

BROWN CITY COUNCIL PROCEEDINGS
April 14, 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.

City Manager Clint Holmes reported that there would be two additional items added to the manager's report.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM McIvor, to accept the Regular Meeting Minutes of March 24, 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 - \$68,131.04 (6225-6258), Total Payroll - \$19,872.98 (payroll paid on 03-28-2014 was \$8,243.73 (6383-6396 plus EFT), payroll paid on 04-04-2014 was \$11,629.25 (6397-6412 plus EFT), Major Street - \$1,380.00 (3817), Local Street - \$2,572.00 (4206), Sanitary Sewer - \$6,586.00 (3378-3379), Water - \$15,899.58 (2354-2359), Arsenic Abatement Fund - \$18,052.99 (1239-1241), Equipment - \$15,123.38 (1421-1426). Motion carried

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT: Report reviewed. A Councilmember suggested that perhaps the DPW workers may need to sweep the debris from storm water catch basins.

POLICE REPORT: Report reviewed. No questions or concerns.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

- 1. 7131 Welles Street:** Request approval of a permit to remove the wye and connect a lead to the sewer main. Because the lead should have been hooked directly when the City-wide program took place, recommend the City waive the connection fee.

Motion by CM Walters, second by CM R. Jacobson, to grant a permit to remove the wye and connect a lead to the sewer main waiving the normal connection fee as the lead should have been hooked directly when the City-wide program took place. Motion carried.

MANAGER'S REPORT:

- 1. Maple Valley Lift Station:** On March 31st and April 1st, an electrician from Northern Pump installed the two VFD units at the Maple Valley Lift Station. During the installation, the south pump was determined to be functioning at a fraction of expected capacity. With the help of a lift truck from Kohler Oil & Propane, the pump was removed and replaced with the City's spare. The pump was taken to the Northern Pump workshop and autopsied. According to a telephone report, Hydrodynamics had incorrectly wired the pump. The pump has been repaired and will be returned to the City soon, along with a written report. Once the final paperwork is received from Northern Pump, it can be forwarded to the City's insurance company and the claim completed and closed out.
- 2. South Cade Road:** The City met with a representative from Astec Asphalt and requested an estimate for the cost to pulverize and resurface South Cade Road, Second Street from Walter to Kohler and from Walter Street to James Street. They will also provide a recommendation concerning how best to resolve some issues with North Cade Road. Estimates should be available for review at the meeting.

Estimates for various options associated with this project were discussed at length. Motion made by CM Loutzenhiser, second by CM Walters, to contract with Astec Asphalt pulverize and resurface South Cade Road from M-90 to 20' south of the Park entrance; Second Street from Walter to Kohler and from Walter Street to James Street; and add a second layer of asphalt to North Cade Road. The City Council also tasked the City Manager Clint Holmes and DPW foreman Phil Bartle to determine the best course of action for the section of South Cade Road between the Park entrance and the City Limits. 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.

- 3. Maple Valley Plastics - 4119 Main Street:** The owner of Maple Valley Plastics is requesting the City Council approve an Industrial Facilities Exemption Certificate (IFEC) for the planned 90' X 100' addition to the existing warehouse located on the south side of the property. Permits were approved by the Planning Commission and City Council last September and construction is expected to begin within the next couple of weeks. The approval process - at a minimum - would require that the City Council schedule and advertise a Public Hearing for April 28th at 7:15 PM; notify by certified mail the other taxing authorities; pass a resolution similar the draft Resolution 14-05 and submit, along with

additional paperwork and applications, to the State of Michigan. How does the City Council wish to proceed?

Motion by CM Miller, second by CM McIvor, to schedule a Public Hearing for April 28th at 7:15 p.m.; notify by certified mail the other taxing authorities; pass a resolution similar to draft Resolution 14-05 and submit, along with additional paperwork, the application to the State of Michigan. Motion Carried.

The City Council would like to assess a fee of \$150.00 for the work and expense involved with an Industrial Facilities Exemption Certificate (IFEC).

4. **2014 WMIC Fairs & Festival Guide:** The draft ad for this annual Guide is enclosed for your review. Please let me know of any changes or additions that you think might be appropriate. This ad must be submitted prior to May 1st.
5. **Union Negotiations:** The International Union of Operating Engineers Local 324 would agree to a new three-year contract that included a bonus this year in lieu of a pay increase, as long as the City agrees to the new rates for healthcare benefits (an average of about \$19 per month), a 50¢ an hour pay increase for the DPW Laborer and 25¢ per hour increase for the DPW Foreman beginning in January 2015. The Contract would also include a clause that would allow the Contract to be opened each year to discuss potential pay and benefit changes. How does the City Council wish to proceed?

The City Council chooses to give a one week pay bonus this year (2014) as they did in 2012. The International Union of Operating Engineers Local 324 can come back to the City Council next spring to discuss the wage increase of \$0.50 an hour for the DPW Laborer and the \$0.25 an hour increase for the DPW Foreman. The City Council would also like to see the proposed Contract Language.

6. **Thumb Education & Community Day XXIII:** Thumbworks! is again sponsoring this event in Marlette on May 9th from 8:30 AM to about 1:30 PM. A copy of the agenda and proposed discussion groups is available for your review. Thumbworks! is requesting an RSVP from the City. Are any members of the City Council interested in attending?

Mayor Christine Lee would like to attend.

7. **EVIP II Resubmission:** The City has received multiple phone calls and emails requesting very minor additional information on the EVIP II submission which was submitted prior to the February 1st deadline.. Questions included: Were there any barriers to the agreement with Sandusky?; A few ideas on what new can be done with Marlette.; When did negotiations start or serious planning begin on the proposal to sign an Agreement with Sandusky? The City Manager of Marlette and I will be meeting with State Senators Green and Pavlov to communicate our concerns with the scope, intent, execution, cost and Department of Treasury oversight of the EVIP Program on April 14th at the Sandusky City Hall.
8. **Easter Holiday:** City Hall, the police and DPW departments will be closed on Friday, April 18th for the Easter Holiday. The DPW will have an individual on standby throughout the weekend.

- 9. Michigan Participating Plan:** The City received notification that nominations for election to the Michigan Township Participating Plan are now being accepted. Councilmember Walters is currently serving on this Board and has requested the City Council nominate him for reelection. A formal Resolution is required. How does the City Council wish to proceed?

Motion by CM McIvor, second by CM Loutzenhiser, to nominate CM Bill Walters to continue working on this committee.

- 10. Utility Billing Program:** The software utilized by the City to generate utility bills is DOS-based. The company that provided and maintains the software has contracted with another company to transition the software to Windows[®]. The City plans to upgrade as soon as possible.

ATTORNEY'S REPORT:

- 4364 Main Street Accessory Buildings – (Mitchell vs. Murray)
City Attorney Gregory Stremers reported that nothing has changed in the Mitchell vs Murray situation.

TREASURER'S REPORT:

City Treasurer Carol Walters has submitted collected winter taxes and associated reports to Sanilac County. The final report was accepted with no discrepancies noted.

MAYOR'S REPORT:

- Request by Festival Commission for \$2,500 toward fireworks. Requires Motion.
Motion by CM Walters, second by CM Pat Jacobson to give the Festival Commission \$2,500 toward fireworks. Motion Carried.

Motion by CM Miller, second by CM Pat Jacobson, to issue a permit for the fireworks. Motion carried.

COMMITTEE REPORTS:

- Police (Miller) – None.
- Water and Sewer (R. Jacobson) – None.
- Tax and Finance (P. Jacobson) – None.
- Streets and Sidewalks (Loutzenhiser) – None.
- Building and Grounds (Walters) – None.
- Personnel (McIvor) – None.

GENERAL CONCERNS OF THE COUNCIL:

The brush pick-up is coming along nicely and the City is looking better. The DPW will continue picking up brush.

One concern raised is that some addresses in the City are putting their garbage out too early and leaving it all week long. City Manager will send a notice to the addresses concerned.

Bonus payments to City employees (for FY 2013/14) will be paid during the next paid period.

It was reported the Hogtown-sponsored Easter Egg hunt was successful, with about 300 kids in attendance.

When are the clean up days scheduled in Brown City? City Manager Clint Holmes replied that they are usually held soon after the Soybean Festival.

Is the ditch just west of Ben's Supercenter a County issue? What does it take to get a drain into that ditch? City Manager Clint Holmes replied that yes, it is a County issue and the people inquiring about it should talk to the county offices.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Pat Jacobson, to adjourn at 8:04 p.m. Motion carried.

Respectfully submitted,

Juanita M. Smith
City Clerk