

BROWN CITY COUNCIL PROCEEDINGS

SEPTEMBER 24, 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, Pat Jacobson, Gino Navock and Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: Councilmember Ross McIvor.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Navock, to accept the September 10, 2012 Regular Meeting Minutes as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Walters, to pay the bills in the following funds: General - \$8,596.66 (5416-5434), Payroll - \$13,615.94 (5657-5675), Major Streets - \$60.00 (3777), Sanitary Sewer - \$1,096.74 (3261-3263), Water - \$2,136.33 (2133-2137), Equipment - \$2,255.00 (1358). Motion carried.

PUBLIC QUESTIONS & COMMENTS:

Sanilac County Commissioner Donald Hunt introduced himself as the candidate for this newly consolidated District, answered questions and presented copies of his campaign flyer to the City Council.

DPW REPORT:

Written report reviewed. No questions or comments.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **6976 George Street:** Request approval of the application for building permits and plan examination. Plan to install a perimeter fence.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 6976 George Street and approve the application for building permits and plan examination to install a perimeter fence. Motion carried.

2. **4353 Main Street:** Request approval of the application for building permits and plan examination. Plan to repair porch and renovate two bathrooms.

Motion by CM Walters, second by CM Navock, to accept the pre-application building permit for 4353 Main Street and approve the application for building permits and plan examination to repair the porch and renovate two bathrooms. Motion carried.

3. **4217 Main Street:** Request approval of the application for building permits and plan examination. Plan to renovate the interior of the building into a fitness center, exercise room, construct two bathrooms, and add a Banquet Facility. The Planning Commission recommends approval.

Motion by CM Walters, second by CM Miller, to accept the pre-application building permit for 4217 Main Street and approve the application for building permits and plan examination to renovate the interior of the building into a fitness center, exercise room, construct two bathrooms, and add a Banquet Facility. Motion carried.

ORDINANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS:

1. **Resolution 12-07:** A RESOLUTION FORMALLY CAUSING TO BE LEVIED A SPECIAL TAX OR ASSESSMENT TO RECOVER MONIES OWED THE CITY OF BROWN CITY.

Motion by CM Walters, second by CM Navock, to adopt Resolution 12-07: *A RESOLUTION FORMALLY CAUSING TO BE LEVIED A SPECIAL TAX OR ASSESSMENT TO RECOVER MONIES OWED THE CITY OF BROWN CITY.* **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-absent, Jacobson – yes, Navock-yes, Loutzenhiser-yes. Motion carried.

MANAGER'S REPORT:

1. **Porch Columns:** The City received a permit from Sanilac County for the project (cost \$260). George Emmie continues to work on finding a welder and making the columns the correct height.
2. **South Cade Road:** The City received one bid for the South Cade Road culvert replacement project on September 20th. The bid was from Grant Burgess Excavating, LLC of Brown City for \$5,635. The DPW has ordered the pipe and it should arrive soon. The Storm Sewer Fund has sufficient cash for this project. How does the City wish to proceed? Council consensus to proceed.
3. **Maple Valley Road:** The Sanilac County Road Engineer has completed the changes required by MDOT for the Maple Valley Road Project scheduled to be completed next summer. The contract package requires the signatures of the Mayor and City Clerk. Also submitted was an updated "Progress Clause" for City Council review. Recommend the City Council authorize the Mayor and Clerk to sign the document so the project can move forward.

Motion by CM Miller, second by CM Navock, to direct the Mayor and City Clerk to sign documents pertaining to the Maple Valley Road Project. Motion carried.

4. **Internet Connectivity:** Air Advantage has begun installing the fiber optic cable for internet connectivity through the City. The plans submitted to the City on September 14th show the fiber optic cable coming along M-90 from the east, going north on Walter Street, west on First Street, and north on John Street to the school. The City issued a permit for this work in June 2011. The City contacted the engineer to point out Second and George Streets were mislabeled on the plans. Also, that the plans call for fiber optic cable to be laid to M.A.C and the Nextel Tower, rather than to the water tower where the broadband internet antennas are now located. The engineer is supposed to get back to the City on the status of the water tower antennas. Also, the company offered to run cable to City Hall for use by the City and the Library, but could not say what the installation cost or monthly use fee would be.
5. **Library Contract:** The City has a contract with the Library to provide space, utilities, payroll and workers compensation services. Currently, the Library is owes the City \$10,845.49. The last payment received from the Library was \$4,086.83 in June.

Discussion regarding the request from the Library to the City Manager requesting approval to paint and re-carpet the Library. Council is in agreement. Discussed desires for the existing council table and concerns regarding its excessive weight and occasional moving of it. Discussion to possibly sell the table or cut it in half for easier movement. City Clerk offered that the only time the table is moved is for elections

approximately two times per year. City Clerk reported that movement of the table is not a necessity for elections to be held.

Council consensus that the existing table be looked at by a local craftsman to possibly strengthen the legs and tighten it up.

6. **EMCOG Meeting:** The City Manager attended the quarterly meeting of the Eastern Michigan Council of Governments in Tawas City on behalf of the City and Sanilac County on September 14th. The bulk of the six hour meeting was a presentation by MSU concerning training local manufacturers in how to export internationally. A copy of the report sent to the Sanilac County Commissioners is enclosed.
7. **Huron & Eastern Railway Company:** The City has two contracts with the railroad to allow City streets and pipelines to cross the railroads right-of-way. They informed us that the annual rate for the one contract will go from \$983.99 to \$1,483.99 (a five hundred dollar increase) for this year and beginning in 2013 will increase 5% a year (apparently forever). If they send the same notice for the second contract, it will increase to \$2,097.40. They are requesting acknowledgment of the letter (and kindly provided a self-addressed, but not stamped, envelope).
8. **EVIP:** The City submitted a Citizen's Guide, Performance Dashboard, two-year Budget Report, copy of the City Council minutes approving the documents, and Department of Treasury Form 4886 to Lansing via email and First Class Mail. A copy of the receipt is enclosed. Meeting this requirement will result in \$11,299 being returned to the City.
9. **Fire Hydrant Flushing:** The DPW will conduct hydrant flushing September 24-28. Notices were published in *The Banner* and on the City's website identifying the dates and reminding residents to avoid washing white and light-colored clothes while hydrants are being flushed.
10. **Actuarial Study:** The City contacted firms in Michigan, to include MML, concerning an actuarial study for retirees. Of those contacted, either they do not do these types of studies, do not generally do them for such a small organization, and/or were expensive (up to \$450 per person). Councilmember Walters recommended taking the 5% of gross pay currently being withheld from employee pay checks, matching that amount with City funds, and placing it in a special account for future retiree health care payments. How does the City Council wish to proceed?

Citizen Kelly Pavel questioned the expenses to tax payers involved in providing health care coverage for retirees when this has never been a policy for the City. City Manager explained that a policy has never existed and that a savings plan would need to be developed if this is a benefit that the City wishes to continue providing.

Councilman Walters stated that these benefits were provided in the past to Gary Gorsline, Bill Dashluck and Nelda Steigerwald upon retirement and that current employees are entitled to these same benefits because of past precedence setting by previous councils.

Councilman Loutzenhiser suggests that this topic be tabled and moved to committee. Council consensus.

11. **Sanilac Tourism Association:** Annual membership dues for 2013 of \$100 are due. Also, does the City Council needs to decide if the City should have an ad in the 2013 Sanilac Visitor's Guide like last year. Cost is a function of size; the same quarter-page add will cost \$450 less 10% for members. Requires motion.

Motion by CM Loutzenhiser, second by CM Walters, to pay annual membership dues to the Sanilac Tourism Association for 2013 in the amount of \$100.00 as well as reserving an ad in the Sanilac Visitor's Guide as in last year. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-absent, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

12. **4448 Autumn Gold:** This residence was recently acquired by HUD. They have been in contact with the City concerning upkeep and the \$255.01 owed to the City for mowing. They will provide a check for this amount within two weeks.
13. **Halloween Hours:** The City Council needs to set City of Brown City Halloween Trick or Treat hours for Wednesday, October 31st. Last year they were 5:30 PM to 7:30 PM. Requires motion.

Motion by CM Navock, second by CM Miller, to set Halloween hours for October 31, 2012 from 5:30 p.m. To 7:30 p.m. Motion carried.

14. **Columbus Day:** The City offices, DPW and Police will be open on Monday, October 8th (which is also the day of the next City Council meeting).

ATTORNEY'S REPORT:

Attorney Stremers reported that new guidelines have been put before the Legislature and are expected to be passed into law pertaining to Freedom of Information Act (FOIA) requests. He will review new requirements and communicate them to the City Manager.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Proclamation for Eagle Scout William Charles Herrmann.

Mayor Lee has a Proclamation honoring Eagle Scout William Charles Herrmann that will be presented to him.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – none.
4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – none.
7. Soybean Festival – none.

GENERAL CONCERNS OF THE COUNCIL: None.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Jacobson, to adjourn at 7:55 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk