

BROWN CITY COUNCIL PROCEEDINGS

March 11, 2013

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: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM McIvor, to accept the Regular Meeting Minutes of February 25, 2013 as presented. Motion carried.

PAY BILLS:

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$12,679.92 (5655-5678), Payroll - \$15,223.02 (5867-5882 plus EFT), Sanitary Sewer - \$1,295.39 (3289-3290), Water - \$1,007.44 (2187-2189), Equipment - \$2,583.96 (1371-1372).

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Report reviewed. No questions or comments.

PERSONAL APPEARANCES:

1. Superintendent Jerry Steigerwald – Brown City Community Schools.
Superintendent Jerry Steigerwald presented the City Council with a handout on the water/sewer bill analysis for the Brown City Schools and pictures showing the meter “pit” area which is underground at the school. Mr. Steigerwald suggested to the City Council that perhaps the underground meter system could be replaced with meters within each school instead of the underground system. The underground system was installed in 2002—11 years ago. The City Manager will look into the cost to have this system installed inside the school buildings and to which buildings it would have to be placed.

Superintendent Jerry Steigerwald also thanked the Ron Smith from the police department for patrolling the school areas often since the Sandy Hook incident.

UNFINISHED BUSINESS:

1. Dumpster Parking – City North Parking Lot.
At the time of the City Council meeting, March 11, 2013, the dumpster is still sitting where it has been for the duration of the conflict on its placement. However, it was reported by CM Pat Jacobson that she had been told by Tri-County Bank that they are planning on moving it to the farthest spot by the railroad track so that it doesn't take up any of the parking spaces. This should be accomplished by March 13, 2013.

PETITIONS & COMMUNICATIONS: None.

PUBLIC HEARING: None scheduled.

RESOLUTIONS:

1. **Resolution 13-03** – A Resolution to Formally Adopt Guidelines for Poverty Exemptions for Property Taxes. A review of bulletins from Department of Treasury revealed a requirement to set a limit on assets for individuals requesting a poverty tax exemption.

Motion by CM Walters, second by CM Miller, to formally adopt guidelines for poverty exemptions for property taxes. ROLL CALL VOTE: CM Loutzenhiser – yes, CM Pat Jacobson – yes, CM Miller – yes, CM Robert Jacobson – yes, CM McIvor – yes, CM Walters – yes. 6 yes votes, 0 no votes. Motion carried.

ORDINANCES:

1. **Ordinance 17.210:** Introduction of an Ordinance to Amend the Brown City Code by adding a new section which new section shall be known as Section 17.210 of Title XVII – Special Ordinance. Ordinance concerns the transfer of a railroad easement.

CM Walters introduced an Ordinance to amend The Brown City Code by adding a new section which new section shall be known as Section 17.210 of Title XVII – Special Ordinance. This Ordinance concerns the transfer of a railroad easement.

Motion by CM Walters, second by CM Loutzenhiser, to schedule a Public Hearing for 7:15 PM on Monday, March 25, 2013 concerning the transfer of a railroad easement. Motion carried.

MANAGER'S REPORT

1. **2012/2013 Budget Amendment and 2013/2014 Draft Budget:** The amendment and budget must be addressed by the City Council not later than March 25th. A Public Hearing is required concerning the millage rate and 2013/2014 Budget. **Request motion to set this Public Hearing for 7:20 PM on Monday, March 25th.** Does the Tax and Finance Committee wish to meet to review the amendment and Budget prior to the 25th?

Motion by CM Pat Jacobson, second by CM Miller, to set a Public Hearing for 7:20 p.m. on Monday, March 25, 2013 concerning the millage rate and 2013/2014 Budget.

Chairman Pat Jacobson and the Tax and Finance Committee wishes to meet to review the amendment and budget on Thursday, March 21, 2013 at 7:30 p.m. The entire council is invited to attend if they wish.

2. **Utility Services:** The representative from Utility Services provided signed copies of the proposed maintenance contract, specifications for antenna placement and sample certificates of insurance. The City's insurance carrier is satisfied with the carrier and the amount. A comparison of the City's version with that of another community found they were substantially the same. A copy of the contract is enclosed. How does the City Council wish to proceed?

Motion made by CM Walters, second by CM Loutzenhiser, to approve the contract with the addition of a warrenty clause.

ROLL CALL VOTE: CM Loutzenhiser – yes, CM Pat Jacobson – yes, CM Miller – yes, CM Robert Jacobson – yes, CM Mclvor – yes, CM Walters – yes. 6 yes, 0 no. Motion carried.

3. **Antenna placement:** Thumb Cellular provided an updated second amendment to the current lease agreement to allow the replacement of their antennas on the water tower with more capable ones. Paragraph 6) was added to reflect the requirements of Utility Services concerning antenna installation and that cables be in "messenger tubes". Recommend the City Council authorize the Mayor, City Clerk, City Manager and City Attorney to sign this lease agreement.

Motion by CM Miller, second by CM Pat Jacobson to recommend the City Council authorize the Mayor, City Clerk, City Manager and City Attorney to sign the lease agreement. ROLL CALL VOTE: CM Loutzenhiser – yes, CM Pat Jacobson – yes, CM Miller – yes, CM Robert Jacobson – yes, CM Mclvor – yes, CM Walters – yes. Motion carried.

4. **Air Advantage Fiber Optic:** The City received a request to allow additional fiber optic cable to be run from the junction box on the southwest corner of Walter and First Streets east along the south side of First Street to the driveway of Little Texas and then south to Kohler Propane. If there is no objection, they will be allowed to proceed.
There is no objection.
5. **Back-up Pump for Well #4:** The City continues to research the feasibility and costs associated with installing a variable frequency drive (VFD) unit on Well #4 (and possibly Well #3). The representative from Northern Pump and Well will be here next week to do the annual pump test and will bring information on the VFD and help determine whether it would benefit the City. A report should be available at the next City Council meeting.

6. **Understanding Obamacare:** Thumbworks! had scheduled a free panel discussion in Marlette on February 27th concerning Obamacare,. The event was cancelled due to inclement weather and has not yet been rescheduled.

The meeting is rescheduled for Thursday, April 11, 2013. The Manager plans to attend.

7. **Board of Review:** The BoR will meet on Tuesday March 12th from 2:00-5:00 and 6:00-9:00 PM and on Wednesday March 13th from 9:00 AM to 12:00 noon and 1:00-4:00 PM. The Boardmembers are sending a letter to Sanilac County Department of Equalization protesting the large increase in Commercial assessments (10%). A copy of the draft letter is enclosed.

8. **Rural Task Force 7A:** There will be a meeting in Tuscola County on Tuesday March 12th at 10:00 AM to discuss additional funding that may become available for road projects in Sanilac County. As a member of the board I plan to attend.

City Manager Clint Holmes will check into whether South Cade Road may qualify for some funding for road repair.

ATTORNEY'S REPORT:

1. Status of Land Purchase by M.A.C.

City Attorney, Gregory Stremers spoke to MAC (Chuck Kunisch) about paying for the transfer. There is no problem with transferring the property but there needs to be a reimbursement for the fees incurred. Legal fees plus 10 % will be suggested as a fee.

In other business concerning the MAC purchase the legal description does not line up exactly. The title company is okay with it and so is MAC. The City sees no problem with it in the closing process. However, City Manager Holmes stated that when we get the survey he can put together an ordinance before the next City Council meeting on Monday, March 25, 2013. That ordinance would need to be introduced at that time so that a hearing could be held on the first City Council meeting in April.

TREASURER'S REPORT:

The final report will be made available at the next scheduled council meeting.

MAYOR'S REPORT: None.

COMMITTEE REPORTS:

1. Police (Miller) – None.
2. Water and Sewer (R. Jacobson) – None.
3. Tax and Finance (P. Jacobson) – Meeting scheduled for Thursday, March 21, 2013 at 7:30 p.m. in the Brown City Public Library.
4. Streets and Sidewalks (Loutzenhiser) – None.

5. Building and Grounds (Walters) – None.
6. Personnel (Mclvor) –None.

GENERAL CONCERNS OF THE COUNCIL:

CM Loutzenhiser inquired about the status of the outside mailbox being installed at the City Hall. Reply: It will be completed soon.

CM Loutzenhiser also reminded the City Council that the deed to the Lints property needs to be registered with the county.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Pat Jacobson, to adjourn at 8:18 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk