

**BROWN CITY COUNCIL PROCEEDINGS
DECEMBER 12, 2011**

OATH OF OFFICE (6:55 PM):

City Clerk Kelly Pavel presented the Oath of Office to newly elected Councilmembers Patricia Jacobson, Julie Miller and William Walters.

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: Julie Miller, Bill Walters, Ross McIvor, Pat Jacobson, Eugene Navock & 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 Walters, to accept the Regular Council Meeting Minutes of November 28, 2011 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Loutzenhiser, to pay the bills in the following funds: General - \$13,244.40 (4980-5007), Payroll - \$11,525.31 (5281-5294), Major Streets - \$89,578.80 (3744), Sanitary Sewer - \$1,484.02 (3182-3184), Water - \$658.63 (2011-2016), Arsenic Abatement - \$150.00 (1176), Equipment - \$128.57 (1315-1317). Motion carried.

PUBLIC QUESTIONS & COMMENTS: None.

POLICE REPORT:

Written report reviewed. No questions or comments.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC HEARINGS: None Scheduled.

UNFINISHED BUSINESS: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

ORDINANCES: None Scheduled.

RESOLUTIONS: None Scheduled.

MANAGER'S REPORT :

1. **Maple Valley Lift Station:** The City is still waiting on a response from DTE concerning the lift station claim.
2. **On Street Parking Tickets:** The City's police department began issuing civil infraction tickets for winter parking violations. Overnight parking on any City street is a violation of City Ordinance and results in a \$5 fine for the first offense. A total of seven (7) tickets were written. Signs are posted at the entrances to the City stating no on street overnight parking between November 1 and April 1.
3. **Soldiers and Sailors Relief Act:** Under the SSRA, people serving in the military in a combat zone overseas are granted certain protections. This raised questions concerning whether the City could turn off utilities for non-payment, or charge a late/turn-on fee. Liaison with the City Attorney revealed that the maximum penalty for late payment is 6% (verses the 10% required by City Ordinance). Shut-off is possible if the customer fails to provide verification of the service members' active duty status or establish a repayment plan.
4. **Unclaimed Property:** As required by PA 29 of 1995, the City submitted the necessary paperwork to the State of Michigan stating that the City held no unclaimed property. This report is now due annually.
5. **ParPlan RRGF Grant Request:** The City submitted a request to the Michigan Township Participating Plan for the Risk Reduction Grant Program for \$1,659.84 to refurbish the two patrol vehicle laptop computers. Winners of the grants will be announced not later than February.
6. **Channel 6:** The computer and monitor necessary to power Channel 6 have been installed and are operational. Coordination with Comcast revealed that the technician is currently on vacation. Comcast has promised to contact the City on December 12th to set up appointment to resume broadcasting on the City's PEG Channel. Staff has already loaded the first several screens and identified the procedures necessary to make this information available to the Comcast system. Anticipate the system will be up soon.
7. **Intellectual Property Class:** The class offered by Thumbworks! in Marlette on November 30th was postponed, and has not yet been rescheduled.
8. **City Hall Closures:** Normally, if a holiday falls on a Saturday, it is celebrated on Friday. If on a Sunday, then City Offices are closed on Monday. Christmas and New Year's Eves fall on a Saturday this year. By contract, the DPW has these days off and traditionally the other City workers have this day off if approved by the City Council. Christmas and New Year's Days are on Sunday and are traditional City Holidays as detailed by the City's Employee Handbook.

Therefore, request a motion to close City Offices on December 23, 26, 30 and January 2. **REQUIRES MOTION.**

Motion by CM Walters, second by CM Miller, to authorize City Offices to be closed on December 23rd, 26th and 30th of 2011 as well as January 2, 2012. Motion carried.

9. **Employee Wage Memo** – A memo concerning background and options concerning employee wages was presented to Councilmembers for review and further discussion at a later date.

ATTORNEY'S REPORT:

City Attorney reported that there has still been no response from DTE regarding the power surge and subsequent damage to the Maple Valley Lift Station. There will be options for the Council to consider, which will be presented at a later date.

TREASURER'S REPORT: None.

MAYOR'S REPORT:

1. Mayor and City Council Priorities Worksheet for 2012 – please return to Mayor ASAP.
2. City Council Rules of Procedure – revisions were provided for review.

Motion by CM Walters, second by Navock, to accept the revised City of Brown City Rules of Procedure For Regular and Special City Council Meetings as presented. Motion carried

3. Appointment to Boards and Commissions

Motion by CM Miller, second by CM Navock, to make reappointments to the following Boards and Commissions: **Planning Commission** (expiring 12-31-14) JoAnn Potts, Todd Vandewarker and Bill Walters. **DDA** (expiring 12-31-15) Don Richardson & Todd Vandewarker, **Brown City Evergreen Cemetery** (expiring 12-31-16) Ray Carmen, **Election Commission** (expiring 12-31-13) Kathleen Loutzenhiser. Motion carried.

4. Next City Council meeting is scheduled for December 19th at 7 PM.
5. Mayor requests that anyone knowing that they will be absent for a regularly scheduled Council meeting, please notify the Mayor or City Manager promptly.

COMMITTEE REPORTS:

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

GENERAL CONCERNS OF THE COUNCIL:

CM Loutzenhiser requests that the City Manager investigate forgoing late fees for water bills per the Soldiers and Sailors Act. Council consensus that this be pursued.

CM McIvor questioned the water bill collection procedure at the trailer park and its efficiency. City Manager stated this process is running smoothly.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Miller, second by CM Jacobson, to adjourn at 7:11 pm. Motion carried.

Respectfully submitted,

Kelly Pavel
City Clerk