

BROWN CITY COUNCIL PROCEEDINGS
June 13, 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, Ross McIvor and Walter Robison; City Manager Clint Holmes, City Clerk Rhonda Johnson, City Attorney Gregory Stremers, Police Chief Ron Smith, DPW Foreman Mike Vislosky.

ABSENT: None.

GUESTS: Robert Jacobson, Madalynn Kohler, Matt Kohler, McKenzie Kohler, Theresa Kohler, Larry Steigerwald, Cynthia Rossman, Sandra Hilliker, Kathy Kohler, and Larry Kohler.

PLEDGE OF ALLEGIANCE LED BY MAYOR JULIE MILLER.

Maddie Kohler was presented a Proclamation by Brown City Mayor Julie Miller for earning a place at the State Solo and Ensemble Festival and winning First Division Solo. Ms. Kohler also accepted a Proclamation on behalf of the entire Brown City High School Band for their First Division rating at the District 3 MSBOA Band Festival, which qualified them to participate at MSBOA State Band Festival.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA: One addition to Petitions & Communications.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM Navock, Second by CM Biel, to Approve the Minutes of the Regular Meeting of City Council, May 23, 2022, as Written.
Motion Carried.

PAY BILLS:

Motion by CM Jacobson; Second by CM Lee, to Pay Bills in the Following Funds: General - \$48,362.04 (10945 – 10991), Payroll - \$15,812.67 (10277 – 10291), Major Street - \$156.43 (4091 - 4092), Sanitary Sewer - \$2,343.59 (4041 – 4046), Water - \$4,513.53 (3492 - 3502), Arsenic Abatement - \$24.95 (1599 – 1600), Equipment - \$1,997.19 (1809 - 1811).
Motion Carried.

PERSONAL APPEARANCES:

1. Seth Benson – 4273 Grant Street: Challenging blight notice. Discussion of complaint, resulting action and timeline.
Resident additionally asked about a drainage problem on the property. Discussion of the City consulting the city engineer and then following up with residents.

PUBLIC QUESTIONS & COMMENTS:

1. Larry Steigerwald presented several complaints. Council asked for clarification several times.

POLICE REPORT: Chief Smith reported ten complaints last weekend.

UNFINISHED BUSINESS: None.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS:

1. **7166 Welles Street:** Request building permit for 12' X 22' rear deck; repairs to existing shed and to remove window and install door.

Motion by CM Navock, Second by CM McIvor, to approve building permit for 7166 Welles Street for 12' x 22' rear deck; repairs to existing shed and to remove window and install door. Sanilac County permit is required. Motion Carried.

2. **4060 Main Street:** Request building permit for 5' x 12' porch and ramp.

Motion by CM McIvor, Second by CM Robison, to approve building permit for 5' x 12' porch and ramp. Sanilac County permit is required. Motion Carried.

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. City staff answered multiple phone calls and had discussions with GFL representatives concerning garbage not being collected - such as on North Cade Road between Main Street and the City Limits. The City was able to move up the chain of command and established contact with the area operations manager. Staff also confirmed with GFL that an extra truck will be available for Brown City Clean-up Day on June 23rd.

Discussion of resident complaints about GFL. Discussion of GFL contract.

2. **4031 Main Street:** The City Attorney contacted the owner and issued a Notice of Violation. The owner met with City representatives on June 3rd. Repairs listed in the letter resulting from that meeting should be completed by the end of the month.
3. **7132 Welles Street:** The City purchased permits from Sanilac County at a cost of \$590 for the building, mechanical, plumbing and electrical inspectors to evaluate the house and garage at 7132 Welles Street. The inspection took place at 9 AM on June 3rd. The City received the official report (yellow) on June 6th which was then forwarded to the City Attorney for action. A follow-up request to Sanilac County resulted in copies of the referenced code passages being made available to the City.

Discussion of County Inspectors' report. Discussion of possible legal actions. Motion by CM Biel, Second by CM Jacobson, to approve the City Attorney to proceed with Demolition Order for 7132 Welles Street.

Discussion of County Inspectors' report. Discussion of nuisance abatement. Discussion of new owner. City Attorney Stremers requested photos. Discussion of legal steps.

Roll Call Vote: CM Lee – No, CM Biel – No, CM Jacobson – No, CM Mclvor – No, CM Robison – No, CM Navock – No. Yays – 0, Nays – 6, Absent – 0, Abstaining – 0. Motion Denied.

Motion by CM Biel, Second by CM Jacobson, to authorize City Attorney Stremers to contact the new owner to present the rehabilitation agreement and negotiate a timeline.

Roll Call Vote: CM Lee – Yes, CM Biel – Yes, CM Jacobson – Yes, CM Mclvor – Yes, CM Robison – Yes, CM Navock – Yes. Yays – 6, Nays – 0, Absent – 0, Abstaining – 0. Motion Carried.

4. **RRGP:** The City received confirmation that the Michigan Township Participating Plan received the City's Risk Reduction Grant Program application. The City is requesting \$2,000 to purchase traffic barricades. The City's required match is about \$1,000. Grant results will be announced in August.
5. **2023 Street Project:** The draft grant application for streets was completed by Spicer and forwarded to MDOT on June 7th. Total funds requested from the state were \$250,000 out of a total project estimated cost of \$553,340. MDOT should announce the winners of the grant sometime in the future.
6. **Second Street Project:** The City has not yet received the contract and schedule from Murray Underground Systems for the Second Street water main replacement project.
7. **Union Negotiations:** The union representative sent an email late on May 31st with a copy of the Operating Engineers' Local 324 Pension Plan along with the First through Sixth Amendments; Pension Fund Rehabilitation Plan; Pension Fund Rehabilitation Plan 2019 Update; two one-page handouts explaining the plan; and a Contract Extension Agreement with the City (lavender). The documents reference the U.S. Department of Labor Employee Retirement Income Security Act of 1974 (ERISA) and various IRS Regulations. Contact was eventually made with a DoL representative concerning whether or not a local government is subject to ERISA (specifically Section 305 as quoted in the Union Plan). Unable to answer the question definitively, the DoL said the City needed to contact the IRS, which the City then did. One June 6th, the IRS responded stating that this was a DoL issue but that they would try and find someone at DoL to contact me. Still waiting.

Discussion of the City's legal obligations. Consensus of Council for the City to continue paying the health care increase for DPW workers.

8. **Fire Hydrant Repairs:** The fire hydrants at Walter and Fourth; Second and Walter; and Reed and Maple are still inoperable and must be repaired. The DPW contacted the parts supplier and the parts are still on order. Current estimated time of receipt is unknown.
9. **Water Tower Cleaning:** The City water tower was emptied on June 1st. A crew from Utility Service Company (which has the maintenance contract with the City) cleaned the portion of the tower that holds the water on June 2nd. No issues were reported. The DPW did the mandatory water tests - using the water laboratory in Lexington - to insure the

water quality met all state and federal standards. The water tower was refilled on Sunday, June 5th and is fully operational. An excellent job was done by the DPW.

10. **DPW:** The DPW had one of their workers resign on May 27th. Austin Roy - strongly recommended by DPW Foreman Mike Vislosky - began work on June 6th. He already has one of his four required licenses.
11. **4th of July Holiday:** City Hall, the Police Department and DPW will be closed on Monday, July 4th in observance of Independence Day. Please note that garbage pick-up will be delayed one day that week as a result.
12. **City Manager:** In order for the Personnel Committee and City Council to begin the replacement process, a formal letter must be presented to the City Council.

ATTORNEY'S REPORT: City Attorney Stremers reported that he will follow up with the homeowner and residents of 4273 Grant Street to agree on a reasonable timeline of completion of project. He said he will also present the Rehabilitation Agreement and negotiate a timeline with the new owner of 7132 Welles Street.

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. The number of signatures any one resident signs must match the number of offices open for election.

MAYOR'S REPORT:

1. Memorial Day Parade Report.
2. Brown City Days Festival Report.
3. Request Jarod McPhail be appointed to the Planning Commission.

Motion by CM Mclvor, Second by CM Navock, to approve the appointment of Jarod McPhail to the Planning Commission.

Roll Call Vote: CM Lee – Yes, CM Biel – Yes, CM Jacobson – Yes, CM Mclvor – Yes, CM Robison – Yes, CM Navock – Yes. Yays – 6, Nays – 0, Absent – 0, Abstaining – 0. Motion Carried.

4. The City is grateful to the memory of Joe Murray for his service to the City.

COMMITTEE REPORTS:

1. Building and Grounds (Mclvor) – Nothing.
2. Personnel (Biel) – Report on City Manager Search. Committee recommends contracting Walsh Municipal Services for city manager recruitment for \$13,800.

Motion by CM Biel, Second by CM Lee, to contract with Walsh Municipal Services for the amount of \$13,800 plus the price of advertising.

Roll Call Vote: CM Lee – Yes, CM Biel – Yes, CM Jacobson – Yes, CM Mclvor – Yes, CM Robison – Yes, CM Navock – Yes. Yays – 6, Nays – 0, Absent – 0, Abstaining – 0. Motion Carried.

Motion by CM Jacobson, Second by CM Robison, to hire Austin Roy for DPW. Roll Call Vote: CM Lee – Yes, CM Biel – Yes, CM Jacobson – Yes, CM Mclvor – Yes, CM Robison – Yes, CM Navock – Yes. Yays – 6, Nays – 0, Absent – 0, Abstaining – 0. Motion Carried.

3. Police / Fire Authority (Lee) – Mayor expressed gratitude and appreciation for Brown City Fire Department’s participation in the Memorial Parade and for Brown City Days Festival.
4. Streets and Sidewalks (Navock) – Nothing.
5. Tax and Finance (Jacobson) – Nothing.
6. Water and Sewer (Robison) – Nothing.

GENERAL CONCERNS OF THE COUNCIL:

1. Discussion of City hiring procedures.
2. CM Mclvor requests that all new hires come to the first council meeting to introduce themselves.
3. CM Robison asked about the search for police officer
4. Discussion of Carnival ride variety complaints and size.
5. CM Jacobson asked about the summer activities booklet.

PUBLIC QUESTIONS & COMMENTS:

1. Larry Steigerwald presented several complaints. Council asked for clarification several times.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT:

Motion by CM Lee, Second by CM Jacobson, to Adjourn the June 13, 2022, Meeting of the City Council at 8:55 p.m. Motion Carried.

Respectfully submitted,

Rhonda Johnson
City Clerk