

**BROWN CITY COUNCIL PROCEEDINGS**  
**September 12, 2022**

MEETING CALLED TO ORDER BY MAYOR JULIE MILLER AT 7:01 P.M.

PRESENT: Mayor Julie Miller; Councilmembers: Christine Lee, Stacy Biel, Ross McIvor (7:09), Eugene Navock, and Walter Robison; City Manager Clint Holmes, City Clerk Rhonda Johnson, City Attorney Gregory Stremers, Police Chief Ron Smith and DPW Foreman Mike Vislosky.

ABSENT: Councilmember Pat Jacobson.

GUESTS: Karen Roy, Charles Bennett, Toni Loutzenhiser, and Lauren Marion.

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

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

**CORRECTION & APPROVAL OF MINUTES:**

1. **Motion by CM Navock, Second by CM Robison, to Approve the Minutes of the Regular Meeting of City Council, August 22, 2022, as written. Motion Carried.**
2. **Motion by CM Biel, Second by CM Navock, to Approve the Minutes of City Council Special Meeting of August 29, 2022 as Written. Motion Carried.**

**PAY BILLS:**

**Motion by CM Lee, Second by CM Biel, to Pay Bills in the Following Funds: General - \$20,935.81 (11110 – 11144), Payroll - \$33,249.51 (10386 – 10399), Major Street - \$735.00 (4102 - 4104), Sanitary Sewer - \$840.00 (4067 – 4068), Water - \$14,296.13 (3533 - 3540), Lead & Copper - \$194,040.66 (119 - 120), Storm Sewer \$2,006.30 (1350 – 1351). Motion Carried.**

**PERSONAL APPEARANCES:** None Scheduled.

**PUBLIC QUESTIONS & COMMENTS:** None.

**POLICE REPORT:** Presented in writing with no questions. Police Chief Ron Smith introduced new officer Brendan Ecker to the City Council.

**UNFINISHED BUSINESS:** None.

**PUBLIC HEARING:** None Scheduled.

**RESOLUTIONS:**

1. 22-09 – Resolution Approving District Library Agreement.
  - a. District Library Agreement.
  - b. Supplemental Instructions.

2. 22-10 – Resolution Approving Attachments to the District Library Agreement.
3. 22-11 – Resolution Appointing Provisional Board Members.

**Discussion concerning appointment of board members.**

**Motion by CM Lee, Second by CM Robison, to table Resolutions 22-09, 22-10, and 22-11 until Council could be provided with more information. Motion Carried.**

**ORDINANCES:** None Scheduled.

**PETITIONS & COMMUNICATIONS:**

1. **4064 East Main Street:** Request permit to replace the existing fence with new materials that are the same length and height. Must contact Miss Dig before installation.

**Motion by CM Robison, Second by CM Navock, to approve the permit to replace the existing fence with new materials that are the same length and height. Must contact Miss Dig before installation. Motion Carried.**

2. **4227 Main Street:** Request permit to replace windows on the front and rear of building. If replacement windows are of a different size than the existing ones, a Sanilac County permit is also required.

**Motion by CM Robison, Second by CM Mclvor, to approve the permit to replace windows on the front and rear of building. If replacement windows are of a different size than the existing ones, a Sanilac County permit is also required. Motion Carried.**

**MANAGER'S REPORT:**

1. **Second Street Project:** The contractor has essentially completed the project. The original estimate for this project was \$252,685. Final cost will be \$214,750.50. To date, the contractor has been paid \$204,544.97, with \$10,205.53 retained to insure final completion. This project is another step toward completing Michigan Lead and Copper Rule mandates.
2. **Second Street Fire Hydrant:** On September 1<sup>st</sup>, the DPW completed the removal of the inoperable fire hydrant near 4104 Second Street and replaced it with a working one. Area residents received a notice that they may experience low water pressure. While a fire hydrant on First Street was opened to reduce pressure, it was not by a significant amount.
3. **DWAM - Lead and Copper Rule:** Coordination with Spicer Group revealed that for the water lines physically checked at the curb-stop as part of the DWAM Grant, a visual inspection of the end in the building is required. A letter was sent to each of the 132 owners or tenants of these locations that need to be verified. A representative from Spicer and the DPW Foreman will begin making these inspections and taking pictures of the service line in the building beginning the week of September 12<sup>th</sup>.
4. **Maple Valley Lift Station:** Both pumps are overdue for overhaul. The DPW Foreman has been working to get a quote for some time. The cost to completely overhaul each pump is \$7,295 for a total of about \$14,590. UNODIR plan to approve the estimate, so the parts ordering and scheduling can get started.

**Motion by CM Biel, Second by CM Lee, to approve the estimate from Kerr Pump for the complete overhaul of both lift station pumps for the estimated amount of \$14,590.**

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

5. **Ordinance Update:** The Planning Commission scheduled a Public Hearing concerning City Ordinance §152.178 at 7:05 PM on September 1<sup>st</sup>. Unfortunately, the meeting had to be cancelled due to lack of a quorum. The Public Hearing has been rescheduled for October 6<sup>th</sup>, during the next regularly scheduled Planning Commission meeting.
6. **Grant Street:** Bids were received from two excavation companies to clean the ditches on the north and south sides of Grant Street. The contract was awarded to Grant Burgess Excavating as the lowest bidder. Work should be completed by the end of the month. In order to reduce costs, the DPW will be providing a truck for spoils removal and will also adjust culverts as required. Total cost will be about \$2,500. Letters have been hand delivered to residents. Work is expected to begin late this week or next week.
7. **Storm Water Issues:** Work on Second Street and Maple Valley Road discovered catch basins that were not on any of our maps or known to the DPW. The City contracted with Michigan Pipe Inspection and determined where these drains flow to. They then began to check the storm water drains on the south side of Main Street. Unfortunately, a large amount of gravel was discovered in the pipe. The City has contracted with a VAC Truck company to have this blockage removed before the pipe inspection can continue. Work should continue on September 12<sup>th</sup>. Coordination with MDOT will result in the City being reimbursed for the Main Street work.
8. **DPW Truck:** The white DPW pick-up truck was damaged when it was backed into a bucket from the backhoe. An estimate for repairs was received from Great Reflections. Cost is less than our insurance deductible. Parts are being ordered and repairs will be scheduled.
9. **Government Survey:** The University of Michigan's Center for Local, State, and Urban Policy (CLOSUP) surveyed Michigan local government leaders, to include the City of Brown City, concerning their experiences with public harassment, threats, or even violence as part of their role in local government. Key Findings: Statewide, 47% of Michigan's top elected and appointed local government leaders report personally experiencing online or in-person harassment over the last few years as part of their role in local government, including around two-thirds of leaders from jurisdictions with more than 5,000 residents; A majority (53%) report harassment, threats, or even violence against at least one member of the local government, including themselves. These include reports of abuse against the County, City or Township Clerk, their election staff, or other election workers (29%), other members of their Board or Council (28%), and other jurisdiction employees or volunteers (26%); Overall, 53% of local leaders report that the general climate of abuse toward local government personnel has had at least some negative impact on their government functions, such as on the willingness of people to work or serve in the jurisdiction, on the ability of jurisdiction personnel to get work done, or on their Board's or Council's decision-making process regarding potentially contentious issues. This includes 70% of jurisdictions where some abuse has occurred in the last few years, but also in 33% of jurisdictions where none is reported.
10. **Union Negotiations:** The City contacted the insurance carrier to determine the amount of coverage we can expect if sued by the union. Since the insurance company was not involved with the initial negotiations that answer would be none. The labor attorney was

sent all information in mid-August. This has been followed up with multiple emails and phone calls with zero response.

**ATTORNEY'S REPORT:** City Attorney Stremers reported that he had reviewed the library contract. It is standard and he saw no problems. He also gave CM Biel information about insurance liability for the park.

**TREASURER'S REPORT:** None.

**CLERK'S REPORT:**

1. Training for new election inspectors is scheduled for September 29 at 1 p.m. in Sandusky. Anyone interested in training for election inspector should contact Deputy Clerk Stimson at City Hall to register.
2. Deputy Clerk Stimson attended a statewide training for clerks concerning election security and increased threats to election staff.

**MAYOR'S REPORT:**

1. **City Manager Search:** Walsh Municipal Services will provide final copies of the interview questions/worksheet, cover letter, resume, and applicant questionnaire for each of the three candidates on Tuesday night. A draft copy is enclosed. Please review and be familiar with the questions assigned to each of us. If anyone cannot attend the special interview meeting, I need to know as soon as possible so necessary changes can be made.
2. **Planning Commission Appointment:** On June 13, 2022, the City Council appointed Jarod McPhail to the Planning Commission. Research revealed that by state law, only two members of the Planning Commission cannot be registered voters in the community. Unfortunately, the Planning Commission already has two such individuals. Recommend rescind the appointment of Jarod McPhail.

**Motion by CM Biel, Second by CM Lee, to rescind the appointment of Jarod McPhail to Planning Commission. Motion Carried.**

3. Park & Recreation Board report: Louis Martus has a contractor looking at the parking at the park.

**COMMITTEE REPORTS:**

1. Building and Grounds (McIvor) – Nothing.
2. Personnel (Biel) – Nothing to add.
3. Police / Fire Authority (Lee) – Fire Authority met and is working on a contract with Marlette Hospital.
4. Streets and Sidewalks (Navock) – Nothing.
5. Tax and Finance (Jacobson) – Nothing.
6. Water and Sewer (Robison) – Nothing.

**GENERAL CONCERNS OF THE COUNCIL:**

1. CM Biel asked when the process to hire a third DPW person. Foreman Vislosky said that he is looking for someone with licenses. Discussion of advantages of waiting until the new City Manager is hired.

2. CM Biel requested that the 40 mile an hour speed limit sign be moved closer to the city limit sign. Discussion of additional speed limit signs being added on Main Street within the city limits.
3. CM Lee asked if there were any complaints about people not stopping for school busses.
4. CM Robison asked about the search for a School Resource Officer (SRO). Chief Smith said he was still looking.

**PUBLIC QUESTIONS & COMMENTS:** None.

**CLOSED SESSION:** None Scheduled.

**ADJOURNMENT:**

**Motion by CM Lee, Second by CM Biel, to Adjourn the September 12, 2022, Regular Meeting of the City Council at 7:52 p.m. Motion Carried.**

Respectfully submitted,

Rhonda Johnson  
City Clerk