

**BROWN CITY COUNCIL PROCEEDINGS
DECEMBER 13, 2010**

OATH OF OFFICE (6:55 PM):

1. **Mayor Christine Lee.**
2. **Councilmembers Dan Loutzenhiser, Ross Mclvor, and Eugene Navock.**

City Clerk Kelly Pavel swore in Christine Lee as Mayor as well as Daniel Loutzenhiser, Ross Mclvor and Eugene Navock as Councilmembers.

INDIVIDUAL AND GROUP PICTURES OF THE NEW CITY COUNCIL.

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 Mclvor, Pat Jacobson, Eugene Navock, Dan Loutzenhiser. City Manager Clint Holmes and City Clerk Kelly Pavel.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Loutzenhiser, second by CM Miler, to accept the Regular Meeting Minutes of November 22, 2010 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Miller, to pay the bills in the following funds: General - \$17,848.13 (4436-4461), Payroll - \$11,265.65 (4804-4818), Sanitary Sewer - \$7,391.00 (3097-3101), Water - \$11,898.48 (1884-1891), Arsenic Abatement - \$150.00 (1151), Storm Sewer - \$100.73 (1083-1084), Equipment - \$98.56 (1268-1269). Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS:

POLICE REPORT:

Written report reviewed. City Manager apologized for Chief Smith's absence and also reported that the individual responsible for the rash of break in at Ben's Supermarket has been apprehended.

UNFINISHED BUSINESS: Channel 6 Content and Use Policy.

City Manager discussed proposed content and use policy that Council has reviewed.

Motion by CM Walters, second by CM Navock, to adopt the proposed Government Access Cable Television Channel, Content and Use Policy as presented. Motion carried.

PETITIONS & COMMUNICATIONS: None Scheduled.

PUBLIC HEARINGS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS:

1. **Resolution 10-09** – A Resolution to prohibit the sale of spirit and mixed drink spirit / beer and wine between the hours of 7:00 AM on Sunday and 2:00 AM on Monday.

City Manager discussed the proposed Resolution 10-09 and its effects on local establishments selling/serving spirits/mixed drinks/beer/wine. Council consensus that no action be taken on Resolution 10-09.

MANAGER'S REPORT:

1. **Miss Dig System:** The City was informed that we are required by Michigan PA 53 of 1974 to join the Miss Dig System and pay dues. Apparently, the organization just noticed that we are not a member. A copy of the membership agreement was reviewed by the City Attorney. Cost is a one-time administrative fee of \$290 and monthly dues of \$16.30. Require a motion to allow the Mayor to sign the agreement on behalf of the City.

Motion by CM Walters, second by CM Miller, to direct the Mayor to sign the Miss Dig System Agreement for the City of Brown City. Motion carried.

2. **City Hall Mats:** The floor mats in the entranceway and in City Hall are provided by a contractor and replaced every two weeks at a cost of \$120 per month. The floor mat in the library was purchased by them many years ago. Unless otherwise directed by the City Council, plan to terminate the contract on its renewal date next week and purchase two replacement floor mats. The mats will pay for themselves in less than four months. Council consensus to adopt this policy.
3. **Workers Compensation Fund:** As a result of a successful audit by the MML Workers Compensation Fund for the fiscal year of July 2009 through June 2010, the City received a rebate of \$1,092.00. This was out of a total payment of

\$4,772, so the City received a rebate of about 22%. City Staff continues to closely monitor expenses.

4. **Sanilac County Road Commission:** There is a public input meeting concerning Federal Transportation Act (TEA 21) project planning for 2011. The meeting is at 10:00 AM on Tuesday, December 14th at the Road Commission Office in Sandusky. I will be attending as the representative for Sanilac County cities and villages. City Manager had a recent conflict arise and will not be attending this meeting.
5. **Meadow Breeze Assisted Living:** A ministry has taken over the old Marlette Teen Ranch and in addition to having a food distribution pantry and providing assisted care, they want to establish senior and child daycare. They have identified their greatest challenge as transportation to/from this daycare service. They have asked if the City would provide a subsidy for transportation of City residents to Meadow Breeze. City Attorney's advice is to not participate in this transportation service. Council consensus to not subsidize any transportation services.
6. **MML Legislative Committees:** The MML is looking for municipal officials to serve on the Legislative Governance Committee and Legislative Issue Committees. The former meets twice a year in Lansing and the latter requires internet access to meet virtually in order to respond rapidly to legislation being considered by the Legislature and Congress. Are any members of the City Council interested in applying?
7. **Thumbworks!:** A Business Resource Center has been established by Thumbworks! in Marlette. The Grand Opening was December 10th. The BRC provides a central location for business training opportunities, assistance, counseling and research. Reference materials and computers are available to the public for establishing and growing businesses.
8. **City Hall Holiday Hours:** City Hall is currently scheduled to be closed on Friday, December 24th and 31st in observance of RamaHanuKwanzMas and New Years.

ATTORNEY'S REPORT:

1. ACLU sues cities that have banned medical marijuana. Material provided for council review.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. 2010-2011 City Council Committee assignments were distributed to Councilmembers by Mayor Lee.
2. Commission and Board reappointments.

Motion by CM Miller, second by CM Walters, to make the following appointments to boards and commissions: Planning Commission (term expiring 12-31-13) Jack Bell, Keith Redlin, Laura Carpenter. DDA (term expiring 12-31-14) Jack Nickens, Keith Redlin, Laura Carpenter. BC Evergreen Cemetery (term expiring 12-31-15) Pam Abel, Election Commission (term expiring 12-31-12) David R. VanCura, Board of Review (term expiring 12-31-12) Jack Bell, Ron Campbell, Imogene Sealey. Motion carried.

3. Distribution of City Council Priority Worksheets, due next meeting
4. December City Council meeting schedule. Council consensus that the December 27, 2010 Regular Meeting remain as scheduled.

COMMITTEE REPORTS:

1. Police – none.
2. Water & Sewer – none.
3. Tax & Finance – none.
4. Streets & Sidewalks – none.
5. Buildings & Grounds – none.
6. Personnel – none.

GENERAL CONCERNS OF THE COUNCIL:

CM Loutzenhiser commended DPW crews for the early snow removal job this morning after this winter storm. City Manager reported that crews started at 3:30 a.m.

City Manager discussed the City's inability to legally gift employees for the holiday and in the past have granted a half day off prior to Christmas Eve and New Year's Eve and questioned if the Council has any interest in this again.

Motion by CM Walters, second by CM Loutzenhiser, to close City Hall at noon and employees be paid for a full day on 12-23-10 as well as 12-30-10, since holidays are falling on a weekend. Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM McIvor, to adjourn at 7:30 p.m. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk