

BROWN CITY COUNCIL PROCEEDINGS

DECEMBER 19, 2011

Meeting called to order by Mayor Christine Lee at 7:00 p.m.

The Pledge of Allegiance was led by Mayor Lee.

PRESENT: Mayor Christine Lee, Councilmembers: Bill Walters, Julie Miller, Ross McIvor, Pat Jacobson, Eugene 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

1. One additional bill has been added for payment.
2. Two additions to the Manager's Report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Navock, to accept the Regular Meeting Minutes of December 12, 2011 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: General - \$1,541.59 (5008-5011), Payroll - \$12,595.82 (5295-5312), Major Street - \$3,032.00 (3745-3746), Sanitary Sewer - \$339.67 (3185), Water - \$920.63 (2017). Motion carried.

Motion by CM Jacobson, second by CM Walters, to pay an additional bill in the amount of \$76.18 to John Bell pertaining to the VFW park and note that half of this amount will be billed to the VFW. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT:

Written report reviewed. No questions or comments.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC HEARINGS: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 11-15** – Michigan Community Resolution of Intent for Participating in the National Flood Insurance Program.

Motion by CM Walters, second by CM Miller, to adopt Resolution 11-15, *Michigan Community Resolution of Intent for Participating in the National Flood Insurance Program*. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

MANAGER'S REPORT:

1. **Maple Valley Lift Station:** The City is still waiting on a response from DTE concerning the lift station claim.
2. **Local Street Fund:** The City's Local Street Fund is essentially depleted. Recommend the City Council approve the transfer of \$10,000 from the Street Reserve Fund to the Local Street Fund to ensure solvency through the end of the fiscal year. **REQUIRES MOTION.**

Motion by CM Walters, second by CM Navock, to transfer \$10,000.00 from the Street Reserve Fund to the Local Street Fund to ensure solvency through the end of the fiscal year. ROLL CALL VOTE: Loutzenhiser-yes, Navock-yes, Jacobson-yes, Mclvor-yes, Miller-yes, Walters-yes. Motion carried.

3. **Management/Printing Services Contract:** Sanilac County has provided a copy of their proposed 2012 Agreement for Data Base Management/Printing Services. The contract is identical to those of previous years except for marginal rate increases in most billing categories. A copy of the 2012 and 2011 Agreements are enclosed (yellow). Recommend the City Council approve the agreement and authorize the Mayor to sign on behalf of the City. **REQUIRES MOTION.**

Motion by CM Miller, second by CM Walters, to approve the Management/Printing Service Contract for the 2012 Data Base Management/Printing Services and authorize the Mayor to sign the document. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

4. **Sanilac County Road Commission:** There is a public input meeting concerning Federal Transportation Act (TEA 21) project planning for 2012 and beyond. The meeting is at 10:00 AM on Wednesday, January 4th at the Road Commission Office in Sandusky (lavender). I will be attending as the representative for Sanilac County cities and villages.
5. **Economic Vitality Incentive Program (EVIP) Requirement II:** EVIP has replaced statutory revenue sharing payments to cities, villages and townships. Those local units that received \$4,500 or more in statutory revenue sharing in FY2010-11 are eligible for the EVIP revenue for 2012-13. Those local units that received less than \$4,500 in statutory revenue sharing last year, such as the Lapeer County portion of the City of Brown City, are not eligible for EVIP revenue. In order to receive EVIP payments (of an estimated \$33,940 – down from \$49,912) the City must meet a minimum of three

criteria. The first requirement was submitted and accepted by Department of Treasury on October 1st. To meet Requirement II, the City must submit by January 1, 2012, Treasury Form 4887 and a Cooperation, Collaboration, and Consolidation Plan, and make the Plan “readily available to the public”. A signed copy of Form 4887 and a copy of the Plan using the format provided by Department of Treasury is available for review. If there is no objection from the City Council, these will be forwarded to Lansing. A copy of the Inter-Local Cooperation, Collaboration and Consolidation Agreement with the City of Marlette will also be sent.

Council consensus to forward EVIP documents.

6. **Emergency Response Plan:** DEQ has required the City to update our Contingency Plan for water and rename the document the Emergency Response Plan. The update, utilizing the new format provided by DEQ, expanded the document from three (3) to seven (7) pages. A copy is available for City Council or public review. The next update is due in 2014.
7. **Energy Efficiency:** Apparently there is now a “federal mandate [that] required government facilities to reduce energy usage by 3 percent per year, or 30 percent by 2015.” A review of energy use by Phyllis of electric use since the installation of new lighting in City Hall revealed an average decrease of 4.25%. Since the City Hall HVAC system is due for replacement, this will help achieve this requirement once installed.
8. **MLGMA Winter Conference:** The Michigan Local Government Management Association Winter Institute is scheduled for January 31-February 3 in East Lansing. If there is no objection from the City Council, I would like to attend. A copy of the tentative agenda is available for review.
9. **City Council Checks:** The final paycheck for City Councilmembers will be available for pickup on Thursday, December 29th until 4PM, otherwise they will be mailed.
10. **TowerCo Cell Tower Contract:** The City received a letter and accompanying contract from TowerCo, the organization that owns the cell tower adjacent to Well #4. They are requesting we agree to provide them with the Right of First Refusal if the City should decide to take a lump-sum buy-out in lieu of monthly rent for the tower franchise. TowerCo. will provide a \$1,000.00 payment for contract approval. The City Attorney has reviewed the contract and incorporated his recommended changes. Recommend the City Council approve the contract and authorize the Mayor, Clerk and City Manager to sign this contract.

Motion by CM Walters, second by CM Miller, to authorize the Mayor, City Clerk and City Manager to sign contract with TowerCo. Motion carried.

11. **Vannette Building:** The owner of the building at 7201 Maple Valley Road (Vannette Building) called the City and stated that while attempting to connect to the sewer line, a great deal of pressure was released and he wanted to know if the City could resolve this issue. The City Manager explained that the sewer line between the north side of the railroad tracks and Maple Valley Estates, where he was trying to connect, was a privately owned sewer line; and that the City had no control or authority over this system. The City has provided the contact information for the owner of Maple Valley Estates to the owner of 7201 Maple Valley Road so that they can resolve this issue.

12. **City Hall Closures:** City Offices will be closed on December 23, 26, 30 and January 2. On behalf of the staff, I would like to wish the Mayor and Councilmembers a happy holiday season.

ATTORNEY'S REPORT:

City Attorney will provide follow up information pertaining to DTE situation.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Mayor and City Council Priorities Worksheet for 2012 are complete and were presented to City Manager for analysis and tabulation.

COMMITTEE REPORTS:

1. Police (Miller) – none.
2. Water and Sewer (Navock) – none.
3. Tax and Finance / Thumb Soybean Festival (Jacobson) – none.
4. Streets and Sidewalks (Loutzenhiser) – none.
5. Building and Grounds (Walters) – none.
6. Personnel (Mclvor) – none.

GENERAL CONCERNS OF THE COUNCIL: None.

PUBLIC QUESTIONS & COMMENTS:

County Commissioner Jamie Daws provided a brief update regarding Sanilac County Commissioner actions.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Mclvor, to adjourn at 7:16 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk