

# **BROWN CITY COUNCIL PROCEEDINGS**

## **FEBRUARY 25, 2019**

**MEETING CALLED TO ORDER BY MAYOR PRO-TEM CHRISTINE LEE AT 7:00 PM.**

**PLEDGE OF ALLEGIANCE LED BY MAYOR PRO-TEM CHRISTINE LEE.**

**PRESENT:** Mayor Julie Miller (7:03), Councilmembers: Stacy Biel, Patricia Jacobson, Christine Lee, Ross Mclvor, Eugene Navock, Alecia Parks, City Manager Clint Holmes, City Clerk Juanita Smith and City Attorney Gregory Stremers.

**ABSENT:** None.

**GUESTS:** Police Officer Emily Medaugh.

### **ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:**

City Manager Clint Holmes related that there would be some additional items on the Manager's Report.

### **CORRECTION & APPROVAL OF MINUTES:**

Motion by CM Navock, second by CM Mclvor, to accept the Regular Meeting Minutes of February 11, 2019 as presented. Motion carried.

### **PAY BILLS:**

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: **General** - \$13,413.04 (9084-9095), **Payroll** - \$14,097.19 (8800-8817 plus EFT), **Sanitary Sewer** - \$386.97 (3793), **Water** - \$1,193.06 (3032-3035), **Arsenic Abatement** - \$84.92 (1430-1431) and **Equipment** - \$100.00 (1655). Motion carried.

**PERSONAL APPEARANCES:** None scheduled.

**PUBLIC QUESTIONS & COMMENTS:** None.

**DPW REPORT:** Report reviewed. No questions or concerns.

**UNFINISHED BUSINESS:** None Scheduled.

**PUBLIC HEARING:** None Scheduled.

**ORDINANCES:** None Scheduled.

**RESOLUTIONS:** None Scheduled.

**PETITIONS & COMMUNICATIONS:** None Scheduled.

## MANAGER'S REPORT:

- 1. 2019 Street Projects:** The City hosted a preconstruction meeting for the Maple Valley Road Project on February 15<sup>th</sup>. Representatives from the City, Spicer Group, MDOT, DTE and the contractor Ace-Saginaw discussed the details associated with the project. Work is required by contract to take less than two weeks and should begin in the middle of June. The cost to the City for this \$200,000 plus project will be about \$42,000 with the remainder paid for by federal and state governments.

**Thelman Avenue:** Bids for the 2019 Thelman Avenue, Belview and Autumn Gold Drives Street Project were opened on February 21<sup>st</sup>. The City received a total of four bids:

<b>Aztec Asphalt:</b>	<b>\$222,853.00</b>
<b>Ace-Saginaw:</b>	<b>\$205,812.19</b>
<b>T.G. Priehs:</b>	<b>\$178,803.99</b>
<b>Diamond Excavating:</b>	<b>\$213,000.50</b>

The original 2018 engineer's estimate was \$160,000. Last year's only bid for the project was \$234,587.20. How does the City Council wish to proceed?

**Motion by CM Mclvor, second by CM Navock, to accept the bid of T.G. Priehs at \$178,803.99 (One Hundred Seventy-Eight Thousand, Eight Hundred Three and ninety-nine cents) for the Thelman Avenue, Belview and Autumn Gold Drives Street Project with the approval of Spicer Group. ROLL CALL VOTE: CM Lee – Yes, CM Navock – Yes, CM Jacobson – Yes, CM Parks – Yes, CM Biel – Yes, CM Mclvor – Yes. 6 Yes Votes, 0 No Votes, 0 Absent, 0 Abstaining. Motion carried.**

- 2. AT&T Cell Antenna:** The Haley Law Firm, representing AT&T, has submitted a bid package to install cell phone antennas on the City's Water Tower. Copies of the 45-page document are enclosed. Should the City Council decide to proceed with this agreement, both an ordinance and Public Hearing would be required. The City Attorney was provided with a copy of the documents for review on February 19<sup>th</sup>, the day they were received by the City. How does the City Council wish to proceed?

**Our City Attorney Gregory Stremers said that if we were going to proceed with this agreement several things must take place first. There are twelve things that would need to be modified, we would need an ordinance for this to occur and three steps must be completed before this could be considered. 1) It must be introduced, 2) A Public Hearing must be set, and 3) The Council must act upon it.**

**CM Lee introduced an ordinance to amend the Brown City code by adding a new section which new section shall be known as Section 17.996 of Chapter 17, Table 2 – Real Estate of said code.**

**Motion made by CM Lee, second by CM Biel, to schedule a Public Hearing on March 11, 2019 at 7:05 p.m. for the purpose of discussing Section 17.996. Motion carried.**

- 3. 2019 Brown City Property Values:** Updated property assessments were mailed to Brown City property owners on February 20<sup>th</sup>. Brown City Assessor Dave MacArthur provided the following information: According to the State Tax Commission, a two-year study of normal, arms-length sales must be used to determine property value assessments

for 2019. The study showed the following average assessed values of each class of property:

Commercial – Approximate 10% increase  
Industrial – Approximate 4% decrease  
Residential – Approximate 4% decrease

According to Proposal A of 1994, the taxable value of a property must not increase by more than the inflation rate unless there is new construction or if the property uncaps due to a transfer of ownership. The inflation rate used for the 2019 assessments is 2.4% so even though the assessed value may have decreased, the taxable value increased by 2.4%. However, the taxable value cannot be higher than the assessed value so if the assessed value drops below the current taxable value, then the taxable value will decrease to the same level as the assessed value.

4. **Utility Bills:** City Ordinance §52.07 provides for annual utility bill rate adjustments due to inflation and rounds the amount to the nearest whole dollar. Utility rates were analyzed back to the last rate study in 2013 and utilized the annual CPI increases to reconcile overall rates. The new rate schedule (orange) will begin with the City's 2019-2020 Fiscal Year on April 1<sup>st</sup>. Total utility rates for City utility customers generally remained the same.
5. **The New Michigan Paid Medical Leave Act:** Covered employers in Michigan will be required, effective March 29, 2019, by statewide mandate to provide paid medical leave to eligible employees for covered absences under the Michigan Paid Medical Leave Act. Current City policies generally exceed the minimums required by this new law. However, the new law is only applicable to organizations that employ 50 or more employees.
6. **Library Lease Agreement:** The lease renewal reviewed by the City Council at the last meeting has been updated, reviewed and approved in principal by the Library Board. Changes in addition to the ones discussed included the removal of some sentences that were deemed no longer relevant). Recommend the City Council pass a motion to allow the Mayor, Clerk and City Manager to sign the lease agreement on behalf of the City. Requires Motion.

**Motion by CM Lee, second by CM McIvor, to allow Mayor Julie Miller, City Clerk Juanita Smith, and City Manager Clint Holmes to sign the updated, reviewed and approved Library Lease Agreement on behalf of the City of Brown City. Motion carried.**

7. **New Email Addresses:** The City has finally been able to activate new email addresses. The primary address will be manager@cityofbrowncity.net. There are additional addresses for treasurer@, dpwforeman@, admin@, cityclerk@, and police@cityofbrowncity.net. The old email addresses will still work and are automatically forwarded to the new ones.

- 8. Tax & Finance Committee:** The Tax & Finance Committee is scheduled to meet at 6:00 PM on March 11<sup>th</sup> to review the 2018-2019 Final Budget Amendment and the proposed 2019-2020 Budget. The Budgets, along with any changes requested by the Committee, will be presented to the City Council for action during the regular meeting. State Law requires a Public Hearing prior to adoption. Recommend the City Council schedule a Public Hearing for March 11<sup>th</sup> at 7:05 PM. Requires Motion.

**Motion by CM Lee, second by CM Navock, to schedule a Public Hearing for March 11<sup>th</sup> at 7:15 p.m. for the purpose of reviewing the 2018-2019 Final Budget Amendment and the proposed 2019-2020 Budget. Motion carried.**

- 9. Sewer Inspection:** Michigan Pipe Inspection completed the cleaning and TV inspection of the City's sewer mains north of Main Street to include some free follow-up work. The owner of the company met with staff on February 25<sup>th</sup> and provided a detailed report. A copy of the report will be forwarded to Spicer Group for analysis. Overall, the system – especially that between the school and the lift station - is clear and in reasonably good repair. The line immediately north of Main Street approaching Maple Valley Road needs to be excavated and repaired at the catch basin in the near future. Recommend that cleaning and televising south of Main Street be scheduled for 2024 and the northern portion in 2029.
- 10. Display Sales Banners:** The banners ordered by the City Council to put up on Main Street for Memorial Day, Brown City Days and other holidays have arrived. They will be put up by the DPW in late April or early May depending on the weather.
- 11. Union Contract:** The contract with the union representing the DPW – Operating Engineers 324 – expires at the end of March 2019. The union representative was contacted in early February to set up the initial meeting. This meeting has been set up for February 27<sup>th</sup>.

**The Personnel Committee will meet at 6:00 PM on February 28<sup>th</sup> to discuss the union's demands and to make recommendations to the City Council concerning updating the proposed contract.**

**ATTORNEY'S REPORT:**

CM Parks asked about the Michigan Paid Medical Leave Act and how it affected larger businesses.

**TREASURER'S REPORT:** None.

**CLERK'S REPORT:** None.

**MAYOR'S REPORT:**

- 1. Planning Commission and DDA:** Keith Redlin formally resigned from the Planning Commission and Downtown Development Authority effective February 25, 2019. Need some recommendations for a replacement for one or both positions.

**Mayor Miller asked the Councilmembers if they had recommendations for the needed replacements for one Cemetery Board member, one Planning Commissioner and one Downtown Development Authority member. Let her**

know if you have someone in mind that might be interested in any of these positions.

Mayor Miller apologized for being late to the Council Meeting. There was a death in their family and she was at the visitation with other members of the family.

Mayor Miller said that the Festival Committee was requesting \$2500 from the City to use to pay for the fireworks. Motion by CM Lee, Second by CM Navock, to give the Festival Committee \$2500 which must be matched by the Festival Committee to receive this amount. Motion carried.

The Parade on Memorial Day needs people to get involved. We need participants for the Parade. If any of the Councilmembers have ideas please let Mayor Miller know. Mayor Miller asked City Manager Clint Holmes if we could use some of our radio ads to ask for volunteers. City Manager Clint Holmes will follow through with this suggestion.

At the last meeting purchasing a speaker system was an item of discussion. Several people have been checking into different systems during the past two weeks. Motion by CM Parks, second by CM Mclvor, to purchase a speaker system for the City of Brown City for a price not to exceed \$300. Motion carried. Mayor Miller directed the purchase of a Pyle Portable PA 15" Speaker System from Amazon for \$247.84.

#### **COMMITTEE REPORTS:**

1. Building and Grounds (Mclvor) – None.
2. Personnel (Parks) – None.
3. Police / Fire Authority (Lee) – None.
4. Streets and Sidewalks (Navock) – None.
5. Tax and Finance (Jacobson) - Reminder of the Tax and Finance Committee meeting at 6:00 p.m. on March 11<sup>th</sup> to review the Final Budget Amendment and the proposed 2019-2020 Budget. Also a reminder of the Personnel Committee meeting set for Thursday, February 28<sup>th</sup> at 6:00 p.m. to discuss the Union contract.
6. Water and Sewer (Biel) – None.

#### **GENERAL CONCERNS OF THE COUNCIL:**

CM Parks asked, "What is a smoke shop?"

City Manager Clint Holmes said basically to his knowledge they would be selling tobacco and possibly vaping products.

CM Biel asked about plowing snow on sidewalks. There ensued a lengthy discussion of snow left on sidewalks. Should the City become involved in making people clear their walks?

Mayor Miller asked of City Manager Clint Holmes if we were still going to have to remove water mains in the city that had been discussed earlier with the adoption of new Lead and Copper Rules by DEGLE. The answer was that we will need to replace

several of them but have several years to do so. Most, if not all, of cast iron and other metal pipes must be replaced.

**PUBLIC QUESTIONS & COMMENTS:** None.

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:** Motion by CM Lee, second by CM Biel, to adjourn at 8:08 p.m.  
Motion carried.

Respectfully submitted,

Juanita Smith  
City Clerk