

**BROWN CITY COUNCIL PROCEEDINGS
OCTOBER 22, 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: Pat Jacobson, Dan Loutzenhiser, Ross McIvor, Julie Miller, Eugene Navock, and Bill Walters. City Manager Clint Holmes, City Attorney Gregory Stremers.

ABSENT: City Clerk Kelly Pavel.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Navock, to accept the Regular Meeting Minutes of October 8, 2012 as corrected. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$9,399.03 (5465-5481), Payroll - \$13,546.83 (5699-5715 plus EFT), Major Street - \$90.00 (3778), Sanitary Sewer - \$625.27 (3268-3269), Water - \$12,168.45 (2144-2148), Storm Sewer - \$5,729.00 (1129-1130), Equipment - \$3,605.72 (1360-1361). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT:

Written report reviewed. CM Walters asked why the large number of water shut-off repairs. City Manager investigated and determined that in most cases the steel shut-off rod had rusted out; the DPW now replaces them with stainless steel. Additionally, a rod was found to be bent and so was replaced.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

ORDINANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

1. **Resolution 12-08** – A Resolution of the City of Brown City to Amend the City's 2012-2013 Budget to Better Reflect Revenues and Expenditures.

Motion by CM Jacobson, second by CM Navock, to adopt Resolution 12-08 – A Resolution of the City of Brown City to Amend the City's 2012-2013 Budget to Better Reflect Revenues and Expenditures. Motion carried.

MANAGER'S REPORT:

1. **South Cade Road:** Grant Burgess Excavating completed the installation of the 36" culvert on October 11th. A mound of gravel was left over the trench as some settling is anticipated. It also provides a means to slow down traffic. The City is very pleased with the speed and quality of the work.
2. **Maple Street:** Councilmember McIvor requested the City get a proposal to determine the potential cost to pulverize, re-shape and compact Maple Street east of the west side of the Merrill Street intersection. The proposed cost is \$3,500. Money is available in the Local Street Fund. How does the city Council wish to proceed?

Motion by CM McIvor, second by CM Loutzenhiser, to contract with Astec Asphalt, Inc. to pulverize, re-shape and compact Maple Street east of the west side of the Merrill Street intersection for \$3,500. **ROLL CALL VOTE:** CM Walters – yes, CM Miller – yes, CM McIvor – yes, CM Jacobson – yes, CM Navock – yes, CM Loutzenhiser – yes. Motion Carried

3. **Internet Connectivity:** The Air Advantage sub-contractors continue to install culvert throughout the City. Lines to City Hall, the water tower, MAC and the school are finished or nearing completion. There is no word at this time as to when the actual fiber-optic cable will be installed within the conduits, but the company promised the project would be complete by the end of the year. A second company is also in the City installing fiber-optic culvert. They are running cable down the north side of M-90 to the water tower to connect to the Thumb Cellular.
4. **Michigan Health Care Law:** The Michigan Legislature passed a bill called the Publically Funded Health Insurance Contribution Act (PA 152 of 2011). Under the Act, the City Council must consider one of the following options:
 - a. Limit health care payments for employees to no more than \$5,692.50 for single, \$11,385.00 for couples and \$15,525.00 for family coverage for employees; and/or,
 - b. By majority vote authorize the City to pay no more than 80% of health care costs for employees; or,
 - c. By 2/3 majority vote exempt the City from the requirements of the Act for 2012; or,
 - d. Take no formal action and lose 10% of 2012 EVIP payments (about \$3,369).

A survey conducted by Sandusky in August 2010 revealed that the City of Brown City has the lowest paid city manager, police chief and DPW (foreman and workers) in Sanilac County. However, the City's current, relatively good, health care policies (union/non-union) partially off-set these comparatively low wages. The City Council

voted unanimously, on September 26, 2011, to exempt the City for 2012. Request the City Council adopts Option “c” for 2013.

Motion by CM Walters, second by CM Miller, to exempt the City from the requirements of the Publically Funded Health Insurance Contribution Act for 2013. **ROLL CALL VOTE:** Jacobson-yes, Loutzenhiser-yes, Mclvor-yes, Miller-yes, Navock-yes, Walters-yes. Motion carried.

5. **Utility Rate Study:** Mike Engles of Michigan Rural Water Association was in City Hall October 9-11 reviewing the City’s water, storm water, sewer and associated rates. As anticipated, the Arsenic Abatement Fund is seriously in arrears and rates will need to be modified to meet projected capital improvement requirements looking into the future. He plans to return to the City on November 20th or the 26th and 27th to complete the study. He has also requested the opportunity to review his conclusions for either the Water and Sewer Committee or the City Council as a whole. How does the City Council wish to proceed? The consensus of the City Council is to schedule a briefing of the City Council as a whole for sometime in January 2013.
6. **Utility Bill Penalties:** Battle Creek conducted a brief survey to determine average late fees, when implemented, and turn-on fees for communities throughout Michigan. The City’s seems to be about average in all three categories. The results of the survey are enclosed.
7. **Abandoned Vehicles/Blight:** The City sent out another round of abandoned car notices and blight complaints. Residents have until November 2nd to either remove the vehicles from the City or have them registered and operational. The blight notice for 4211 Vine street requires coordination with the City concerning a repair or demolition plan or the City will have to start condemnation proceedings.
8. **City Hall Floor Mat:** Still missing. The City is looking for a replacement.
9. **MDEQ:** The City was notified by letter that DEQ is changing the testing schedule and procedure for arsenic abatement. “Effective immediately,” the City must have our drinking water tested by the state lab once a month. Previously, monthly testing was done by City Staff and certified laboratory testing was required once a quarter. DEQ did not share with us the reason for the change. To date, the City has not missed any deadlines or requirements.
10. **Halloween Parade:** Brown City Schools will conduct their annual Halloween Parade along Main Street starting at 1:30 PM on Wednesday, October 31st. Halloween Trick-or-Treat hours are 5:30 to 7:30 that same day.
11. **Veterans Day:** The City offices, DPW and Police Departments will be closed on Monday, November 12th in observance of Veterans Day. However, the regular November 12th City Council meeting will take place as scheduled.
12. **Veterans Day Ceremony:** The Brown City VFW William Setter Post will conduct a brief ceremony, to include placing a wreath, at 11 AM on Sunday November 11th at the war memorial in VFW Park on Main Street.

ATTORNEY'S REPORT: None

TREASURER'S REPORT: None

CLERKS'S REPORT:

1. Close Library for November 6th Presidential Election.

Motion by CM Miller, second by CM Navock, to close the Brown City Library for Election Day 2012 on November 6th. Motion carried.

- 2. Appointment of Election Workers.** City Manager stated that appointment by the City Council was not strickly required but was more of a tradition. Since the City Clerk was absent and no list of election workers was available, no action was taken.

MAYOR'S REPORT:

- 1. December Meeting Schedule** (change Dec 24th meeting to Dec 17th?).

Motion by CM Miller, second by CM Loutzenhiser, to reschedule the December 24th meeting to December 17th. Motion carried.

COMMITTEE REPORTS:

1. Police (Miller) – none.
2. Water and Sewer (Navock) – none.
3. Tax and Finance (Jacobson) – none.
4. Streets and Sidewalks (Loutzenhiser) – none.
5. Building and Grounds (Walters) – none.
6. Personnel (Mclvor) – none.
7. Festival Commission – The Commission met on October 18th. Linda Faulkner is the new Chairperson and she has some good ideas concerning the Festival.

GENERAL CONCERNS OF THE COUNCIL:

1. CM Walters noted that the shrubs on the NE corner of Second and St Marys Streets do indeed need to be trimmed, as discussed last week. City Manager stated that the Blight notices mentioned in #7 above included a letter to that property owner.
2. CM Walters noted that Ms. Patricia Mead, long time Par Plan Board of Directors member, retired after 28 years. She was an original member of the Board. CM Walters complemented her for her outstanding service.

Future sidewalk project possibilities and concerns discussed by council.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM McIvor, to adjourn at 7:17 p.m. Motion carried.

Respectfully submitted,

Clinton K. Holmes
City Manager