

**City of Marine City
City Commission
March 4, 2021**

A regular meeting of the Marine City Commission was held on Thursday, March 4, 2021 by virtual telephone conference, and was called to order by Mayor Vercammen at 7:00 pm.

Present: Mayor Cheryl Vercammen; Commissioners Jacob Bryson, Elizabeth Hendrick, Wendy Kellehan, William Klaassen, John Kreidler, Brian Ross; City Manager Elaine Leven, City Clerk Kristen Baxter

Also Present: City Attorney Robert Davis

APPROVE AGENDA

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the Agenda. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

PUBLIC COMMENT

Phil Oleksiak suggested that meeting agendas be posted the Friday prior to the meeting, instead of on Mondays.

APPROVE MINUTES

Motion by Commissioner Ross, seconded by Commissioner Klaassen, to approve the City Commission meeting minutes of February 18, 2021, as amended:

Page 4: Amend Commissioner Ross' comment about zoning along the Belle River

Roll Call Vote. Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

CONSENT AGENDA

Presented:

- Quality of Life Grant – Mariner Waterfront Accessibility Project
- Marine City Festival – Maritime Days (approval of date only)
- Marine City Festival – Music in the Park

Motion by Commissioner Bryson, seconded by Commissioner Ross, to approve the Consent Agenda. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

FINANCIAL BUSINESS

Expenditures

Motion by Commissioner Kellehan seconded by Commissioner Bryson, to approve total expenditures including payroll, in the amount of \$407,328.38. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

UNFINISHED BUSINESS

None.

NEW BUSINESS

CTV Proposal for 260 South Parker Street

City Manager Leven explained that the proposal was for installing equipment for the new City Commission chambers at 260 South Parker Street.

Paul Dingeman answered Commissioner's questions about the need for three 85" monitors and he explained that two would be used behind Board Members for the audience to view and the third would be situated on the east wall of the chambers for the Board to view presentations. Mr. Dingeman stated that the proposal was created last fall and that current, up-to-date, pricing would be lower.

Motion by Commissioner Kellehan, seconded by Commissioner Bryson, to approve the proposal from CTV for 260 South Parker Street not to exceed \$13,588.15. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

Project Control Engineering Proposal

City Manager Leven explained that the proposal was for engineering services and surveying services for the Union Street and South Water Street Water Main Replacement Project.

Motion by Commissioners Bryson, seconded by Commissioner Klaassen, to approve the proposal from Project Control Engineering for engineering and surveying services in the amount of \$49,300.00, as recommended by the Infrastructure Subcommittee. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Kreidler, Klaassen, Ross, Vercammen. Nays: None. Motion Carried.

Robert Klieman – Request to Waive FOIA Fees

City Manager Leven explained that Mr. Klieman was a member of the Pension and Retiree Healthcare Boards and said he has had concerns in the past that he brought up to the previous Treasurer about the eligibility of people currently collecting health care. She reported that Mr. Klieman had submitted a Freedom of Information Act request and was asking for the fees to be waived as a result of the FOIA. She further reported that she had been doing her own investigation in this matter and was working with the City Attorney, the Auditor and the Actuarial. City Manager Leven said that the request for information was due to Mr. Klieman's own investigation and it was not requested as part of any business that the Retiree Healthcare Board was working on. She said it was a personal FOIA request and should be treated as such, and paid accordingly.

Commissioner Klaassen inquired why a Board Member was being charged for information they needed to do their job.

City Attorney Davis explained that if a Board Member was undertaking a project on behalf of the Board and they needed information to complete that project, the Board Member shouldn't be charged. In this situation, he said, the material requested was not part of a charge that either of the two Boards put into motion. Instead, he said, this seemed to be information that an individual wanted for an individual reason and we should treat this as a request from any other citizen.

Commissioner Hendrick responded that she had listened to the last three meetings and could understand why he was asking for the information due to the fact he was told that no one was going to investigate his claims.

Mr. Klieman spoke and said he was duly elected to represent the best interests of the Pension Board and Retiree Healthcare Board. He said that there were people collecting retiree healthcare that violated our ordinance. He stated that as a member of the Pension Board and Retiree Healthcare Board, he shouldn't have to pay for this information. He reported that at the last Retiree Healthcare Board meeting, he was cut off, not allowed to talk, and told he was out of order. He said there was nothing personal about his request and suggested Board Members read the ordinance and the eligibility of retiree healthcare.

City Manager Leven stated that she would like to bring her investigation results to the Pension Board at a future meeting.

Commissioner Hendrick suggested that the Board send this back to the Retiree Healthcare Board to see if they wanted to look into the information.

Motion by Commissioner Vercammen, seconded by Commissioner Hendrick, to send to the Retiree Healthcare Board to decide if the inquiry made by the FOIA request was an inquiry that the Retiree Healthcare Board would like to see. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

City Manager Performance Evaluation – Resolution No. 004-2021

City Manager Leven reported that this was a continuation from the last resolution and the process that the City Attorney recommended. She said she put together goals she was hoping to accomplish during the 2021 calendar year.

City Attorney Davis asked that the City Commission take a look at what the City Manager had proposed and asked them to respond, talk about it, and add to the existing resolution. He reminded the Board that they, as Commissioners, were the other half of the document. He suggested that the resolution be brought back in April for discussion and then adoption. He explained that they should end up with a document that they would like to see as a policy directive for the City Manager and that would guide her through the end of the calendar year. At that time, he said the resolution should be revisited.

Mayor Vercammen said that she and City Manager Leven had discussed what projects and goals for the City that she wanted to see and suggested that other Board Members sit down and formulate a list of what they wanted to see going forward.

Commissioner Hendrick commented that the list would change on a regular basis pending the approval of projects and things we do throughout the year. She reminded everyone that this was more than just projects and that they needed to take into account what the job responsibilities were and what should be done within the City on a regular basis.

Commissioner Bryson inquired if this was based on a calendar or fiscal year. He added that it was important to prioritize the list prior to adopting it to ensure that it was achievable and everyone was being set up for success, not failure.

City Attorney Davis replied that the resolution was on a calendar basis and asked Board Members to filter their goals, objectives, and ideas to the City Manager for the balance of

2021. From that information, he explained that the City Manager would bring back a working document for discussion at the April 1 meeting.

Motion by Commissioner Ross, seconded by Commissioner Bryson, to receive and file the first draft of Resolution No. 004-2021 City Manager Performance Evaluation to be brought back for discussion at the first meeting in April. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

ITEMS REMOVED FROM CONSENT AGENDA

CITY MANAGER REPORT

In addition to the City Manager's Report provided in the agenda packet, City Manager Leven added the following:

- Friends of City Hall submitted a grant for an elevator, working with River Rec Teen Zone regarding location
- Congratulated Sergeant Paul Westrick on his retirement
- Attended MME webinar with speaker Doug Griffiths – no such thing as status quo, things are either getting better or getting worse
- Attended webinar, Winter on the Great Lakes
- Geck Building walkthrough with City Commissioners – will be on future agenda
- Met with 260 S. Parker subcommittee regarding building issues, conference room, demo almost complete

COMMISSIONER PRIVILEGE/LIAISON REPORTS

Commissioner Bryson was asked about the anticipation of more ice this winter and he responded that he didn't think there would be much more appreciable ice to come down the river. He stated that the southern part of Lake Huron was pretty clear.

Commissioner Hendrick updated the Board with news from the MCAFA and reported that a new camera system was being installed and thanked Brenner Electric for their donation and George Bukowski for his offer of setting up the whole system. She said she agreed with comments made by Phil Oleksiak that the agenda should get out to public earlier and said they have a right to see things for transparency purposes.

Commissioner Klaassen reported that he didn't have news from the Planning Commission due to a cancelled meeting and said that the next meeting would be in person with the lifting of restrictions for meetings. He announced that the movie theatre was opening up and asked everyone to support local business.

Commissioner Kreidler asked that everyone, with the spring weather, to slow down and said there were a lot of people out walking and riding bikes.

Commissioner Ross inquired about absences from City Commission and said he would be out of town for the April 1 meeting. City Attorney Davis replied and said he would look into the possibility of having Commissioner Ross remote into the meeting from another location.

CLOSED SESSION

Motion by Commissioner Klaassen, seconded by Commissioner Ross, to go into Closed Session to Review Legal Opinion Regarding Consideration of the Purchase or Lease of Real Property – MCL 15.268 (d) & (h) at 8:06 pm. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

OPEN SESSION

Motion by Commissioner Bryson, seconded by Commissioner Ross, to go back into Open Session at 9:33 pm. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

Motion by Commissioner Kreidler, seconded by Commissioner Bryson, to move forward with the Marina Grant Program with Six Rivers Land Conservancy in the amount of \$5,000 to secure property rights for property located at 610 South Main Street and adjacent vacant parcel. **Roll Call Vote.** Ayes: Bryson, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: Hendrick. Motion Carried.

Motion by Commissioner Bryson, seconded by Commissioner Ross, to agree to enter into a purchase agreement with Six Rivers Land Conservancy for the property located at 610 South Main Street and adjacent vacant property, as outlined in the letter dated March 1, 2021 for a price not to exceed the amount discussed in Closed Session, plus associated fees. **Roll Call Vote.** Ayes: Bryson, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: Hendrick. Motion Carried.

ADJOURNMENT

Motion by Commissioner Ross, seconded by Commissioner Kreidler, to adjourn at 9:37 pm. **Roll Call Vote.** Ayes: Bryson, Hendrick, Kellehan, Klaassen, Kreidler, Ross, Vercammen. Nays: None. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk