

**City of Marine City
City Commission Minutes
September 7, 2023**

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

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

Absent: Commissioner Brian Ross

Also Present: City Attorney Robert Davis

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to excuse Commissioner Ross due to illness. **Roll Call Vote.** Ayes: Bryson, Hendrick, Hilferink, Klaassen, Roehrig, Vandebossche. Nays: None. Motion Carried.

AUDIO/VIDEO AVAILABLE

For complete audio of meeting, visit the following link:

https://www.youtube.com/watch?v=YllnY2_TDU

APPROVE AGENDA

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the agenda with the addition of new business item discussion on Charter Section 5.4 to 12f. All Ayes. Motion Carried.

PRESENTATIONS, PROCLAMATIONS & RECOGNITIONS

Mayor Vandebossche presented as proclamation designating Fall 2023 as United Way of St. Clair County Months in Marine City.

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to receive and file the proclamation for United Way. All Ayes. Motion Carried.

PUBLIC COMMENT

Trish May spoke on Commissioner Hilferink's actions and in support of City Manager Adkins. She also spoke on the Charter.

Phil Oleksiak spoke on City leadership and the history as well as in support of the City Manager and City staff. He also spoke against Commissioner Hilferink's actions.

Karen Yanke spoke against marijuana, but thanked the Commission for a possible ordinance and the ballot language discussion for the people to decide. She also spoke against Commissioner Hilferink's actions.

Joe Moran spoke on Community and Economic Development Board update regarding Redevelopment Ready Communities and the work progressing on that and a planned Car Show/Rally for October of 2024.

Jeff Snyder spoke on the marijuana ballot initiative and keeping the language simple.

Roland Woelkers spoke on Maritime Days and congratulated everyone involved. He also thanked the DPW, Police Department and the Commission for supporting the new police vehicles. He also spoke against marijuana.

Paul Yanke spoke against marijuana and against Commissioner Hilferink's actions and called for him to resign. He also thanked everyone for their service to the City.

Gabe Costanzo spoke against Commissioner Hilferink's actions and called for him to resign.

Rosalie Skwiers spoke against Commissioner Hilferink's actions and called for him to resign.

Mike Hilferink started to speak at the podium in response to public comment and Commissioner Klaassen inquired if he was allowed to do so. City Attorney Davis stated Commissioner Hilferink could not respond to other public comments. Commissioner Hilferink continued to respond and Mayor Vandenbossche asked Commissioner Hilferink to sit down three times to which he did not comply. Mayor Vandenbossche stated Commissioner Hilferink was out of order.

Motion by Commissioner Klaassen, seconded by Commissioner Bryson to call Commissioner Hilferink out of order during public comment. **Roll Call Vote.** Ayes: Bryson, Hendrick, Klaassen, Roehrig, Vandenbossche. Nays: None. Motion Carried.

Mayor Vandenbossche asked Commissioner Hilferink three times to sit down after a motion to call him out of order passed and he refused. Mayor Vandenbossche asked the Police to remove Commissioner Hilferink from the meeting for disturbing the peace. The Police then removed Commissioner Hilferink from the meeting.

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to take a 5 minute recess at 7:50pm. All Ayes. Motion Carried.

Mayor Vandenbossche called the meeting back to order at 7:57pm.

APPROVE MINUTES

City Commission Meeting Minutes – August 3, 2023

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the City Commission Meeting Minutes of August 17, 2023. All Ayes. Motion Carried.

CONSENT AGENDA

Presented:

- a. Community & Economic Development Board Meeting Minutes – July 26, 2023
- b. 300 Broadway Committee Meeting Minutes – June 26, 2023
- c. Business License – Lille Piece of Heaven Beauty Spa
- d. Special Event Permit – Tenyer's Automotive 4th Annual Memorial Car Show & Customer Appreciation

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

ITEMS REMOVED FROM CONSENT AGENDA

None

FINANCIAL BUSINESS

Expenditures Including Payroll - \$1,273,775.32

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to approve expenditures including payroll in the amount of \$1,273,775.32. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

Preliminary Financial Statements

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

Engagement of McBride-Manely – Annual Sewer Rate Computation

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to approve the letter of engagement with McBride-Manely to perform the annual Sewer Rate Computation for Cottrellville Township in the amount of \$2,950. **Roll Call Vote.** Ayes: Bryson, Hendrick, Klaassen, Roehrig, Vandenbossche. Nays: None. Motion Carried.

Consideration of Teamsters – Contract Signing Bonus

City Manager Adkins spoke on the language of the agreement and that it was a one time payout of \$800 and the amounts would come out general fund and other enterprise funds.

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to approve the letter of understanding between Teamsters Local 214 and the City of Marine City for a one-time contract signing bonus in the amount of \$800. **Roll Call Vote.** Ayes: Bryson, Hendrick, Klaassen, Roehrig, Vandenbossche. Nays: None. Motion Carried.

UNFINISHED BUSINESS

Recreational Marijuana Facilities Ballot Initiative Language Discussion

City Attorney Davis spoke on marijuana ballot language and previous memo he shared with the three options the Commission could take. He also spoke on the ballot initiative right of the public and not the Commission and that the Commission could only create and adopt ordinance. City Attorney Davis' advice was to a) do nothing or b) review the ordinance for consideration at the next meeting.

Commissioner Hendrick stated the prior motion of the Commission stated facilities could be 1,000 feet from building to building, but State law says it is lot line to lot line.

Commissioner Klaassen spoke on the current ordinance prohibiting facilities and he would like to keep it that way.

NEW BUSINESS

Library Board Appointment

Mayor Vandenbossche stated Commissioner Roehrig also applied to the Library Board as there were no other applicants, but when she learned there was another applicant she recommended Mary Rawding to the Library Board.

Motion by Mayor Vandenbossche, seconded by Commissioner Hendrick, to appoint Mary Rawding to the Library Board. **Roll Call Vote.** Ayes: Roehrig, Vandenbossche, Bryson, Hendrick, Klaassen. Nays: None. Motion Carried.

Amended Open Intox Ordinance – 2nd Reading/Adoption

Motion by Commissioner Bryson, seconded by Commissioner Hendrick, to adopt Ordinance 23-003, an Ordinance of the City of Marine City, St. Clair County, Michigan to Revise Alcoholic Beverages Title XI, Chapter 114, Section 114.01 Entitled “Consumption in Public Prohibited; Exceptions for Organizations with Permit”. **Roll Call Vote.** Ayes: Bryson, Hendrick, Vandenbossche. Nays: Klaassen, Roehrig. Motion Carried.

Municipal Marina Regulations Ordinance – 1st Reading

Commissioner Roehrig stated she checked the corrections against the original and all suggestions and corrections were there.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to adopt Ordinance 23-004, an Ordinance of the City of Marine City, St. Clair County, Michigan to Establish Municipal Marina Regulations Title XV, Chapter 150, Section 08 Entitled “Municipal Marina Regulations”. **Roll Call Vote.** Ayes: Hendrick, Klaassen, Roehrig, Vandenbossche, Bryson. Nays: None. Motion Carried.

Metro Act Right of Way Permit Extension

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the Metro Act Right of Way Permit for a term to end on December 31, 2028. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

Clerks Department – Agenda and Meeting Minutes Software Purchase

Commissioner Roehrig inquired how long this software would take to implement, Clerk Bell stated he was not sure on the answer.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the agenda and meeting minute software purchase from Granicus for \$3,696. **Roll Call Vote.** Ayes: Roehrig, Vandenbossche, Bryson, Hendrick, Klaassen. Nays: None. Motion Carried.

Discussion on Charter Section 5.4

Commissioner Bryson stated he requested to have this added to the agenda and stated he had no desire to go down this path again, but personally didn't think there was another choice.

Commissioner Hendrick stated this was the same section used on her but each instance needs to be taken separately.

Motion by Commissioner Bryson, seconded by Mayor Vandenbossche, that the Commission initiate section 5.4 of the Charter to start the hearing process of removing Commissioner Hilferink from office, this requires the charges be reduced to writing and delivered to Commissioner Hilferink at least 10 days prior to any hearing. **Roll Call Vote.** Ayes: Bryson, Hendrick, Klaassen, Roehrig, Vandenbossche. Nays: None. Motion Carried.

ADMINISTRATIVE REPORTS

City Attorney Report

City Attorney Davis stated he enjoyed working for the City.

City Manager Report

City Manager Adkins spoke on the expenditures being high this time due to tax settlements to the County and other entities and that was approximately \$900,000. He also stated the Community Center Grant for 300 Broadway was submitted and the City received confirmation that it was received and that the generator was installed and fully operational. City Manager Adkins stated a Master Plan visioning session was tentatively set for October 12, 2023 from 4-8pm. He also thanked the audience for attending and stated there was an opening on the Planning Commission and applications were available at City Offices and on the City website.

Reports from Department Heads

DPW Superintendent Schmidt spoke on the issues with the cemetery grass and apologized but stated it would get solved. He also stated the DPW was looking into buying a used wood chipper and would be bringing that back to the Commission for approval once something is decided on. DPW Superintendent Schmidt also spoke on ladders at the marina and that he was looking for an affordable option as well as bringing in porta potties until the bathroom are constructed. He also stated the fire suppression system at 300 Broadway was tested and it was functional as well as the fire extinguishers were replaced. DPW Superintendent Schmidt also spoke on the desire to update the street signs throughout the City in phases and brought a sample of what the signs would look like. City Manager Adkins thanked DPW Superintendent Schmidt for his work on the signs and being cost responsible. DPW Superintendent Schmidt also thanked DPW Office Manager Mikayla for working as a beach attendant during the entire Labor Day weekend.

Clerk Bell provided an update on the Early Voting that will now take place during all future State and Federal elections.

COMMISSIONER PRIVILEGE/LIAISON REPORTS

Commissioner Klaassen stated there was Planning Commission meeting upcoming and there were three things on the agenda. He also apologized to the public for what transpired this evening and urged everyone to work together.

Commissioner Roehrig stated school was back in session and to look out for safety, the kids and busses and to stop at stop signs.

Commissioner Hendrick thanked all City staff for working through frustrations and that the City needed and wanted all of them here and things cannot be done without City staff.

Mayor Vandenbossche stated she missed the CED Board meeting due to a prior obligation she had before she was appointed and thanked Joe Moran for providing the update. She wished good luck to the Marine

City Football team against St. Clair. She also thanked City Employees, the volunteers who take care of Women's Civic Park and Rosalie Skwiers.

Motion by Commissioner Klaassen, seconded by Commissioner Bryson, to enter into closed session at 8:47pm. **Roll Call Vote.** Ayes: Hendrick, Klaassen, Roehrig, Vandenbossche, Bryson. Nays: None. Motion Carried.

Motion by Commissioner Klaassen, seconded by Commissioner Hendrick, to return back to open session at 8:59pm. All Ayes. Motion Carried.

Motion by Commissioner Klaassen, seconded by Commissioner Bryson, to authorize City Manager Adkins to issue the Letter of Intent as presented in Closed Session. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

ADJOURNMENT

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to adjourn at 8:59 p.m. All Ayes. Motion Carried.

Respectfully submitted,

Jason A.Bell
City Clerk