

City of Marine City
City Commission Minutes - Revised
July 20, 2023

A regular meeting of the Marine City Commission was held on Thursday, July 20, 2023 at 260 South Parker Street, Marine City, and was called to order by Mayor Pro Tem Hendrick at 7:00 P.M.

Present: Commissioners Jacob Bryson, Elizabeth Hendrick, Michael Hilferink, William Klaassen, Rita G. Roehrig, Brian Ross; City Manager Scott Adkins; Interim City Clerk Jason Bell.

Also Present: City Attorney Robert Davis

Absent: Mayor Jennifer Vandenbossche

Motion by Commissioner Bryson, seconded by Commissioner Roehrig, to excuse Mayor Vandenbossche from the meeting. All Ayes. Motion Carried.

AUDIO AVAILABLE

For complete audio of meeting, visit the following link:

https://www.youtube.com/watch?v=TOSuK_UGTJc

APPROVE AGENDA

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the agenda with the addition of item 11k – Vacant Building Ordinance. Ayes: Hendrick, Klaassen, Roehrig, Ross, Bryson. Nays: Hilferink. Motion Carried.

PUBLIC COMMENT

Roland Woelker thanked the DPW and First Responders for their work during the recent storms. He also spoke against marijuana ballot initiative.

Rosalie Skwiers spoke on her work of planting flowers at City Offices and the desire to make Marine City a “Bee City”.

Dave Warner spoke against marijuana ballot initiative and supported the “Bee City” initiative.

APPROVE MINUTES

Motion by Commissioner Ross, seconded by Commissioner Bryson, to approve the City Commission Meeting Minutes of June 15, 2023 as amended. All Ayes. Motion Carried.

CONSENT AGENDA

Presented:

- a. MCAFA Run Report
- b. Departmental Activity Monthly Reports
- c. 300 Broadway Meeting Minutes – May 22, 2023
- d. Zoning Board of Appeals Meeting Minutes – April 5, 2023
- e. Planning Commission Meeting Minutes – May 22, 2023
- f. Special Event Permit – Marine City Festival Inc., 2023 Maritime Days
- g. Special Event Permit – Community Pride and Heritage, Inc – Concert in the Park
- h. Special Event Permit – Marine City High School Homecoming Parade

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to approve the Consent Agenda a-h. **Roll Call Vote.** Ayes: Bryson, Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Commissioner Bryson needed to leave the meeting at this time due to a work emergency.

Motion by Commissioner Ross, seconded by Commissioner Roehrig, to excuse Commissioner Bryson for the remainder of the meeting due to a work emergency at 7:15pm. All Ayes. Motion Carried.

ITEMS REMOVED FROM CONSENT AGENDA

None

FINANCIAL BUSINESS

Expenditures Including Payroll - \$811,618.33

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to approve expenditures including payroll in the amount of \$811,618.33. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Preliminary Financial Statements

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to receive and file the preliminary financial statements. All Ayes. Motion Carried.

UNFINISHED BUSINESS

Recreational Marijuana Facilities Ballot Initiative Language Discussion

City Attorney Davis sought clarification on the prior motion to create ballot language. He inquired if it was storefront retail only and if was allowed as permitted use based on setbacks. He also inquired what the creation of the special district request was. Commissioner Hilferink stated if it is needed to add it, if it was not to leave it out. City Attorney Davis stated there was no need for the language on the ballot.

Commissioner Hilferink inquired if there would be public feedback on ballot. City Attorney Davis public feedback would not be needed but the requirement is to have a draft ordinance available for viewing by the public prior to the election via website.

Commissioner Hilferink inquired to the City Attorney on his thoughts of the 1,000 foot setback to allow a facility in the old K-Mart Plaza and if that was 1,000 feet from the next residence and City Attorney Davis stated it was possible.

Commissioner Hilferink stated the City was running out of time for a November election. City Attorney Davis stated it would be a special election and advised the Commission to push for a February 2024 election to put the ballot initiative on.

Commissioner Hendrick requested new maps based on the motion.

Commissioner Klaassen stated the County could kick back the ballot language multiple times and he was not for marijuana facilities in the City.

NEW BUSINESS

Maritime Days Fireworks Permit Approval

Commissioner Ross stated the map showed a radius near the water plant and the fireworks company needed to be careful of that area.

Motion by Commissioner Roehrig, seconded by Commissioner Ross, to approve the fireworks permit for Maritime Days. **Roll Call Vote.** Ayes: Hilferink, Klaassen, Roehrig, Ross, Hendrick. Nays: None. Motion Carried.

Resolution 021-2023 – 457 Plan Administrator and Trustee

City Manager Adkins stated this was required due to personnel changes in the City in order to manage the plan.

Motion by Commissioner Roehrig, seconded by Commissioner Ross, to designate City Manager Adkins as the primary employer authorized representative and plan administrator and Treasurer/Finance Director Katy Posey as plan trustee for the City-sponsored 457 Plan. **Roll Call Vote.** Ayes: Hilferink, Klaassen, Roehrig, Ross, Hendrick. Nays: None. Motion Carried.

Insurance Plan Renewal

City Manager Adkins stated the renewal paperwork was not received from Nickel & Saph until June 24, 2023, and the City could not go uninsured and the company has a good track record with the City. City

Manager Adkins stated the City would bid out for insurance next year and he was seeking consideration to approve the renewal.

Commissioner Ross inquired if there would need to be a waiver of competitive bid. City Attorney Davis stated a waiver would not be needed as it was a renewal of professional services.

Commissioner Hendrick inquired if the Guy Center property was removed from the plan, City Manager Adkins stated that was removed. Commissioner Hendrick also inquired if there were any open claims, City Manager Adkins stated there was not.

Commissioner Ross inquired if the price reflected the removal of the Guy Center property and if that number should be adjusted before approval. City Manager Adkins stated they were still in process of removing the property and there would be an adjustment and possible refund.

Motion by Commissioner Roehrig, seconded by Commissioner Ross, to accept the annual property and casualty insurance renewal from Nickel & Saph Inc. in the amount of \$133,570.00 as recommended. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Ross, Hendrick, Hilferink. Nays: None. Motion Carried.

City Clerk Agreement – Jason Bell

Commissioners Hilferink, Ross and Hendrick thanked Jason for his service in the interim position and welcomed him.

Motion by Commissioner Roehrig, seconded by Commissioner Klaassen, to accept the City Clerk Agreement for Jason Bell as presented. **Roll Call Vote.** Ayes: Roehrig, Ross, Hendrick, Hilferink, Klaassen. Nays: None. Motion Carried.

Board Vacancy Appointments

Planning Commission Appointments

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to reappoint Madelynn McCarthy to the Planning Commission. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to reappoint William Buetell to the Planning Commission. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to reappoint Graham Allan to the Planning Commission. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

TIFA Board Appointment

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to reappoint Craig May to the TIFA Board. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Community and Economic Development Board Appointment

David Warner spoke on his resume and stated he runs a home based business.

Commissioner Hilferink stated he had a problem if Mr. Warner ran a home business and did not do business with community members.

Commissioner Hendrick inquired if a business license was required if it was a home business and stated the intent was to have a business owner in the City to represent businesses.

Commissioner Roehrig inquired to Mr. Warner on why he wanted to apply for the board. Mr. Warner stated there was an opening and he had 13 years of experience with the United States Chamber of Commerce.

Commissioner Hilferink stated he would recruit business owners who felt they were not being properly represented.

Motion by Commissioner Hilferink, to set aside the appointment until the August 3, 2023 Commission Meeting. Motion died due to lack of support.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to appoint David Warner to the Community and Economic Development Board as a business representative. **Roll Call Vote.** Ayes: Hendrick, Klaassen, Roehrig, Ross. Nays: Hilferink,. Motion Carried.

MCAFA Board Appointments

Motion by Commissioner Hendrick, seconded by Commissioner Roehrig, to reappoint Lisa Hendrick to the MCAFA Board. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Roehrig, to reappoint Mark Posey to the MCAFA Board. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Roehrig, to reappoint Justin McCartney to the MCAFA Board. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: None. Motion Carried.

SCADA Pump Station Technology Purchase

City Manager Adkins spoke on the SCADA purchase stating it was proprietary equipment and already in place in other City buildings. He also stated it was budgeted for.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to waive competitive bidding due to SCADA being a proprietary system. **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion Carried.

Motion by Commissioner Roehrig, seconded by Commissioner Ross, to purchase SCADA system in the amount of \$22, 235. **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion Carried.

DPW Plow Truck Chassis Purchase

City Manager Adkins stated the plow truck chassis purchase was in the budget and it was found through MiDeal pricing/bid process.

Commissioner Roehrig stated the truck was not yet available. City Manager Adkins stated this was for a future purchase when the truck becomes available in 2024.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to waive competitive bidding due to MiDeal pricing and completing the bid work. **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion Carried.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to purchase DPW plow truck chassis from Tri County Intl. Trucks in the amount of ~~\$888,480.43~~ **\$88,480.43.** **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion Carried.

DPW Plow Truck Chassis Purchase

City Manager Adkins stated this was a budgeted purchase and also MiDeal pricing.

Commissioner Hilferink inquired to the annual charge for MiDeal. City Manager Adkins stated it was a few hundred dollars per year.

Motion by Commissioner Roehrig, seconded by Commissioner Ross, to waive competitive bidding for Truck and Trailer Specialties for MiDeal pricing. **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion Carried.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to approve the purchase of DPW plow truck equipment from Truck and Trailer Specialties in the amount of \$91,325. **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion Carried.

DPW Contract Approval Bio Material Disposal

City Manager Adkins stated this was the only quote received and the company that was previously used did not wish to submit a new bid. He also stated there were only a couple companies in the area. Commissioner Hilferink requested additional bids to compare pricing. City Manager Adkins stated there were no other companies that would be cost effective as they were located in the Upper Peninsula.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to waive competitive bidding for BioTech Agronomics due to the only other company opting not to submit pricing. **Roll Call Vote.** Ayes: Ross, Hendrick, Klaassen, Roehrig. Nays: Hilferink. Motion failed.

Commissioner Hendrick stated since the motion to waive competitive bidding failed, this service would need to go out to bid and bio solids will back up at the waste water plant.

Commissioner Hilferink sought clarification on this being the only company in the area. City Manager Adkins stated there are only a couple companies permitted in Southeast Michigan. Commissioner Hilferink wants multiple bids in the future and requested City Manager Adkins to provide them in the future.

Motion by Commissioner Hilferink, seconded by Commissioner Ross, to vote to reconsider the motion on waiving competitive bidding. All Ayes. Motion Carried.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to waive competitive bidding for BioTech Argonomics due to the only other company opting not to submit pricing. **Roll Call Vote.** Ayes: Ross, Hendrick, Hilferink, Klaassen, Roehrig. Nays: None. Motion carried.

Motion by Commissioner Hendrick, seconded by Commissioner Roehrig, to approve the contract for Bio Materials Disposal from BioTech Agronomics Inc as presented. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Ross, Hendrick. Nays: Hilferink. Motion Carried.

Vacant Building Ordinance Moratorium

City Attorney Davis recommended to suspend enforcement of the vacant building ordinance for six months and to review in one year.

Commissioner Ross inquired to City Manager Adkins if he received any complaints about the ordinance. City Manager Adkins stated he had spoken to five different businesses regarding grey areas of the ordinance and the need for it to be reviewed. City Manager Adkins stated he would bring something back

to the Commission in a couple of meetings as he gathered information from other communities and their vacant building ordinances.

Motion by Commissioner Hendrick, seconded by Commissioner Hilferink, to impose an enforcement moratorium on the enforcement of the vacant building ordinance to allow for additional review of the ordinance by the City Commission for the next six months. **Roll Call Vote.** Ayes: Roehrig, Ross, Hendrick, Hilferink, Klaassen. Nays: None. Motion Carried.

ADMINISTRATIVE REPORTS

City Attorney Report

City Attorney Davis stated he had nothing to report. Commissioner Hilferink inquired as to an update on UHY report. City Attorney Davis stated he would be discussing this at the next meeting in a closed session.

City Manager Report

City Manager Adkins sent condolences to Mayor Vandebossche and her family. He thanked the work of the DPW and First Responders during the two recent storms. He asked if citizens had an issue with a City tree to contact the DPW. City Manager Adkins stated the Master Plan update was under way and the survey was available to the public on our website and the City would have a booth at Maritime Days to solicit residents on Master Plan. He also congratulated the board appointments.

Commissioner Hilferink inquired on the workshop for business promotion. City Manager Adkins stated that would be the second meeting in August.

Commissioner Hilferink inquired to an update on the Washington Life Center property. City Manager Adkins stated the East China Schools Superintendent cancelled their scheduled meeting due to a family obligation and he was looking to reschedule to continue discussions with her.

Reports from Department Heads

Jason Bell spoke on research he was completing for agenda and meeting minute software to make things more efficient for office staff and board members as well as exploring tablets. He will bring as proposal for this software to a future meeting.

COMMISSIONER PRIVILEGE/LIAISON REPORTS

Commissioner Klaassen sent his condolences to Mayor Vandebossche and her family and he did not have meetings to report on.

Commissioner Hilferink discussed the friction going on and that he was a go getter and was only trying to help the City.

Commissioner Ross sent his blessings to Mayor Vandenbossche and her family. He also mentioned the 300 Broadway Committee was not meeting due to lack of agenda items and they were still awaiting a grant decision for 300 Broadway building. He also mentioned the Finsterwald Arts and Crafts Show during Maritime Days at historic City Hall at 300 Broadway. Urged residents to be careful from the storms.

Commissioner Roehrig spoke on the Maritime Days coming up the first weekend in August and the fireworks on August 4th. She also thanked Rosalie Skwiers for her planting of flowers at City Offices.

Commissioner Hendrick sent her condolences to Mayor Vandenbossche and her family, thanked Rosalie Skwiers for her planting of flowers at City Offices. She also thanked the DPW for their work during and after the last storm. Congratulations to the Marine City Little League 12u District Championship and good luck at States. She also hoped to have power restored soon.

ADJOURNMENT

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to adjourn at 8:34 p.m. All Ayes. Motion Carried.

Respectfully submitted,

Jason A.Bell
City Clerk