

BROWN CITY COUNCIL PROCEEDINGS

NOVEMBER 23, 2020

In accordance with PA 228 this meeting was conducted remotely via Zoom.
Meeting ID: 950 2034 7709.

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

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

ABSENT: Councilmember Patricia Jacobson.

ADDITIONS, CORRECTIONS AND DELETIONS TO AGENDA:

There will be two additional items under the Manager's Report reported City Manager Clint Holmes.

CORRECTION & APPROVAL OF MINUTES:

Motion by CM McIvor, second by CM Biel, to accept the Regular Meeting Minutes of November 9, 2020 as presented.

ROLL CALL VOTE: CM Biel – Yes, CM McIvor – Yes, CM Lee – Yes, CM Navock – Yes, CM Jacobson – Absent, CM Robison – Yes. 5 Yes Votes, 0 No Votes, 1 Absent, 0 Abstaining. Motion carried.

PAY BILLS:

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

General - \$7,330.62 (10123-10137), **Payroll - \$14,409.22** (9665-9679 plus EFT), **Sanitary Sewer - \$1815.62** (3936-3938), **Water - \$14,499.84** (3280-3288), **Arsenic Abatement – 45.32** (1528-1529) and **Equipment - \$374.10** (1740).

ROLL CALL VOTE: CM McIvor – Yes, CM Lee – Yes, CM Navock – Yes, CM Jacobson – Absent, CM Robison – Yes, CM Biel – Yes. 5 Yes Votes, 0 No Votes, 1 Absent, 0 Abstaining. Motion carried.

DPW REPORT: Report reviewed. No questions or concerns.

PERSONAL APPEARANCES:

1. Dr. Charles R. Mitchell - President, Brown City Library Board: Transitioning to district library.

Dr. Charles R. Mitchell did not attend the Zoom Council Meeting. However, the Councilmembers gave their support to transitioning to a district library.

PUBLIC QUESTIONS & COMMENTS: None.

UNFINISHED BUSINESS:

1. Sanilac County Historical Society Fundraiser
Jamie Daws will head up the fundraiser for Brown City for their part in the Sanilac County Historical Society Fundraiser. She is contacting businesses to obtain donations for a basket to be raffled off with Brown City items in it.

PUBLIC HEARING: None Scheduled.

RESOLUTIONS: None Scheduled.

ORDINANCES: None Scheduled.

PETITIONS & COMMUNICATIONS: None Scheduled.

MANAGER'S REPORT:

- 1. Sewer / Lift Station Project:** The City, Spicer and USDA-RD had a conference call on October 16th to discuss details associated with applying for a SEARCH Grant to fund a sanitary sewer modeling study. The initial eAuthentication account acquisition process, to include receiving access to the USDA-RD data base, was completed. Additional application forms and access permissions must be granted by USDA-RD to continue the grant application process.
- 2. Reed Street:** City staff met with engineers from Spicer on November 6th to inspect Reed Street and begin building a Request For Proposals (RFP). Plan is to bid out the project no later than mid-January so that actual construction can begin in early 2021. The City received the two estimates requested by the City Council from Spicer Group on November 16th for \$284,000 and \$224,000. Primary difference is the cost of curb and gutter replacement. Replacement of all curb and gutter, verses only that in need of replacement is \$60,000. Currently the Street Reserve Fund, County Road Millage and Local Street Fund contain \$229,502.87. Some additional funds will be available next year when the City receives more Act 51 and County Road Millage money. What does the City Council recommend?

The Councilmembers requested that the estimate of \$284,000 (Two Hundred Eighty-Four Thousand Dollars) be the one considered which includes the replacement of all curb and gutters on the Reed Street project.

- 3. Drinking Water Asset Management Plan (DWAM):** The City is interested in pursuing a grant from the Michigan Department of Environment, Great Lakes and Energy (EGLE) to complete a comprehensive Asset Management plan and Final Distribution System Materials Inventory for the City's water system. This is a new grant program that was recently announced to help communities implement Michigan's strengthened Lead and Copper Rule. \$37.5 million has been delegated into this grant fund with \$15 million set-aside for communities with populations of 10,000 or less. The maximum grant award per applicant is \$1 million and there is no local match. The initial round of applications is due January 1, 2021. Subsequent application deadlines are set for April 1, July 1, and October 1. Grants will be awarded approximately two months after application deadline. Spicer Group can provide professional engineering services to prepare the EGLE grant application for a Drinking Water Asset Management Plan (DWAM) for \$2,500. Does the City Council wish to proceed with this grant application?

Motion by CM Lee, second by CM Robison, to proceed with the grant application for \$2,500 (Two Thousand Five Hundred Dollars) to pursue a grant from the Michigan Department of Environment, Great Lakes and Energy (EGLE) to complete a comprehensive Asset Management plan and Final Distribution System Materials Inventory for the City's water system. Spicer Group can provide

professional engineering services to prepare the EGLE grant application for \$2,500.

ROLL CALL VOTE: CM Navock – Yes, CM Jacobson – Absent, CM Robison – Yes, CM Biel – Yes, CM Mclvor – Yes, CM Lee – Yes. 5 Yes Votes, 0 No Votes, 1 Absent, 0 Abstaining. Motion carried.

4. **CVTRS Submission:** The state Revenue Sharing Program has changed into the City, Village, and Township Revenue Sharing (CVTRS) program. There is still a requirement to submit the same four reports as previously (Citizen’s Guide, Performance Dashboard, Debt Service Report and Projected Budget Report), prior to December 1st. The City’s Munetrix-hosted submission was successfully forwarded to Department of Treasury to meet the City’s requirement. The report – CVTRS City Financial Report 2020 - is on the City’s web page (www.ci.brown-city.mi.us) under Financial Info and is available for review at City Hall.
5. **MERS:** The Municipal Employees’ Retirement System (MERS) is one of the three retirement account firms used by the City. The other two are the Union Plan required by contract for the DPW, and Ameriprise which serves the police and administration departments. MERS is requiring all of its Defined Contribution (DC) customers file an updated City Council-approved Adoption Agreement Addendum prior to the end of the year. Currently, only the City Manager is included under this plan. Recommend the City Council adopt the Agreement Addendum. Requires Motion.

Motion by CM Lee, second by CM Mclvor, to have Mayor Julie Miller sign an adopted updated City Council approved Adoption Agreement Addendum for the Municipal Employees’ Retirement System (MERS) for the City of Brown City.

ROLL CALL VOTE:

CM Jacobson – Absent, CM Robison – Yes, CM Biel – Yes, CM Mclvor – Yes, CM Lee – Yes, CM Navock – Yes. 5 Yes Votes, 0 No Votes, 1 Absent, 0 Abstaining. Motion carried.

6. **SBA Communications:** The City was notified that SBA plans to make some modifications to the cell tower. Specifically, the replacement of six (6) tower mounted antennas and three (3) remote modules; no additional tower height or compound expansion will be required. SBA provided a copy of the Structural Analysis Report and component installation plan that is available for review at City Hall. No permits are required since there will be no changes to the tower or ground site, only to already mounted equipment. The City requested SBA provide the dates and times of this maintenance.
7. **No On-Street Parking:** Residents are reminded that there is no on-street parking within the City Limits between November 1st and April 1st between the hours of 2:00 AM and 6:00 AM so as not to impede or interfere with snow removal efforts (City Ordinance §70.06 (L)). Violators may receive a Civil Infraction ticket and could be towed.
8. **Leaf Vacuuming:** The DPW is vacuuming leaves throughout the City. However, the machine has a limited reach. Residents are reminded to rake their leaves to within 36” of the curb or road edge. The leaf vacuuming service provided by the City is scheduled to end November 24th.

- 9. Public Notices:** The notice for City Clerk was published in the Sanilac County News on November 18th and will be republished on November 25th and December 2nd. After some delay, the Notice of Adoption for City Ordinance Section 152.400 providing for Cultivation or Other Medical Use of Marihuana as a Medical Marihuana Home Occupation in Single Family Dwellings was published on November 18th and will go into effect on November 25th.
- 10. Thanksgiving Holiday:** City Hall, police and DPW will be closed on Thursday and Friday, November 26th and 27th for the Thanksgiving Holiday. The DPW will have an employee on-call.
- 11. December Meetings:** The City Council meetings in December are scheduled for the 14th and 28th. Is there any interest in moving the meeting on the 28th to the 21st? Also, The City Personnel Policy Manual states on page 32 that City Hall, police and DPW will be closed on Christmas Day and New Year's Day, which fall on Fridays this season. In the past, the City Council has expanded that to include either a half- or full-day prior to those days. Does the City Council wish to add any time off?

The Councilmembers would prefer to leave the meeting of December 28th as scheduled.

Motion by CM Mclvor, second by CM Lee, to grant the City employees a full-day off on Christmas Eve Day – December 24th and New Years Eve Day – December 31st in addition to the regular holidays Christmas Day, December 25th and New Years Day – January 1st.

ROLL CALL VOTE: CM Navock – Yes, CM Jacobson – Absent, CM Robison – Yes, CM Biel – Yes, CM Mclvor – Yes, Mc Lee – Yes. 5 Yes Votes, 0 No Votes, 1 Absent, 0 Abstaining. Motion carried.

- 12. COVID-19:** The City continues to closely monitor the situation. No employees have exhibited symptoms to date. The City Hall office door is being locked during business hours due to the increase in infections within the community. Customers should use mail, email, the utility payment drop box and telephone for conducting business if possible. City Hall is open to the public by appointment only, and masks should be worn and no more than one customer at a time should be in City Hall.

- 13. Police Academy:** Lieutenant Medaugh continues the search for both a full time police officer and part time patrol officers. She is requesting that the City Council consider either fully or partially sponsoring an individual through the police academy in return for that individual agreeing to be on the department for a minimum period of time.

Discussion on the subject brought out a dollar amount of perhaps around \$5,000. (Five Thousand Dollars). This is not a set amount but just an estimate. Lieutenant Medaugh does have an individual in mind for this sponsored position. City Manager Clint Holmes said that we do have the money if this is the way the Council wishes to go. City Attorney Gregory Stremers will follow up with City Manager Clint Holmes on advice on this subject.

- 14. Game Age:** The store has moved to the old Town & Country TV Sales & Service Building Next to Treve's Party Store. The owner requested that the City Council be informed that the old Game Age Building on the corner of Lincoln and Main Streets is for sale.

ATTORNEY'S REPORT: City Attorney Gregory Stremers will get with City Manager Clint Holmes if he gets word that our closures will last longer than December 8th as has been given as a date to begin opening up things again. He said we have very short notice of closures. City Attorney Gregory Stremers stated that we could have Zoom meetings until December 31st and after that we would have to have a policy put in effect to continue with remote meetings.

TREASURER'S REPORT: None.

CLERK'S REPORT: None.

MAYOR'S REPORT:

1. **Tree Lighting** – Main Street between St Marys and James Streets - Friday, December 4th.
The Tree Lighting ceremony is cancelled on Friday, December 4th because of COVID-19.
2. Mayor Miller received a very nice letter from the Japanese Consul General in Detroit congratulating her on her reelection as Mayor of Brown City.
3. The Mayor and Council offered their condolences to the Mclvor Family and the Rodger Wood Family on the loss of their loved ones.

COMMITTEE REPORTS:

1. Building and Grounds (Mclvor) – None.
2. Personnel (Biel) – None.
3. Police / Fire Authority (Lee) –Fire Authority meeting for November was cancelled.
4. Streets and Sidewalks (Navock) – None.
5. Tax and Finance (Jacobson) – Absent..
6. Water and Sewer (Robison) – None.

GENERAL CONCERNS OF THE COUNCIL:

CM Lee said that someone came to the park to play disk golf and the park was closed despite the sign that stated the park closed at 10:00 p.m.

CM Biel asked if we knew anything more about the website coming to Brown City. City Manager Clint Holmes replied that he had not heard anything and was waiting to hear from the individuals.

PUBLIC QUESTIONS & COMMENTS: None.

CLOSED SESSION: None Scheduled.

ADJOURNMENT:

Motion by CM Lee, second by CM Biel, to adjourn the meeting at 7:35 p.m. **ROLL CALL VOTE: CM Robison – Yes, CM Biel – Yes, CM Mclvor – Yes, CM Lee – Yes, CM Navock – Yes, CM Jacobson – Absent. 5 Yes Votes, 0 No Votes, 1 Absent, 0 Abstaining. Motion carried.**

Respectfully submitted,

Juanita Smith
City Clerk