**City of Marine City**

**City Commission Minutes**

**May 18, 2023**

A regular meeting of the Marine City Commission was held on Thursday, May 18, 2023 at 260 South Parker Street, Marine City, and was called to order by Mayor Vandenbossche at 7:00 P.M.

Present: Mayor Jennifer Vandenbossche; 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

**AUDIO/VIDEO AVAILABLE**

For complete audio/video of meeting, visit the following link:

<https://www.youtube.com/watch?v=2Q_XzCRYLdg>

**APPROVE AGENDA**

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approve the agenda with the addition of 6a under communications for a letter. Ayes: Vandenbossche, Hendrick, Hilferink, Klaassen, Roehrig, Ross. Nays: Bryson. Motion Carried.

**COMMUNICATION**

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to receive and file communication regarding new DPW Superintendent. All Ayes. Motion Carried.

**PUBLIC COMMENT**

Dominic Breloski inquired on delinquent water bills being rolled into taxes and why the water was being shut off if it was being rolled onto the taxes.

Rudy Menchaca spoke against marijuana facilities and the Social District. He also spoke against the boat that was built in the sidewalk area in front of Gords.

**APPROVE MINUTES**

Commissioner Ross requested a change to the minutes regarding the Social District discussion for the map to include the Lighthouse Park and the Memorials and clarified his comment on the water rates being used for infrastructure repair and maintenance.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the City Commission Meeting Minutes of May 4, 2023, with the revision that was provided. All Ayes. Motion Carried.

**CONSENT AGENDA**

Presented:

* 1. MCAFA Run Report
  2. Departmental Activity Monthly Reports
  3. Business License – Tom Kephart Communications LLC
  4. Business License – The Painted Toad
  5. Business License – V.J. Car Wash & Lube, LLC
  6. Special Event Permit – Memorial Day Parade
  7. Special Event Permit – Marine City High School “Box City”
  8. Special Event Permit – Marine City Festival Inc, Music in the Park

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

**FINANCIAL BUSINESS**

Expenditures

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve total expenditures including payroll, in the amount of $98,228.75. **Roll Call Vote.** Ayes: Hilferink, Klaassen, Roehrig, Ross, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

Preliminary Financial Statements

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to receive and file the Preliminary Financial Statements. AllAyes. Motion Carried.

Public Hearing – 2023-2024 Fiscal Year Budget

Mayor Vandenbossche declared the public hearing open at 7:24pm, calling three times for comments and hearing none the public hearing was closed at 7:25pm.

Resolution 011-2023 – 2023/2024 Budget/Appropriations Act

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to approve Resolution 011-2023 – 2023-2024 Budget Appropriations Act. **Roll Call Vote.** Ayes: Hilferink, Klaassen, Roehrig, Ross, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

Resolution 012-2023 – Special Assessment for Delinquent Accounts

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve Resolution 012-2023 – Special Assessment for Delinquent Accounts. **Roll Call Vote.** Ayes: Klaassen, Roehrig, Ross, Vandenbossche, Bryson, Hendrick, Hilferink. Nays: None. Motion Carried.

Public Hearing – Water/Sewer Rate Change 2023-2024 Fiscal Year

Mayor Vandenbossche declared the public hearing open at 7:27pm, calling three times for comments and hearing none the public hearing was closed at 7:28pm.

**UNFINISHED BUSINESS**

Ordinance 2023-002 – Water and Sewer Rate Increase (2nd Reading/Adoption)

Commissioner Ross stated the rate increase could be used for processing and infrastructure and the ready to serve fees can only be used for infrastructure.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to adopt Ordinance 2023-002 Water and Sewer Rate Increase at 2.5% and a $1 increase on each meter for Ready to Serve Water and Sewer. **Roll Call Vote.** Ayes: Roehrig, Ross, Vandenbossche, Bryson, Hilferink, Klaassen. Nays: Hendrick. Motion Carried.

Social District Discussion

City Attorney Davis presented updated maps, resolution and marketing/operation plan and stated the only action needed was to approve these items to forward to the State.

Commissioner Roehrig inquired on the figures for signs and locations. City Attorney Davis stated the map needed to be approved before the City could move forward with signs. He also stated the State said local municipalities chose where signs would be placed and how many and stated the signs were near $100 each. City Manager Adkins stated smaller signs delineating the district and common areas were cheaper at around $25 to $30 each.

Commissioner Hendrick inquired if a special event occurs where alcohol is being served what happens to the Social District. City Attorney Davis stated the special event license supersedes the Social District and those rules apply not the rules of the Social District. Commissioner Hendrick requested that information be added to the website piece.

Commissioner Hendrick stated the Social District would be hard to enforce and once it was started it would be hard to change back. She also inquired if people could purchase alcohol for other people from participating establishments. City Attorney Davis stated they could not and there were strict rules in place in the operation plan and law regarding this. Mayor Vandenbossche stated Police Chief Heaslip previously said the Social District would be easier for his department to enforce.

Commissioner Hilferink stated if State regulation does not state Social Districts are smoke free and the operation plan clearly states all State regulations apply he was fine with the Social District idea and wanted it to be a start to a bigger plan.

Commissioner Ross inquired if a review timeline of the Social District was included in the resolution. City Attorney Davis stated that review plan was included to be after the first 90 days and annually thereafter. Commissioner Ross also inquired as to which logo was being used for the Social District. The consensus of the Commission was to use the square logo with the Lighthouse “Downtown Social District” which was included in the website information piece.

Commissioner Roehrig inquired if the current open intox ordinance and alcohol in parks ordinance needed to be changed. City Attorney Davis stated if the resolution is approved, it will be sent to the State and the sponsors will need to be approved before the Social District becomes operational, at which time the two other ordinances can be changed.

Resolution 008-2023 – Social District

Mayor Vandenbossche wanted to clarify that once the resolution was approved it gets sent to the State for sponsors to apply for their license and once they are approved the Social District becomes operational.

Motion by Commissioner Hilferink, seconded by Commissioner Ross, to approve Resolution 008-2023 – to Designate a Social District Containing Defined Commons Area and Adopt a Management and Maintenance Plan in Order to Allow Certain On-Premises Liquor Licensees Expanded Use of Shared Areas for Consumption of Alcohol Pursuant to Act 124 of 2020. **Roll Call Vote.** Ayes: Ross, Vandenbossche, Bryson, Hilferink. Nays: Hendrick, Klaassen, Roehrig. Motion Carried.

Resolution 013-2023 –Equitable Distribution of Remaining County ARPA Funds

Commissioner Bryson stated he liked the wording in the resolution as it was neutral and positive.

Motion by Commissioner Bryson, seconded by Commissioner Hendrick, to approve Resolution 013-2023 – Requesting the St. Clair County Board of Commissioners to Consider Equitable Distribution of Remaining American Rescue Plan Act (ARPA) Funds to Local Units of Government and to allow the City to forward the Resolution to the County Commissioners. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Hilferink, Roehrig. Nays: Klaassen, Ross. Motion Carried.

Public Hearing regarding Drinking Water State Revolving Fund Project Plan

Mayor Vandenbossche declared the public hearing open at 7:51pm.

Chris Hennesy from Fleis & Vandenbrink presented project plan summary and stated alternative 4 was selected which was Water System Improvements. This included:

Watermain replacement and looping

Water Storage Tower Upgrades

Water Service Line Replacements

Water Treatment Plant upgrades

SCADA Controls

He stated the estimated project cost would total $26,000,000 and the City qualifies as overburdened so the financing on a 30 year loan at 2.75% would have an annual payment of $1,284,000 and residents would pay $63 more per month.

Joe Moran stated he thought the State was supplying money for this project via a grant and inquired as to why there is a need for a loan. Chris Hennesy stated that is what the costs would be if the grant funds were not received and that this was a rare opportunity and it will probably not come around again due to the program receiving Federal funds. Commissioner Hendrick stated the project could award grant funds up to 75 % with a 25 % match from the City.

Commissioner Ross inquired if the bulk of the infrastructure repairs were under roads, if the roads would be completely repaired as well under this project. Chris Hennesy stated the roads would be completely repaired as part of the project.

Mary Ellen McDonald stated that $63 more per month would double her water bill and that was a lot of money for residents to pay. City Manager Adkins stated if the funds were not available the City would not move forward with the project and would find an alternative method or they could scale back the project.

Commissioner Hilferink inquired about the loan option and if the grant funds only awarded a certain amount would the City have to get a loan to complete the rest of the project. City Manager Adkins stated the City would need to get a loan for the remainder of the project cost less the grant funds awarded.

Mayor Vandenbossche calling three times for additional comments and hearing none, declared the public hearing closed at 8:16pm.

Resolution 014-2023 - Project Planning for Water System Improvements and Funding from Michigan Drinking Water State Revolving Funds

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve Resolution 014-2023 to Adopt The Project Planning Document For Water System Improvements And Seek Funding From The Michigan Drinking Water State Revolving Fund. **Roll Call Vote.** Ayes: Hendrick, Hilferink, Klaassen, Roehrig, Ross, Vandenbossche, Bryson. Nays: None. Motion Carried.

**NEW BUSINESS**

DPW Superintendent Contract – Jeff Schmidt

City Manager Adkins spoke on Mike Itrich’s retirement and congratulated him and stated Mike lead the selection process and interviews and recommended Jeff Schmidt for the position. City Manager Adkins stated he worked on the agreement with City Attorney Davis.

Commissioner Hendrick welcomed Jeff Schmidt to the City and stated it was nice to see Mike’s experience being replaced with someone who also had experience in the job. Commissioner Hilferink inquired if Mike Itrich would be assisting with the transition. City Manager Adkins stated Mike Itrich would be assisting with the transition as there are some licensing requirements per the State with transitions and an agreement for Mike’s role would be presented to the Commission at the June 1, 2023 meeting.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approve the employment agreement between the City of Marine City and Jeffrey Schmidt as presented with a starting date of May 19, 2023. **Roll Call Vote.** Ayes: Hilferink, Klaassen, Roehrig, Ross, Vandenbossche, Bryson, Hendrick. Nays: None. Motion Carried.

135 N 6th Street -Demolition per Dangerous Board of Appeals

City Attorney Davis stated the issue was that the demolition of the residence was not complete per the City ordinance as there was not a final hole inspection and grass was not planted. He stated he spoke with the homeowner and there was a delay due to contractors and weather and he planned on finishing as soon as possible.

Commissioner Hendrick stated the demolition has been completed as the house was torn down and there was no hole.

Homeowner, Dominic Breloski stated he was working as fast as he could to complete per the ordinance and was requesting a couple weeks to finish.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to give the homeowner 21 days to complete the final components of the demolition. **Roll Call Vote**. Ayes: Klaassen, Roehrig, Ross, Vandenbossche, Bryson, Hendrick, Hilferink. Nays: None. Motion Carried.

FOIA Policy, Procedure, Guidelines

City Attorney Davis spoke on the FOIA policy, procedure and guidelines and said it was a State requirement to have them and that they should be approved and published. Commissioner Hendrick stated the City had a policy currently but that it was lacking compared to the one presented.

Commissioner Roehrig requested an email address be added to the forms so they request can be submitted via email. City Attorney Davis stated it could be added but needed to check on the rules of when the email is considered received.

Commissioner Hilferink inquired if there was specific rules to a legislative body request for records. City Attorney Davis stated he would need to check, but the legislative body should be privy to any records to help them perform their duties.

Motion by Commissioner Hendrick, seconded by Commissioner Ross, to approved the FOIA policy, procedures and guidelines and presented by City Attorney Davis. **Roll Call Vote**. Ayes: Roehrig, Ross, Vandenbossche, Bryson, Hendrick, Hilferink, Klaassen. Nays: None. Motion Carried.

Board Vacancies

City Manager Adkins stated only one application was received for the 6 vacancies and was requesting the Commission to extend the application deadline until the end of June.

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to extend the deadline for board vacancy applications until the end of June. All Ayes. Motion Carried.

**ADMINISTRATIVE REPORTS**

City Manager Report

City Manager Adkins urged everyone to look at the calendar of events on the City website and stated the Bandstand dedication ceremony was Friday, May 19, 2023 at 2pm. He also reminded everyone of the Memorial Day Parade on May 29th. He welcomed Jeff Schmidt to the City and stated he was looking forward to the upcoming Commission Workshops. City Manager Adkins thanked Mary Ellen McDonald and Christina for their work on the budget and for attending the meeting tonight.

**COMMISSIONER PRIVILEGE/LIAISON REPORTS**

Commissioner Klaassen spoke on the Planning Commission meeting on May 22 and that they were working on maps for the marijuana facilities. He also stated the Rotary flower sale was this past weekend and the Garden Club flower sale was coming this weekend and urged residents to support the City.

Commissioner Hilferink thanked Mary Ellen McDonald.

Commissioner Ross thanked Mary Ellen McDonald and Christina and welcomed Jeff Schmidt to the City. He also urged residents to come to the Bandstand dedication ceremony and thanked Marine City Nursery and DPW for their work on the Bandstand and area surrounding it.

Commissioner Roehrig thanked and welcomed Jeff Schmidt to the City and she hoped everyone got through the frost.

Commissioner Hendrick stated the Fire Authority approved their budget, hired a new firefighter and are looking at a small grant to hire more. She reminded everyone of the Memorial Day Parade on May 29th from 10a-12pm.

Mayor Vandenbossche welcomed Jeff Schmidt to the City and thanked Mary Ellen McDonald and Christina. She also thanked Mike Itrich for his service and stated there will be a proclamation for him at an upcoming meeting to commemorate his service to the City. She also congratulated Marine City Baseball on their MAC Gold Championship and stated that Jesse White was looking for volunteers to help place flags on graves this Saturday. She also reminded everyone to come out to the Bandstand dedication ceremony.

**ADJOURNMENT**

Motion by Commissioner Hendrick, seconded by Commissioner Roehrig, to adjourn at 9:41 p.m. All Ayes**.** Motion Carried.

Respectfully submitted,

Jason A.Bell Interim City Clerk

Jennifer Vandenbossche

Mayor