \$32,000 to \$36,800 the first year, 4% \$36,800 to \$38,272.00 the second year and 4% \$38,272.00 to \$39,803 the third year.

Moved by CM Johnson, supported by CM Ford to increase the City Managers wage 15% \$32,000 to \$36,800 the first year, 4% \$36,800 to \$38,272 the second year and 4% \$38,272 to \$39,803 the third year. Motion Carried.

Discussion on decreasing contingency fund from \$5000.00 to \$1,240.00 and increasing payroll 33,040 to \$36,800.

RESOLUTION 99-04:

Moved by CM Murray, supported by CM Johnson to approve Resolution 99-04, a resolution formally approving the City of Brown City Fiscal Year 1999-2000 Budget.

ROLL CALL VOTE: Pavel=yes, Murray=yes, Lents=yes, Ford=yes, Johnson=yes, Carpenter=yes. 6=yes, 0=no. Motion Carried.

ATTORNEY'S REPORT: NONE.

COMMITTEE REPORTS:

Buildings and Grounds: None.

Personnel: None.

Police: None.

Water and Sewer: Committee set meeting for Wed. March 31, 1999 at 7:00 PM.

Tax and Finance: None.

Streets and Sidewalks: None.

Moved by CM Carpenter, supported by CM Pavel to extend meeting beyond 2 hour deadline. Johnson-NO, Motion Carried.

Manager's Report

1. City Park: The school wrote us a letter requesting repairs to the softball field prior to the season starting in mid-April. Estimated cost of repairs is \$3,500 for fence, backstop and dugouts. The Park's budget (including Water Recreation) has a deficit of almost \$12K. They are unable to assist. School Superintendent is willing to finance a portion but not the whole amount. Does the Council wish to provide funding? (\$1K?) Council requested Manager to take this issue to the Park Board. Council recommendation at \$1K at this time: NO. Council agreed that we need a Park Authority.
2. Part-Time Police Officers: Chief Smith requested approval to hire two additional part-time officers. Douglas A. Shagena (Sanilac County Sheriff's Department Corrections Officer) and Russell R. Nowiski (recent Academy graduate). Both officers completed pre-employment physicals. Chief Smith plans to increase the roster of part-time officers to 6 or 7 total.

Moved by CM Ford, supported by CM Carpenter to hire two part-time Police officers: Douglas A. Shagena and Russell R. Nowiski. Motion Carried.

3. Police Uniform Cleaning: Historically, officers have been paid around \$100 per year for dry cleaning expenses. The Chief has requested we open an account at the Sandusky dry cleaners (which does state and county police uniforms). If the Council feels this is an option, we will research associated costs. Council requested additional research on this issue.
4. Y2K Conference: Attended a Detroit Edison sponsored Y2K Conference in Southfield (March 15). Representatives from the State of Michigan (Department of Budget and Management and State Police Emergency Management), Detroit Edison, Ameritech, Consumers Energy, as well as City of Detroit, Oakland County, and Wayne County. The presentations (with the notable exception of Detroit Water and Sewer Department) seem on track and anticipate no Y2K problems *within their organizations*. They were apparently less confident of some suppliers, but still do not anticipate significant Y2K-related interruptions. Additional information provided will be consolidated into a single page handout that will be made available to residents of Brown City.
5. MML Legislative Conference: Attended the Conference in Lansing (March 17). Legislators and MML staff provided an overview of pending legislation. Attended seminars concerning Tax and Finance (Act 51 stays, changes in assessment formula provided to City Assessor) and update on Clean Michigan Initiative Grants.
6. Marlette, Almont and Croswell have requested copies of our Employee Handbook for review and potential adoption.
7. Swimming Pool/Water Slide: Pool Directors, provided their recommendations for new hours and prices. Since the water slide is projecting a significant deficit, prices (for daily and season passes and groups) have been increased slightly and hours cut (from 49 to 47 hours per week with some rescheduling).
8. Jack Nickens, owner of Harrington Inn requested that the Council write a letter to the liquor board, allowing him to have the Hospitality (Beer) Tent for Brown City Days.
Moved by CM Ford, supported by CM Lents to approve Jack Nickens owner of Harrington Inn to have the Hospitality Tent for Brown City Days on his property and covered by his own insurance.
9. Fingerprint kits are here, plans to start child safety program are underway with the Brown City Community Schools.
10. Street Sealing: Company gave estimate. Streets Committee to review.
11. Lift Station Pumps: Anticipate requirement for significant repairs. Hydro-Dynamics is still developing an estimate on the extent and costs of repairs.
12. MIOSHA visited DPW for an inspection. 3 minor and 1 major violations were found. Minor violations were fixed on the spot. Major was that water pump #3 did not have a metal guard on the gas engine, fine could have been approximately \$7K but various discounts should reduce that amount to approximately \$100.00.
13. Police Policy and Procedures Manual is ready and will be available prior to next meeting for Council's review and approval.
14. MI COPS Grant: Paying in one lump sum of \$20,272.00. Funds will be available soon.
15. Manager to discuss BC Park Millage with Park Board, which desires the Council to levy the full millage rate authorized (an increase of .0523 mills). [Liaison with the County Clerk on March 23 revealed that no additional Public Hearing on Truth-In-Taxation solely for the Park was required.]

MAYOR'S REPORT:

Mayor Brown reported that he would not be at the next two meetings and appointed CM Carpenter as Mayor Pro-Tem in his absence if she is re-elected into Council. Mayor will be off due to heart catheterization and possible heart surgery.

Moved by CM Ford, supported by CM Pavel to adjourn at 9:44 PM. Motion Carried.

Respectfully submitted,

Julie P. Miller
City Clerk