

BROWN CITY COUNCIL PROCEEDINGS SEPTEMBER 14, 2020

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

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

PRESENT: Mayor Julie Miller; Council members: Stacey Biel, Patricia Jacobson, Christine Lee, Ross McIvor, Eugene Navock, and Walter Robison; City Manager Clint Holmes, City Clerk Juanita Smith and City Attorney Gregory Stremers.

ABSENT: None.

GUESTS: Police Officer Adam Stracenrider.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: One addition to "Pay Bills" for \$1,415.52 to Municipal Supply Company.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Navock, second by CM Biel, to accept the Regular Meeting Minutes of August 24, 2020 as presented. Motion carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Lee, to pay the bills in the following funds:

General - \$23,485.97 (9979 – 10011), **Payroll - \$15,497.20** (9556 – 9569 plus EFT) for payroll 08-12- 20 to 08-25 20, Payroll for 08-26-20 to 09-08-20 is \$15,361.78 (9570 – 9587 plus EFT). **Total Payroll** for period 08-12-20 to 09-08-20 is \$30,858.98, **Major Street - \$507.60** (4036 – 4038), **Local Street \$372.60** (4346), **Sanitary Sewer - \$2,672.14** (3914, 3916-3919, void #3915), **Water - \$1,137.60** (3253.-3254, 3256 – 3258, void #3255), **Storm Sewer - \$615.00** (1316, 1318, void #1317), **Equipment - \$606.35** (1731 – 1732). **Motion carried.**

Motion by CM Jacobson, second by CM Lee, to pay Municipal Supply Co. the amount of \$1,415.52 (One Thousand Four Hundred Fifteen Dollars and Fifty-Two cents. Motion carried.

POLICE REPORT: Report reviewed. No questions or concerns. Mayor Miller asked Police Officer Stracenrider to have extra help on Halloween evening if needed.

PERSONAL APPEARANCES: None Scheduled.

PUBLIC QUESTIONS & COMMENTS: None.

UNFINISHED BUSINESS: None Scheduled.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

MANAGER'S REPORT:

1. **M-90 / Main Street Reconstruction:** At the request of a Councilmember, a contractor was contacted to determine the cost associated with chip-sealing the sides of Main Street that were not included in the MDOT Project. The contractor responded that an estimate would have to wait until Spring and the work could not be done until at least next summer.
2. **FICA Payroll Deduction:** Beginning September 1, 2020 by order of the president and in accordance with IRS Notice 2020-65, and guidance from the Michigan Department of Treasury, employers have the option of continuing employee Social Security tax withholding or deferring Social Security withholding until the end of the year. Brown City employees who are full time and receive City-paid benefits were given the option of receiving or continuing to withhold their portion of employee Social Security payroll tax during the period of September 1, 2020 to December 31, 2020. Of those employees given the option, all decided to continue the deduction of this tax.
3. **Sewer Projects:** Contact with the Spicer engineer revealed that the report should be ready prior to the next City Council meeting. The current holdup is getting prices associated with building a new lift station at Maple Valley Road. He did say that the information from the flow test and the City's records provided ample information to complete the study.
4. **Planning Commission:** At the last meeting, and following recommendation of the City Attorney, the City Council tasked the Planning Commission to review a proposed ordinance and make recommendations to the City Council. The proposed Section 152.400 would provide for "Cultivation or Other Medical Use of Marihuana as a Medical Marihuana Home Occupation in Single-Family Dwellings". This ordinance is specific to caregivers as defined by the Michigan Medical Marihuana Act (MMMA). The proposed ordinance would have no impact on the Michigan Regulation and Taxation of Marihuana Act (MRTMA) (recreational) or on a qualified patient without a caregiver under the MMMA. It will still be unlawful under this proposed ordinance to establish or operate a for-profit or nonprofit marijuana dispensary, collective or cooperative within the City, even if such use is intended for the medical use of marijuana. The Planning Commission has scheduled a Public Hearing for 7:05 PM at their next regular meeting on October 1st.
5. **Lift Station Cleaning:** The annual cleaning of the Maple Valley Road, Thelman Avenue and Belview Drive Lift Stations was completed on September 1st. While the vac truck was in the City, the storm drains at Lincoln and Maple Streets, and those on Welles Street south of Maple Street were also cleaned. Additionally, there was an attempt to clear the culvert at 4455 Main Street, but the covered portion of the ditch requires repair, which is the responsibility of the property owner (Title XV Land Usage - §150.24), who was notified.

6. **SCADA Systems:** The contractor (KERR Pump and Supply) is scheduled to install the updated SCADA system on the City's water wells and water tower beginning on September 11th. The work should be done and the system fully operational that same day.
The Maple Valley Lift Station's SCADA system has been having some glitches. The alarm company (Raco) was called and they evaluated the system. Initially they thought just the antenna needed replacement, but after installation of a new one by the DPW, it was determined that the motherboard and radio needed replacement. The parts have been ordered and should arrive by the end of the month. Staff should be able to install the replacements.
7. **True the Vote FOIA:** The City received a Freedom of Information Act (FOIA) records request from True of Vote of Houston, Texas for extensive information concerning Brown City's election process and election worker selection and training. With information provided from the City Attorney, a response to the request was created and sent the Sanilac County Clerk for review before forwarding to True the Vote. However, the City was notified by True the Vote that they were withdrawing their request, so no information was forwarded and the file was closed.
8. **Main Street Banners:** Does the City Council want to keep the Main Street banners up until they are replaced by the Holiday Banners or should they be removed sometime between now and then? When does the City Council wish to install the Holiday Banners (week of November 30th or before)?

The Councilmembers all agreed that the current banners should be removed now and the Holiday Banners put up on November 30th before the Tree Lighting Ceremony.

9. **Brown City Channel 6:** On September 1st, Comcast technicians were able to get the City's Channel 6 working for the first time in some weeks. New fiber optic cable was installed along with three pieces of equipment needed to make the system fully operational. This was part of a Comcast program to upgrade connectivity throughout the City.
10. **Goose Hunting update:** The City has received eight waivers signed by hunters to date. No issues have been noted with this project.
11. **Hydrant Flushing:** The City of Brown City Department of Public Works plans to flush fire hydrants September 28th through October 2nd. Hydrant flushing will usually take place during the day. Residents may notice some discoloration in the water during this process. Residents are advised not to wash white or light colored clothes during this period. The notice will be published in the Sanilac County News on September 16th and 23rd.
12. **Brown City Drain:** The Drain Commissioner notified the City that they plan to clean the county drain from Maple Valley Road west beginning on or about September 14th. They stated that: "The drain maintenance work may include tree removal and/or excavation. Contractors or survey crew may be on site throughout the duration of the drain maintenance."

13. **Community Park Sign:** The new sign ordered to replace the badly faded park direction sign on M-90 west of the City Limits has been ordered. The sign should arrive and be ready for installation within two weeks.
14. **Utility Bills:** A resident is paying for six people per month. The children are only home four days per week. Can the bill be lowered to reflect this? This is not the first time that a similar request has been made. Currently, there is no policy concerning reduced occupancy during a portion of the week or month. How does the City Council wish to proceed?

The Councilmembers would like to leave the water rates as they are now. No reduced occupancy rates will be taken into consideration.

15. **Halloween Hours:** The City Council has traditionally set Halloween hours for the City. Last year the hours were from 5:00 to 7:00 PM. Halloween is Saturday, October 31st. Does the City Council wish to set hours, or curtail/cancel this holiday? Requires Motion.

Motion by CM Biel, second by CM Robison, to set the Halloween Trick or Treat hours from 5:00 p.m. to 7:00 p.m. Motion carried.

16. **COVID-19:** The City continues to closely monitor the situation. No employees have exhibited symptoms. We are still emphasizing use of mail, email, the utility payment drop box and telephone for conducting business. City Hall is open to the public, but masks should be worn and no more than one customer at a time should be in City Hall.

ATTORNEY'S REPORT:

City Attorney Gregory Stremers reviewed and expanded on the Marijuana ordinance and the Public Hearing set for October 1st by the Planning Commission.

TREASURER'S REPORT: None.

CLERK'S REPORT:

To date we have received 191 AV applications.

If all goes as planned the ballots will be ready to pick up on Thursday, August 17th after 5:00 p.m. at the Sandusky Court House.

We have one MOVE ballot which needs to be sent out by this coming Saturday.

MAYOR'S REPORT:

1. City Manager Semi-Annual Evaluation – please return by the next meeting.
2. Mayor Miller said that if there were too many people in attendance at the Public Hearing on October 1st that the meeting in the current library would be adjourned and the new location announced. The first choice for a larger meeting place would be outside the City Hall with the second choice in case of inclement weather being inside the new library at the previous bank building.
3. Mayor Miller said that December 4th would be a possible tree lighting ceremony date if all worked out for that date. An Elvis Christmas theme would be a possibility also. There will be more information on the Tree Lighting Ceremony at the next Council Meeting.
4. The Mayor also spoke about the Planning Commission meeting on medical marijuana caregivers and also the Maple Valley Estate request to change to a mobile home park which has since been recinded.

COMMITTEE REPORTS:

1. Building and Grounds (Mclvor) – Committee Meeting: Tree Project Update.

The Building and Grounds Committee met before the Council Meeting to decide on the Tree Project of cutting and trimming trees in the City. It was decided that 12 trees needed to be cut throughout the City but at this time we would have Joe Biel take down three trees- two being on Cade Road and one on Main Street.

Motion by CM Mclvor, second by CM Navock to have Joe Biel remove three trees at a cost not to exceed \$1,000 (One Thousand Dollars). ROLL CALL VOTE: CM Robison – Yes, CM Navock – Yes, CM Lee – Yes, CM Jacobson – Yes, CM Biel – Abstained, CM Mclvor – Yes. 5 Yes Votes, 0 No Votes, 1 Abstaining, 0 Absent.

Motion carried.

2. Personnel (Biel) – None.
3. Police / Fire Authority (Lee) – None.
4. Streets and Sidewalks (Navock) – None.
5. Tax and Finance (Jacobson) – None.
6. Water and Sewer (Robison) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Robison spoke about what a nice job the Firemen did of observing 9-11. CM Robison asked about the City’s financial situation if the budget gets cut by 20%. City Manager Clint Holmes said that he did not think it would be a big issue and estimated that we could continue with business as usual unless things really change. CM Robison asked also about when the library would begin moving to their new location. Mayor Julie Miller replied that they hoped that they can be in their new building before the Christmas Tree Lighting Ceremony. Clint Holmes also spoke to the Councilmembers about how they would like the present library redone for the Council Members meeting room. Do they want new carpeting, paint, tables, etc?

PUBLIC QUESTIONS & COMMENTS: None.

CLOSED SESSION: None Scheduled.

ADJOURNMENT:

Motion by CM Lee, second by CM Mclvor, to adjourn the meeting at 7:46 p.m. Motion carried.

Respectfully submitted,

Juanita Smith
City Clerk