

BROWN CITY COUNCIL PROCEEDINGS
May 23, 2022

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

PRESENT: Mayor: Julie Miller; Councilmembers: Patricia Jacobson, Christine Lee, Eugene Navock, Stacy Biel, and Walter Robison; City Manager Clint Holmes, City Clerk Rhonda Johnson, City Attorney Gregory Stremers, DPW Foreman Mike Vislosky.

ABSENT: Councilmember Ross McIvor.

GUESTS: Robert Jacobson, Marlene Hill, Joseph Gingell, and Kendra Webster.

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

PROCLAMATIONS FOR BROWN CITY HIGH SCHOOL 2022 VALEDICTORIAN JOSEPH GINGELL AND SALUTATORIAN KENDRA WEBSTER.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: None.

CORRECTION & APPROVAL OF MINUTES:

**Motion by CM Navock, Second by CM Biel, to Approve the Minutes of the Regular Meeting of the City Council for May 9, 2022, as Written.
Motion Carried.**

PAY BILLS:

**Motion by CM Jacobson; Second by CM Lee, to Pay Bills in the Following Funds: General - \$53,280.08 (10921 – 10944), Payroll - \$16,926 (10260 – 10274), Major Street - \$669.70 (4089 - 4090), Local Street - \$279.70 (4386), Sanitary Sewer - \$1,623.06 (4037 – 4039), Water - \$1,279.47 (3486 - 3490), Arsenic Abatement - \$54.80 (1596 – 1597), and Equipment - \$7,225.33 (1808).
Motion Carried.**

PERSONAL APPEARANCES: None scheduled.

PUBLIC QUESTIONS & COMMENTS:

1. Marlene Hill had a question about progress on previously presented blight ordinance problems. Council discussed actions taken and further actions possible.

DPW REPORT: Written report accepted with no questions.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

MANAGER'S REPORT:

1. **GFL:** Green For Life (GFL) is the company that bought out Knox Disposal and Waste Management and took over the City's garbage collection contract. After a bumpy start with collections Thursday, May 12th, collections on May 19th seemed to go well. City staff answered multiple phone calls and had discussions with GFL representatives with issues being apparently largely resolved.
2. **Planning Commission:** The attorney for C&C Land, the prospective purchaser of Maple Valley Estates, has requested that the Public Hearing concerning the needed ordinance change be postponed to the July 7th meeting of the Brown City Planning Commission. Planning Commission members were sent a memo detailing what was required before the process can continue.
3. **Street Project:** The draft grant application for streets was completed by Spicer with an estimated cost of \$1,872,000. The City would be responsible for a minimum of \$1,622,000 assuming there are no cost overruns and the City wins the \$250,000 grant. The City's total streets funds available is currently \$605,681.55 - this includes maintenance and operating funds. Of concern is the fact that no one knows what the 2022/2023 inflation rate or borrowing rate will be let alone potential asphalt prices. Recommendation by the Streets and Sidewalks Committee is that the City Council begin the bond process in order to acquire the approximately \$1,200,000 necessary to complete repairs to Maple west of Lincoln; Welles north of Maple; 4th west of Walter; Second from Walter east to George; Walter from Second to Fourth; First from Walter to James Street and the alley south of Main Street between Lincoln and Welles Streets. Also, replace curb and gutter on Welles Street between Vine and Main Streets and sidewalks in front of City Hall. How does the City Council wish to proceed?

Motion by CM Navock to accept the Streets and Sidewalk Committee May 18 recommendation for the City Council to begin the bond process to acquire 1,200,000 to complete repairs to Maple west of Lincoln; Welles north of Maple; 4th west of Walter; Second from Walter east to George; Walter from Second to Fourth; First from Walter to James Street and the alley south of Main Street between Lincoln and Welles Streets. Also, replace curb and gutter on Welles Street between Vine and Main Streets and sidewalks in front of City Hall. No Second for the Motion. Discussion by Council to lessen project and to not acquire a bond.

Motion by CM Navock, Second by CM Robison, to approve a 2023 project to repair First Street from Walter to James Street and Second Street from Walter east to George Street with no bond required.

Roll Call Vote: CM Biel – Yes, CM Jacobson – Yes, CM Lee – Yes, CM McIvor – Absent, CM Navock – Yes, CM Robison – Yes; Yays – 5, Nays – 0, Absent – 1, Abstaining – 0.

4. **Streetlights:** DTE Community Lighting can install new streetlights at 7146 Welles Street and at the property line between 7115 and 7139 Cade Road. Cost is \$1,100 each. The

Streets and Sidewalks Committee recommends proceeding with this project. Does the City Council wish to proceed with these two installations?

Motion by CM Navock, Second by CM Robison, to approve the project to install new streetlights at 7146 Welles Street and at the property line between 7115 and 7139 Cade Road at a cost of \$1,100 each.

Roll Call Vote: CM Biel – Yes, CM Jacobson – Yes, CM Lee – Yes, CM Mclvor – Absent, CM Navock – Yes, CM Robison – Yes; Yays – 5, Nays – 0, Absent – 1, Abstaining – 0.

5. **Second Street Project:** The City sent an email to Fleis & Vandenbrink asking for an update on the status of the contract and schedule.
6. **Union Negotiations:** Have not heard from the union since March 11th.
7. **Nominating Petitions:** All nine elected positions in Brown City government are up for election, as are three Library Board positions. Nominating petitions are available at City Hall and are due back by Thursday, July 21st. A minimum of 25 signatures from City of Brown City registered voters are required.
8. **L-4029:** The City received a request from the Sanilac County Clerk for a copy of the City's L-4029. This is the document used to identify the millage rate for City Summer and Winter Taxes. The millage rate approved by the City Council on March 14th, following a Public Hearing, is 16.8733. This millage rate remains unchanged since 2001. Two copies must be signed by the Mayor and Clerk for both Sanilac and Lapeer Counties. Of note, the City's Total Taxable Value in 2007 was \$25,687,860, and in 2022 is \$25,260,190, a decrease of \$427,670 or about 1.66%. Requires motion.

Motion by CM Lee, Second by CM Robison, to authorize Mayor Miller and City Clerk Johnson to sign the City's L-4029 document. Motion Carried.

9. **Water Quality Report:** The Consumer Confidence Report (CCR) is the annual report required by the state and federal governments summarizing information about drinking water quality provided during calendar year 2021 (gold). The document was posted on the City's website; and was printed in *The Banner* on May 18th; and copies were emailed to EGLE and mailed to the Sanilac / Lapeer County Health Departments. Copies are also available at City Hall for review or purchase. The City met or exceeded all water quality requirements in 2021.
10. **Fire Hydrant Flushing:** The Brown City DPW completed flushing fire hydrants on May 18th. The fire hydrants at Walter and Fourth and Reed and Maple were found to be inoperable and must be repaired. The fire hydrant at Second and Walter is also still inoperable. All will be repaired once the required parts and systems are received.
11. **7132 Welles Street:** The City Attorney wrote a Rehabilitation / Demolition Agreement. A copy was provided to the owner, who was told that 1) the City needed a letter from the Sanilac County Building Inspector saying the house and outbuildings were repairable, and 2) that a schedule of repairs - as detailed in the Agreement - would be required before the City would consider approving any building/electrical/foundation/plumbing permits.

Discussion by Council of time frame for action if Rehabilitation / Demolition Agreement is violated. Consensus of Council to authorize City Attorney Stremers to proceed with obtaining an administrative Search Warrant to determine the safety of the building.

- 12. Memorial Day:** City Hall, the Police Department and DPW will be closed on Monday, May 30th in observance of Memorial Day.

ATTORNEY'S REPORT: City Attorney Stremers reported the he sent an informal email to the attorney representing Maple Valley Estates requesting clarity of what they are asking for.

TREASURER'S REPORT: None.

CLERK'S REPORT: Additional reminder that nominating petitions are available at City Hall and are due back by Thursday, July 21st. A minimum of 25 signatures from City of Brown City registered voters are required.

MAYOR'S REPORT:

1. Memorial Day Parade begins 10 a.m. May 30 at Maple Valley Plastics parking lot and goes to the missile monument.
2. Thank you to the DPW for cleaning up Veteran's Park.

COMMITTEE REPORTS:

1. Building and Grounds (McIvor) – Absent.
2. Personnel (Biel) – Report on Committee meeting on May 18. Discussion of City Manager search. Requests criteria for City Manager from Council.
3. Police / Fire Authority (Lee) – Minutes of last meeting were submitted.
4. Streets and Sidewalks (Navock) – Report of meeting May 18. Committee recommended getting a bond to repair all streets. Council rejected committee recommendation.
5. Tax and Finance (Jacobson) – Nothing.
6. Water and Sewer (Robison) – Nothing.

GENERAL CONCERNS OF THE COUNCIL:

1. CM Biel expressed concern for tall grass in town.
2. CM Lee requested email to council members complaints received by city hall.
3. CM Robison asked what can be legally done about complaints. City Attorney Stremers said that each complaint is evaluated individually by city police and ordinance officer.

PUBLIC QUESTIONS & COMMENTS: None.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Lee, Second by CM Jacobson, to Adjourn the May 23, 2022, Meeting of the City Council at 8:13 p.m. Motion Carried.

Respectfully submitted,

Rhonda Johnson
City Clerk