

BROWN CITY COUNCIL PROCEEDINGS

DECEMBER 27, 2010

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

Pledge of Allegiance led by Mayor Christine Lee.

PRESENT: Mayor Christine Lee, Council members: William Walters, Julie Miller, Ross McIvor, Pat Jacobson, Eugene Navock and Dan Loutzenhiser. City Manager Clint Holmes, City Attorney Gregory Stremers and City Clerk Kelly Pavel.

ABSENT: None.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Miller, second by CM Navock, to accept the Regular Meeting Minutes of 12-13-10 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Navock, to pay the bills in the following funds: General - \$7,737.01 (4462-4472), Payroll - \$12,338.99 (4820-4838), Sanitary Sewer - \$1,546.68 (3102-3103), Water Fund - \$1,219.99 (1892-1894). Motion carried.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS: None.

DPW REPORT:

Written report reviewed. CM Walters questioned if snow is being removed from Parkside Drive this winter. City Manager stated that the same policies as in the past are being followed with charges for snow removal from Parkside Drive.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

PUBLIC HEARINGS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS: None Scheduled.

MANAGER'S REPORT:

1. **Park Grant:** The Brown City Community Park has been awarded a \$35,000 grant from the Michigan Department of Natural Resources for various improvements to the Park, to include dredging the pond and improving the nature trail. Once the necessary paperwork is completed, the project should commence in the spring/summer.
2. **Check Signing Authority:** At the last City Council meeting the Mayor and Councilmembers signed the paperwork authorizing them to sign checks on behalf of the City. Apparently, the bank requires that in addition to the signature sheets, they also require formal approval by the City Council and a copy of the minutes recording that approval for their records. Therefore request approval of the following motion:

Motion by CM Walters, Second by CM Jacobson to authorize Mayor Christine Lee, Clerk Kelly Pavel, Treasurer Carol Walters and Administrative Assistant David Van Cura to sign checks drawn on the following accounts located at Tri-County Bank: General Fund (4-0001-7); Payroll Fund (2-1705-6); Major Street (1-1833-8); Local Street (1-1831-1); Sewer Fund (1-1834-6); Storm Sewer Fund (4-4346-9); Water Fund (4-1678-3); Arsenic Abatement (4-3359-1); Equipment Fund (4-1679-4); Investment Fund (1-4512-7); and to authorize City Bookkeeper Sue Martinez access to the above account statements plus Brown City Park (1-0429-9); Brown City Cemetery (1-7282-5). Also, to authorize Mayor Christine Lee; City Councilperson Patricia Jacobson; and City Manager Clinton K. Holmes to sign checks drawn on the following DDA checking account and to make withdrawals from these savings accounts at Tri-County Bank: Downtown Development Authority checking (1-6201-2); DDA Savings (7123267, 7115417, 7110798) and to authorize City Bookkeeper Sue Martinez access to the associated account statements. To authorize Mayor Christine Lee, Clerk Kelly Pavel, Treasurer Carol Walters and Administrative Assistant David Van Cura to sign checks drawn on the following account located at Exchange State Bank: Sewer Reserve Account (8009755) and to authorize City Bookkeeper Sue Martinez access to the associated account statements. Roll Call: There followed a Roll Call Vote with six (6) Councilmembers present: CM Jacobson-yes, CM Loutzenhiser-yes, CM Mclvor-yes, CM Navock-yes, CM Miller-yes, CM Walters-yes. Motion Declared.

3. **Non-Monetary Defense Cost Insurance:** The City received the insurance endorsement for this coverage. Premium charges for the remainder of FY 2010-2011 were waived.
4. **Blue Cross / Blue Shield:** The City received notice that beginning in January, health insurance will be billed directly by Blue Cross / Blue Shield rather than through MML Employee Benefit Services. Also, recommend switching agent coverage to National Employee Benefit Specialists. This will facilitate modifying any necessary coverage as well as changes required by the Patient Protection and Affordable Care Act (Obamacare). Council consensus that City Manager pursue as explained.

5. **Ben's Supercenter Vehicle Dealer Permit:** Ben's Great Lakes Sales LLC has requested "municipality and zoning approval to conduct the sale of new vehicles under a contract agreement with a new vehicle manufacturer for horse and utility trailers (yellow)." A review of the ordinances does not indicate that a separate municipal approval is required for a state licensed business. Ben's is zoned Neighborhood Commercial and the ordinance does not specifically allow this type of sales. Does the City Council wish to take action or defer to the Planning Commission?

Council discussion regarding ordinance specifications as well as the fact that trailers have been sold at this location for some time. Council consensus that there is a continued concern for trailers that are parked beyond the right of way that obstruct the view for patrons exiting Ben's. City Manager discussed the fact that he has contacted management at Ben's regarding this many times as well as MDOT and that this needs to be done again.

CM Walters suggested that this licensor be approved with the stipulation that trailers are not parked beyond the right of way.

Motion by CM Loutzenhiser, second by CM Walters, to approve Zoning for Ben's Great Lakes Sales LLC and that necessary paperwork be completed by City Manager. ROLL CALL VOTE: Walters-yes, Miller-yes, Mclvor-yes, Jacobson-yes, Navock-yes, Loutzenhiser-yes. Motion carried.

6. **City Hall Holiday Hours:** A reminder that City Hall will be closed from noon on December 30th until the morning of January 3, 2011. Happy New Year from the Staff.

ATTORNEY'S REPORT:

City Attorney has reviewed the Miss Dig Contract and approved it's wording. Also, medical marijuana cases continue to be reviewed and pertinent information is forwarded to the City Manager.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Mayor Lee has collected all Council Priority Worksheets.
2. Mayor Lee was invited to attend a photo op at Tri County Bank with Brown City Business representatives who participated in the fund raiser challenge for local cancer patient Daniel Pytlenski. Brown City held the honor of raising the most monies.

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: None.

PUBLIC QUESTIONS & COMMENTS:

County Commissioner Jamie Daws provided an update on the County Jail Project.

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