

BROWN CITY COUNCIL PROCEEDINGS

April 8, 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.

1. Public Hearing Ordinance 17.210 should have read Ordinance 17.215. This was changed on the agenda to read Ordinance 17.215.

CORRECTION & APPROVAL OF MINUTES:

CM Julie Miller stated that in the paragraph Under Public Questions and Comments the initials DTQ were written whereby it should have been MDEQ. Corrected to read MDEQ.

Motion by CM Miller, second by CM Pat Jacobson, to accept the Regular Meeting Minutes of March 25, 2013 as corrected. Motion carried.

PAY BILLS:

Motion by CM Pat Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$42,893.17 (5703-5719), Payroll #2- \$11,625.46 (5923-5936 plus EFT), Payroll #1 - \$8,692.40 (5903-5922 plus EFT), Total Payroll #1 and #2 is \$20,317.86, Major Street - \$1,453.00 (3784). Local Street - \$2,707.00 (4188), Sanitary Sewer - \$7,178.00 (3293-3294), Water - \$13,107.99 (2193-2199), Arsenic Abatement - \$15,487.00 (1209-1211), Equipment - \$14,982.42 (1373-1374).

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT: Policeman Ron Smith has been gone for the past week and a half. He will be back tomorrow, Tuesday, April 9, 2013. Therefore no report was submitted to the council for review.

PERSONAL APPEARANCES: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

RESOLUTIONS: None Scheduled.

PUBLIC HEARING:

1. PUBLIC HEARING: 7:15 PM – Ordinance 17.215: Ordinance concerns vacating the eastern portion of Soybean Drive. (see Ordinance below).

A Public Hearing on Ordinance 17.215 was opened at 7:15 p.m. There were no questions or comments. Ordinance 17.215 was introduced by CM Miller at the last regular Council Meeting on March 25, 2013. The Public Hearing was closed at 7:16 p.m.

ORDINANCES:

1. Ordinance 17.215: Ordinance to Amend the Brown City Code by adding a new section which new section shall be known as Section 17.215 of Title XVII – Special Ordinance. Ordinance concerns vacating the eastern portion of Soybean Drive.

Motion by CM Miller, second by CM Loutzenhiser, to amend the Brown City Code by adding a new section which new section shall be known as Section 17.215 of Title XVII – Special Ordinance. This ordinance concerns vacating the eastern portion of Soybean Drive. ROLL CALL VOTE: CM McIvor – yes, CM Miller – yes, CM Walters – yes, CM Pat Jacobson – yes, CM Robert Jacobson – yes, CM Loutzenhiser – yes. 6 yes votes, 0 no votes. Motion carried.

MANAGER'S REPORT

1. MML Worker's Compensation: The City received a rebate on workers compensation insurance premiums of \$2,181 reducing our annual premium to \$5,533.

2. Water Main Project: Fleis&Vandenbrink was provided with a Notice to Proceed and will schedule drawing up the plans for the Water Main Project once the City has signed the Professional Services Agreement. Is there any objection from the City Council to proceeding with this phase of the project?

City Attorney Gregory Stremers voiced a concern over issues in two paragraphs in the Professional Services Agreement. The City Manager will address these two paragraphs with Fleis&Vandenbrink before the City signs the agreement. The City Council has no objections to proceeding with this phase of the project.

3. Well #3 Overhaul and VFD: The City was contacted by one of the two primary bidders on these projects. Northern Pipe & Well will meet with the City on April 9th to detail the costs for VFDs on each well, as well as the estimate for overhauling Well #3. Layne Northern has been asked for the same information, but has not yet provided any.

4. Revenue Sharing: The State Legislature is reviewing House Bill 1090 that would add several additional obstacles to the City receiving a fair share of Revenue Sharing (EVIP). In Category 1, demand for the citizen's guide to local finances, performance dashboard, and debt service requirements remain. Current and next year budget – with an explanation of the assumptions used – will be necessary; along with a listing of all salaries by job description and all contracts of \$25,000 or more updated monthly, plus a higher level of detail on all. In Category 2, the consolidation plan will require a level of

detail that is apparently an order of magnitude above what is now necessary; also at least one new proposal will be required each year, in perpetuity. In Category 3, a detailed plan is now required concerning paying down accrued liabilities or state why none exist. The bill also requires that the Department of Treasury “shall develop detailed guidance for an eligible city,” so requirements could still grow. On a related note, the City received a signed copy of the Inter-Local Cooperation, Collaboration and Consolidation Agreement we now have in place with Sandusky.

5. **Understanding Obamacare:** Thumbworks! is providing a free panel discussion on April 11th called Understanding the Requirements and Implications of the Affordable Care Act (Obamacare) in Marlette. Representatives from the healthcare, finance and benefits sectors will be providing information concerning implementation, implications and potential penalties for non-compliance. I have registered for this two-hour training session. This is a reschedule of the class cancelled last March due to weather.
6. **City Backhoe:** The City’s backhoe is in need of replacement. Of the equipment replacement requested by the DPW Foreman, the backhoe is #1 and the old dump truck is #2. The DPW Foreman has reviewed the makes available and because of price and the nearness of parts/service has recommended a New Holland B95C LR. Cost is \$123,254. If the City buys through the State Purchasing Program, the cost drops to \$83,480, and with a trade-in of the old machine the price decreases to about \$66,980. The City can buy for cash or enter into a 36, 48, or 60 month lease (with interest) and then purchase the backhoe for \$1. How does the City Council wish to approach equipment replacement?

After a lengthy discussion of several ways to purchase the backhoe it was the consensus of the council to table the purchase of the backhoe until the next regular meeting of the council on April 22, 2013. City Manager Clint Holmes will continue to research purchase issues.

7. **MDOT Transportation Summit:** This annual event will take place at the Goodland Township Hall on the morning of April 12th. Presentations will focus on the 2013 construction program, the 2013-2017 Five Year Program, 2013-2017 federal and state fund expectations, legislative updates, and Q&A. Do any City Councilmembers wish to attend?

Mayor Christine Lee would like to attend.

8. **Community Needs Assessment:** McKenzie Health Systems in Sandusky is sponsoring a 90-minute needs assessment focus group as required by the PPACA (Obamacare) and has invited the City to participate. They are offering an evening session on April 16th and a morning session on April 17th. I plan to attend the morning session. Do any other members of the City Council wish to attend?

Mayor Christine Lee expressed an interest in attending if her calendar is clear that day.

9. **Air Advantage:** A technician connected the City Hall and Library to the fiber optic internet network the morning of April 2nd. Speed was increased between 6 and 8 times over the previous broadband connectivity. Also, Air Advantage plans to complete the bore and connect fiber to the water tower beginning on April 9th.

The City Hall is working fine with the new connection but there are a few problems with the Library connection at this time that need to be worked out.

- 10. Water Tower Painting:** Utility Services contacted the City and wants to begin scheduling repainting the water tower. They are estimating to begin sometime this Fall. Original colors were white and (approximately) spearmint green. The color palette is available for review at www.tnemecc.com. What color(s) does the City Council wish to have applied?

The consensus of the Council Members is to paint the water tower the same colors that are presently on it.

- 11. City Hall Drop Box:** The new drop box for utility payments was installed on April 5th. It is located in the same area as the old one (which was removed).
- 12. Siren Test:** The Sanilac County Emergency Management Department will be testing tornado and fire sirens throughout the County, to include Brown City, on Monday, April 8th between 5:00 and 5:15 P.M.

Test was completed as scheduled.

ATTORNEY'S REPORT:

1. Quit Claim for RR Easement.

City Attorney Gregory Stremers reported that the Quit Claim deed would be ready to sign once a couple of minor changes were completed.

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

When the Land Purchase between M.A.C. and the City of Brown City is completed on May 10, 2013 at 11:00 a.m., the city should clear approximately \$49,000 which will be deposited in a special-designation account at the local Exchange State Bank.

City Attorney Gregory Stremers requested that the DPW look over this property to ensure the legal description being used coincides with the property being transferred.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Semiannual city manager evaluation.

The council members' evaluation of City Manager Clint Holmes was very impressive showing their confidence in him. The Council gave the City Manager a score of 1071 out of a possible 1155. This is a 93% rating. Congratulations Manager Clint Holmes.

COMMITTEE REPORTS:

1. Police (Miller) – None.
2. Water and Sewer (R. Jacobson) – None.
3. Tax and Finance (P. Jacobson) – None.

4. Streets and Sidewalks (Loutzenhiser) – None.
5. Building and Grounds (Walters) – None.
6. Personnel (Mclvor) – None.

GENERAL CONCERNS OF THE COUNCIL: None.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Pat Jacobson, to adjourn at 7:37 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk