

**BROWN CITY COUNCIL PROCEEDINGS**  
**MARCH 28, 2022**

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

PRESENT: Mayor: Julie Miller; Councilmembers: Patricia Jacobson, Christine Lee, Ross McIvor (7:05), Eugene Navock, and Walter Robison; City Manager Clint Holmes, City Clerk Rhonda Johnson, City Attorney Gregory Stremers.

ABSENT: Councilmember Stacy Biel.

GUESTS: Robert Jacobson, Jamie Bird and Kristopher Brown.

**PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.**

**ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:** None.

**CORRECTION & APPROVAL OF MINUTES:**

**Motion by CM Jacobson, Second by CM Navock, to Approve the Minutes of the Regular Meeting of City Council, March 14, 2022, as Written.**

**Motion Carried.**

**PAY BILLS:**

**Motion by CM Jacobson; Second by CM Lee, to Pay Bills in the Following Funds: General - \$11,812.76 (10833 – 10850), Payroll - \$22,000.64 (10185 – 10209), Major Street - \$654.42 (4083 – 4084), Local Street - \$926.57 (4379 – 4380), Sanitary Sewer - \$515.15 (4030), Water - \$5,594.31 (3467 - 3470), Arsenic Abatement – \$10.00 (1589), Equipment - \$222.46 (1798).**

**Motion Carried.**

**PERSONAL APPEARANCES:**

1. Kristopher Brown – City utility bill: The consensus of the City Council was to allow water service to continue as long as payment is kept current and money owed is paid by the date promised by Mr. Brown.

**PUBLIC QUESTIONS & COMMENTS:**

1. Jamie Bird provided an update from the Festival committee.
  - a. Brown City Days schedule of events is being developed.
  - b. Two years ago the Festival Committee prepaid the Family FunTyme Carnival Company \$3000 of donated funds for services that were not provided. Festival Committee attempted to contact the company for alternate dates to provide services. After multiple attempts, a settlement of half refund was agreed to, and the check was not sent as agreed. Further attempts to contact Family FunTyme have been unsuccessful. The Festival Committee is asking City Attorney to send another letter. Jamie Bird stated they will never use Family FunTyme again.
  - c. The Festival Committee asks if the city will donate half of the \$5000 payment to Wolverine Fireworks. The price is the same as the last several years, and

Wolverine has told the Committee that they like to experiment because Brown City Days fireworks are so early in the season.

**Motion by CM Lee, Second by CM Navock, to approve the donation of \$2500 to the Festival Committee for fireworks.**

**0Lee – Yes, CM Jacobson – Yes, CM Biel – Absent. Yeas – 5, Nays – 0, Absent – 1, Abstaining – 0. Motion Carried.**

**DPW REPORT:** Written report accepted with no questions.

**UNFINISHED BUSINESS:** None.

**PUBLIC HEARING:** None Scheduled.

**RESOLUTIONS:** None Scheduled.

**ORDINANCES:** None Scheduled.

**PETITIONS & COMMUNICATIONS:**

1. **6921 Walter Street – E&J Construction:** Request building permit to demolish broken porch and replace with a 12' X 20' wood porch.

**Motion by CM Navock, Second by CM Robison, to approve the City permit for 6921 Walter Street – E&J Construction to demolish broken porch and replace with a 12' X 20' wood porch; a county permit is also required. Motion Carried.**

**MANAGER'S REPORT:**

1. **Union Negotiations:** The contract with Operating Engineers Local 324, which represents the DPW, is due to expire March 31<sup>st</sup>. City Staff met with the Union Representative and DPW Shop Steward for a second time on March 11<sup>th</sup>. The next negotiation has not yet been scheduled.
2. **Second Street Project:** The City and engineer have encountered a problem with the project. Specifically, where the Second Street main meets the James Street main has no valves to isolate that main when the new one is installed. The engineer is working the problem but advertising for bids will be delayed.
3. **Code Enforcement Officer:** The City hired Chris Dreiling as a part-time Code Enforcement Officer last year. She will be starting code enforcement duties again for the City beginning April 4<sup>th</sup>. She will be working Mondays and Wednesdays until the fall.
4. **Telephone Service:** The City was contacted by Granitenet.com, a company that provides discounted telephone rates. They conducted an analysis of our Frontier bills and stated that by switching, the City can save about \$135 per month. Staff sent an email to all of the Michigan City Managers asking if they had worked with this organization - with no responses. Consensus of council is to maintain the *status quo*.
5. **Asphalt Crack Filling Machine:** The City contracted with National Highways Maintenance System (NHMS) to provide an asphalt crack filling machine and sealant. One pallet of

sealant will be delivered to the DPW Garage. The DPW will work with NHMS to have the machine delivered sometime in May.

6. **SEMCO Franchise Ordinance:** Materials associated with the new SEMCO franchise ordinance were forwarded to the law firm handling the process, along with a bill for associated expenses. This should resolve the issue.
7. **Freedom of Information Act (FOIA):** The City received and responded to a FOIA request. Smart Procure requested “any and all purchasing records from December 22, 2021 to current.” They had made the same request for purchasing records every six months for the past three years, and the information was provided at that time also.
8. **Brown City Community Park:** Sean Hagey and the Brown City Park and Recreation Board have completed the draft Five-Year Recreation Plan required by the State of Michigan. There will be a Public Hearing at City Hall on April 26<sup>th</sup> at 7:05 PM concerning adoption of this plan. A copy is available at City Hall for review.
9. **City Manager Search Options:** There are three individuals/organizations in Michigan that can coordinate a search, plus the MML and sundry national firms.
10. **Leaf Vacuum:** The DPW repaired and refurbished the leaf vacuum. They did an excellent job and the machine looks good.

**ATTORNEY’S REPORT:** Discussion of the two year long efforts to pursue refund due to no service from Family FunTyme carnival company and possible further legal action.

**TREASURER’S REPORT:** None.

**CLERK’S REPORT:** None.

**MAYOR’S REPORT:**

1. Semi-Annual City Manager Evaluation - 82%.
2. Anyone who wants to join the Memorial Day Parade should contact the mayor.
3. Any veteran that wants to serve on the color guard or march in the parade should contact City Manager.

**COMMITTEE REPORTS:**

1. Building and Grounds (McIvor) – Nothing.
2. Personnel (Biel) – Nothing.
3. Police / Fire Authority (Lee) – Nothing.
4. Streets and Sidewalks (Navock) – Nothing.
5. Tax and Finance (Jacobson) – Met March 16. Recommends continuing with Decker Insurance Agency.
6. Water and Sewer (Robison) – Nothing.

**GENERAL CONCERNS OF THE COUNCIL:**

1. Discussion of DPW union negotiations.
2. Discussion of pursuing refund from Family FunTyme carnival company.
3. Discussion of search for fire chief. Appreciation for acting fire chief doing a good job.

4. Discussion of pictures for the walls of council chambers.

**PUBLIC QUESTIONS & COMMENTS:** None

**EXECUTIVE SESSION:** None scheduled.

**ADJOURNMENT:**

**Motion by CM Lee, Second by CM Biel, to Adjourn the March 28, 2022, Meeting of the City Council at 7:56 p.m. Motion Carried.**

Respectfully submitted,

Rhonda Johnson  
City Clerk