

BROWN CITY COUNCIL PROCEEDINGS

SEPTEMBER 26, 2011

Meeting called to order by Mayor Christine Lee at 7:00 p.m.

Pledge of Allegiance led by Mayor Lee.

PRESENT: Mayor Christine Lee, Councilmembers: Bill Walters, Julie Miller, Ross McIvor, Pat Jacobson, Eugene Navock and Dan Loutzenhiser. City Manager Clint Holmes and City Attorney Gregory Stremers.

ABSENT: City Clerk Kelly Pavel.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM McIvor, second by CM Loutzenhiser, to accept the regular meeting minutes of September 12, 2011 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: General - \$9,884.16 (4862-4875), Payroll - \$13,779.05 (5172-5189), Major Streets - \$2,694.50 (3735-3737), Local Streets - \$200.00 (4165), Sanitary Sewer - \$9,386.99 (3167-3170), Water - \$1,458.63 (1984-1987), Equipment - \$855.00 (1304). Motion carried.

Motion by CM Jacobson, second by CM Walters, to pay the Michigan Municipal League \$90.00 (4876) for City representation at the Michigan Association of Municipal Attorneys meeting where City Attorney Greg Stremers will receive the Distinguished Municipal Attorney Award. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT:

1. Councilmember Jacobson asked why it takes two DPW employees to read water meters. City Manager will correct the situation.
2. Councilmember McIvor asked why the part-time DPW employee is working more than 32 hours per week. City manager will investigate.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC HEARING: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 11-11:** A RESOLUTION FORMALLY CAUSING TO BE LEVIED A SPECIAL TAX OR ASSESSMENT TO RECOVER MONIES OWED THE CITY OF BROWN CITY.

Motion by CM Walters, second by CM Navock, to adopt Resolution 11-11: *A Resolution Formally Causing to be Levied a Special Tax or Assessment to Recover Monies Owed the City of Brown City* in the amount of \$1,825.12. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

MANAGER'S REPORT:

1. **Michigan Health Care Law:** The Michigan Legislature has passed a bill called the Publically Funded Health Insurance Contribution Act. Under the Act, the City Council must consider one of the following options:
 - a. Limit health care payments for employees to no more than \$5,500 for single, \$11,000 for couples and \$15,000 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 \$3,400).

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. Therefore, recommend the Mayor and City Council adopt Option "c" for 2012 and allow time to review health care coverage options in detail prior to coverage renewal in 2013.

Motion by CM Walters, second by CM Navock, to exempt the City from the requirements of the Publically Funded Health Insurance Contribution Act for 2012.

ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

2. **Economic Vitality Incentive Program (EVIP):** The City received email confirmation that the Michigan Office of Revenues and Tax Analysis has received a copy of the City of Brown City Dashboard; Citizen's Guide and Form 4886. Therefore, the City should be qualified to receive that portion of the EVIP (about \$11,313). Subsequent milestones are in January and May 2012.
3. **Maple Valley Lift Station:** DTE notified the City that they had received the City's Claims Affidavit and will investigate the claim for damage caused to the Lift Station. This includes, but is not limited to, review of records, interviews of employees or witnesses and a technical evaluation. The investigation could extend past the 60-day goal set by DTE. The second VFD unit is still on order.

Also, the spare pump and impellers have arrived and are in storage at the DPW.

4. **FEMA Floodplains – Flood Insurance Rate:** The Michigan Townships Association is sponsoring a meeting regarding this federal program. Since the southeast 80 acres of the City of Brown City lies in a floodplain, we were invited to attend. However, the time and date conflicts with the next regular City Council meeting. I am looking for an individual to attend on behalf of the City.
5. **Channel 6:** The City has yet to receive an update from COMCAST. An update was again requested via voice mail.
6. **Sanilac Tourism Association:** The STA has invited the City of Brown City to join their organization. Membership dues are \$100 per year. Also, the City has the opportunity to take out an advertisement in the Official Vacation Planner for the Sanilac County Area. Ad sizes range from a ¼- page (\$425) up to full page (\$1,185) or cover (\$1,395). How does the City Council wish to proceed?

Motion by CM Walters, second by CM Navock, to pay the annual dues and join the Sanilac Tourism Association and purchase a ¼- page advertisement to promote the Thumb Soybean Festival, City Park, and Firefighters 9/11 Memorial. Motion carried.

7. **Cade Road:** Apparently there is a problem getting a Soil Erosion Permit from Lapeer County. A permit was ready for issue from Sanilac County, but they decided one was required from Lapeer as well. A preconstruction meeting is scheduled at City Hall for Thursday, September 29th at 3 PM. The construction schedule should be developed at that meeting.
8. **Hydrant Flushing:** The DPW plans to flush fire hydrants October 10th through the 14th. Hydrant flushing will usually take place during the day. Residents may notice some discoloration in the water during this process and are advised not to wash white or light colored cloths during this period. Notices will be published in *The Banner* on October 3rd and on the City's website.
9. **Columbus Day:** The next City Council meeting is scheduled for October 10th. This is a federal but not a City holiday. Therefore, City Hall will be open and the police and DPW will work a regular schedule. Does the City Council wish to reschedule this meeting?

City Council consensus is to have the meeting as scheduled.

10. **Halloween Hours:** In years past, the City set Halloween hours from 5:30 to 7:30 p.m. by motion. What hours does the City Council wish to set for this year? **REQUIRES MOTION.**

Motion by CM Miller, second by CM Mclvor, to have Halloween hours on Monday, October 31st from 5:30 to 7:30 p.m. Motion carried.

ATTORNEY'S REPORT:

Concerning FEMA Floodplains, several communities are drafting ordinances concerning this issue. Copies will be made available to the City for review when available.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. **City Manager Evaluation:** The forms for the formal annual City Manager evaluation were totaled by the Mayor Pro-Tem. The City Manager was evaluated in the following categories: Personal; Professional Skills and Status; Relations with the City Council; Policy Implementation; Reporting; Resident Relations; Supervision; Fiscal management; and Other. The City Manager received a total of 1080 out of a possible score of 1155 or 93.5%. The City Manager thanked the City Council for their continued support.
2. **Cade Road Improvement Project:** Discussion concerning several citizen enquiries as to why the City selected James P Contracting verses the local contractor. Decision was based on cost and availability.

COMMITTEE REPORTS:

1. Police (Miller) – none.
2. Water and Sewer (Navock) – none.
3. Tax and Finance / Thumb Soybean Festival (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:

County Commissioner Daws provided a brief update pertaining to County business, including:

- a. Noted that the Commissioners had also voted to exempt Sanilac County from the Publically Funded Health Insurance Contribution Act.
- b. The Courts are still reviewing whether the Sanilac County Department of Mental Health must pay Sanilac County about \$290K in building rent.
- c. The County Commissioners are scheduled to hear committee recommendations concerning a new jail during their next regular meeting on September 27th.
- d. The Baby Pantry will be open two days a week.

EXECUTIVE SESSION:

Motion by CM Loutzenhiser, second by CM Walters, to go into Executive Session to consider the purchase or lease of real property. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

The City Council went into executive session at approximately 7:37 PM.

Motion by CM Loutzenhiser, second by CM Miller, to come out of executive session. **ROLL CALL VOTE:** Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

The City Council came out of executive session at approximately 7:44 PM.

No action was taken in Executive Session.

ADJOURNMENT:

Motion by CM Loutzenhiser, second by CM Navock, to adjourn at 7:45 p.m. Motion carried.

Respectfully submitted,

Clinton K. Holmes
City Manager

for:
Kelly Pavel
City Clerk