

BROWN CITY COUNCIL PROCEEDINGS
JULY 12, 2021

MEETING CALLED TO ORDER BY MAYOR JULIE MILLER AT 7:00 P.M.

PRESENT: Mayor Julie Miller, Councilmembers: Patricia Jacobson, Christine Lee, Ross McIvor and Walter Robison; City Manager Clint Holmes, City Attorney Gregory Stremers, City Clerk Rhonda Johnson, Lieutenant Emily Medaugh.

ABSENT: Councilmembers: Eugene Navock and Stacy Biel.

GUESTS: Kevin Burke, Robert Jacobson, Mary Madia, Ron Marion (7:30 p.m.)

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: Three additions to the agenda:

1. Addition to Bills.
2. Addition to Petitions and Communications.
3. Resolution 21-06.

CORRECTION & APPROVAL OF MINUTES:

MOTION BY CM MCIVOR, SECOND BY CM ROBISON, TO APPROVE THE MINUTES OF JUNE 28, 2021, AS WRITTEN. MOTION CARRIED.

PAY BILLS:

MOTION BY CM JACOBSON; SECOND BY CM LEE, TO PAY BILLS IN THE FOLLOWING FUNDS WITH ONE ADDITION: General - \$23,816.92 (10445 - 10470), Payroll - \$13,555.29 (9900 - 9909 includes EFT), Major Streets – \$1,651.70 (4061 - 4064), Local Streets - \$1,355.45 (4366 – 4367), Sewer - \$420.00 (3979), Water - \$1,407.76 (3363 - 3366), Storm Sewer - \$60.00 (1332), plus one addition – I.T. RIGHT - \$2,256.74 (10473).

MOTION CARRIED.

PERSONAL APPEARANCES:

Kevin Burke, Maple Valley resident, told the City Council that the City Council needs to look at the current park ordinance again.

Mary Media, Hogtown Incorporated representative, discussed the plans for the annual Hogtown Run. She also requested that the City close McMorran Street on Saturday August 14, 2021 from 11 a.m. to 12 noon so the motorcycles can line up for their parade east through town to Maple Valley Road.

MOTION BY CM LEE, SECOND BY CM MCIVOR, TO HAVE HOGTOWN WORK WITH CITY MANAGER CLINT HOLMES TO CLOSE MCMORRAN STREET ON AUGUST 14, 2021 BETWEEN 11 A.M. AND 12 NOON FOR THE ANNUAL HOGTOWN RUN. MOTION CARRIED.

POLICE REPORT:

Lieutenant Medaugh reported that she will be on vacation next week. The County Sheriff will take emergency calls. The Brown City Police department continues to enforce the city's animal ordinance.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None.

ORDINANCES: None.

RESOLUTIONS: 21-06: A RESOLUTION TO FORMALLY ACCEPT THE SPECIAL ASSISTANCE FOR RURAL COMMUNITIES AND HOUSEHOLDS (SEARCH) GRANT. **MOTION BY CM LEE, SECOND BY CM JACOBSON, TO AUTHORIZE THE MAYOR AND CITY CLERK TO SIGN THE CONTRACT ON BEHALF OF THE CITY OF BROWN CITY AND ADOPT THOSE CONDITIONS SET FORTH IN THE COVER LETTER OF JULY 12, 2021; LETTER OF INTENT TO MEET CONDITIONS; WATER AND WASTE SYSTEM GRANT AGREEMENT; AND REQUEST FOR OBLIGATION OF FUNDS.**

ROLL CALL VOTE: CM BIEL – ABSENT, CM JACOBSON – YES, CM LEE – YES, CM MCIVOR – YES, CM NAVOCK – ABSENT, CM ROBISON – YES. 4 YEAS, 0 NAYS, 0 ABSTAINING, 2 ABSENT. MOTION CARRIED.

PETITIONS & COMMUNICATIONS:

1. **4444 Main Street - Banks Chiropractic:** Request permit to install ~45' of underground fiber-optic cable. COMCAST request.

MOTION BY MCIVOR, SECOND BY ROBISON, TO APPROVE THE PERMIT TO INSTALL ~45' OF FIBER-OPTIC CABLE. MOTION CARRIED.

2. **Cade Road** – Citizen request to make the intersection at Cade Road and Belview Drive a three-way stop. The consensus of the City Council was to not make any changes at this time since no one appeared before the council to request the change.
3. **6896 Thelma Avenue** – Request for a permit to install a fence at 6896 Thelma Avenue.

MOTION BY CM ROBISON, SECOND BY CM JACOBSON, TO APPROVE THE PERMIT TO INSTALL A FENCE AT 6896 THELMA AVENUE ALONG THE PROPERTY LINE. MOTION CARRIED.

MANAGER'S REPORT:

1. **Reed Street:** Work is essentially complete on Reed Street. There was one change notice approved – the pulling of seven stumps in order for the sidewalk to be level – at a cost of about \$2,000 (lavender). The engineer is putting together a final punch list to be completed and is scheduling a walk-through with the contractor, City, and engineer for the week of July 12th.
2. **ARPA CLFRF NEU Request:** The American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund (CLFRF) Non-Entitlement Unit of Local Government (NEU) Request documents were submitted by the City on July 8th.

This application package is mandatory in order to gain access to Brown City's share of these federal funds. The City is being awarded \$130,836, with half being made available sometime in 2021 and the other half in 2022.

3. Third Street: Astec Asphalt provided a quote for resurfacing Third Street.
MOTION BY CM MCIVOR, SECOND BY CM LEE, TO ACCEPT THE BID BY ASTEC ASPHALT FOR \$21,800 FOR RESURFACING THIRD STREET.

ROLL CALL VOTE: CM BIEL – ABSENT, CM JACOBSON – YES, CM LEE – YES, CM MCIVOR – YES, CM NAVOCK – ABSENT, CM ROBISON – YES. 4 YEAS, 0 NAYS, 0 ABSTAINING, 2 ABSENT. MOTION CARRIED.

4. Police Academy: The City individual that was interested in being sponsored by the City through the Oakland Police Academy has withdrawn his application.

5. Park and Recreation Board: The new ordinance went into effect on June 24th. The new Board is scheduled to meet on July 20th at 7 PM at City Hall. There is currently one vacancy on the Park and Recreation Board. Ron Marion is present and has asked to be appointed to the Park and Recreation Board. City Manager Holmes said the appointment is for one year as per Ordinance 31-200.

MOTION BY CM ROBISON, SECOND BY CM MCIVOR, TO APPOINT RON MARION TO THE BROWN CITY COMMUNITY PARK AND RECREATION BOARD. MOTION CARRIED.

6. Maple Valley Road Stop Signs: The DPW Foreman is coordinating with Sanilac County Road Commission to determine best type/location of rumble strips.

7. MML Annual Convention: The 2021 Michigan Municipal League Annual Conference is scheduled for September 22-24 in Grand Rapids, Michigan. There is currently no information concerning the agenda or topic of the convention. Does anyone on the City Council plan to attend this year's MML Convention besides CM Lee?

- a. MML is requesting that the City Council approve a motion designating an individual who will be attending the convention to vote on trustees and various other issues at the business meeting on September 22nd.

MOTION BY CM MCIVOR, SECOND BY CM JACOBSON, TO DESIGNATE CM LEE TO VOTE ON TRUSTEES AND OTHER ISSUES AT THE SEPTEMBER 22, 2021, MML ANNUAL CONFERENCE BUSINESS MEETING. MOTION CARRIED.

- b. MML Workers' Compensation Fund Trustee Election: The City Council has the option of voting for the five candidates nominated for the five open positions for Fund Trustees. Consensus of the Council was not to participate.

8. Maple Valley Lift Station: The City just received the report on the pump removed from the Maple Valley Lift Station for overhaul. Cost to repair the pump is estimated at just under \$3,000; cost of a new pump is \$4,579. Also, the check valve going into the wetwell is leaking and should be replaced. Estimated cost is about \$2,280.

Mayor Miller asked the age of the current pump. City Manager Holmes the current pump was installed in 1968.

MOTION BY CM ROBISON, SECOND BY CM JACOBSON, TO PURCHASE A NEW PUMP FOR \$4,579 AND A NEW CHECK VALVE FOR ESTIMATE OF \$2,280. MOTION CARRIED.

9. **Fire Hydrant:** The DPW is still waiting for the delivery of parts to repair the fire hydrant on Second Street.
10. **Annual Audit:** King & King CPAs completed Phase I of the City's annual financial on July 1st. No significant issues or discrepancies were noted. Phase II is to complete the report of the City's audit. Anticipate that the results will be provided to the City Council at the August 9th meeting.

ATTORNEY'S REPORT: City Attorney Stremers said that, for the record, it was after a review of the original articles of incorporation establishing the Brown City Community Park Association, Incorporated Board of Directors, his recommendation was, and remains, that the city council have an ordinance establishing the Brown City Park and Recreation Board. Ordinance 31-200 was introduced at the December 28, 2020, City Council meeting. A Public Hearing concerning Ordinance 31-200 was held on January 11, 2021, at a zoom city council meeting and tabled at the request of some audience members. At the May 10, 2021, City Council meeting, a second Public Hearing was scheduled for May 24, 2021. Ordinance 31.200 was passed at the May 24th City Council meeting following this in-person public hearing. City Attorney Stremers also said that the original articles of incorporation have not changed and that he would be glad to talk with Mr. Burke's attorney for no charge to the city concerning Ordinance 31-200.

TREASURER'S REPORT: None.

CLERK'S REPORT:

1. City Clerk Rhonda Johnson is going to the county clerk's meeting this Thursday, July 15th.
2. City Clerk asks if Council approves of her donating her time to take minutes at the Park and Recreation Board meetings.

MOTION BY CM MCIVOR, SECOND BY CM ROBISON, TO APPROVE CITY CLERK DONATION OF TAKING MINUTES AT PARK AND RECREATION BOARD MEETINGS. MOTION CARRIED.

3. City Clerk asks if council approves a bond required for her to apply for a notary license for city use. Consensus of council to approve.

MAYOR'S REPORT:

1. County ditches in the City need to be cleaned out. City Manager to contact Sanilac County Drain Commissioner.
2. Weeds will be sprayed around City Hall.
3. The goal of Ordinance 31-200 is to legally oversee tax dollars and to coordinate spending millage money with the Park Corporation Board's fundraising and donation efforts in order to improve and maintain Brown City Community Park

COMMITTEE REPORTS:

1. Building and Grounds (Mclvor) – Nothing.
2. Personnel (Biel) – Absent.
3. Police / Fire Authority (Lee) – Meeting Tuesday, July 13, 2021.
4. Streets and Sidewalks (Navock) – Absent.
5. Tax and Finance (Jacobson) – Nothing.
6. Water and Sewer (Robison) – Nothing.

GENERAL CONCERNS OF THE COUNCIL:

1. Mayor Miller asked if all trees from last year’s list have been trimmed or removed. City Manager Holmes said they have.
2. City Manager Holmes said that the Veteran Esteem Team and Lapeer County Veterans’ Council held a dinner honoring regional World War 2 veterans and women who worked in the ammunition and ordinance factories in Brown City on July 11th. The program was very well organized and produced. Dorothy Martus of Brown City was recognized.
3. City Manager Holmes said that the City is scheduling use of the machine to fill road cracks and this will be accomplished by the DPW later this summer, as planned.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

MOTION BY CM LEE, SECOND BY CM MCIVOR, TO ADJOURN THE JULY 12, 2021, MEETING OF THE CITY COUNCIL AT 8:08 P.M. MOTION CARRIED.

Respectfully submitted,

Rhonda Johnson
City Clerk