

**City of Marine City  
City Commission  
March 7, 2019**

A regular meeting of the Marine City Commission was held on Thursday, March 7, 2019 in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Mayor Vandenbossche at 7:00 pm.

After a moment of silence, the Pledge of Allegiance was led by Mayor Vandenbossche.

**Present: Mayor Dave Vandenbossche; Commissioners Jacob Bryson, Elizabeth Hendrick, Wendy Kellehan, William Klaassen, Paul Merchant; City Manager Elaine Leven, Deputy Clerk Elizabeth Desmarais**

**Also in Attendance: City Attorney Robert Davis**

**Absent: Commissioner Cheryl Vercammen**

Motion by Commissioner Hendrick, seconded by Commissioner Kellehan, to excuse Commissioner Vercammen from the meeting. All Ayes. Motion Carried.

**Communications**

Received:

- DPW Superintendent Itrich – Ice Damage

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to receive the Communication. All Ayes. Motion Carried.

**Public Comment**

None.

**APPROVE AGENDA**

Motion by Commissioner Klaassen, seconded by Commissioner Hendrick, to approve the Agenda as amended:

- Add Item # 14A Closed Session – Review Legal Opinion Regarding Consideration of the Purchase or Lease of Real Property – MCL 15.268 (d)

All Ayes. Motion Carried.

## **APPROVE MINUTES**

Motion by Commissioner Klaassen, seconded by Commissioner Bryson, to approve the City Commission Meeting Minutes of February 21, 2019. All Ayes. Motion Carried.

## **CONSENT AGENDA**

None.

## **UNFINISHED BUSINESS**

### ***Ordinance No. 2019-004 – Prohibition of Marihuana Establishments – Second Reading/Adoption***

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to approve the adoption of Ordinance No. 2019-004 Prohibition of Marihuana Establishments.

Roll Call Vote.

Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant

Nays: None

Motion Carried.

### ***Board Vacancies***

Mayor Vandenbossche announced the following Board vacancies:

- Historical Commission – 1 vacancy
- TIFA Board – 1 vacancy
- Dangerous Building Board – 1 vacancy for a Building Contractor
- Library Board – 1 vacancy

He stated that applications were due to the City Clerk by Monday, March 25, 2019.

## **NEW BUSINESS**

### ***AT&T Small Cell Location Contract***

City Manager Leven stated that AT&T had proposed to install three to four small cell antennas along the South Water Street area, which were shown on the map provided. She said that there was a provision in the contract, which stated that the licensee shall pay a one-time fee to the licensor in the amount of \$5,000.00. It was indicated that the City would be reimbursed for any poles that they owned.

AT&T representatives, Steve Wells and Jeff Painter, addressed the Commission and stated that the new Small Cell Law was to go in effect next week and the one-time fee of \$5,000.00 was only available prior to that law going into effect. They said that it was a standard agreement and they were working with the City on pole locations for the 3-4 small cells. The project was tentatively scheduled to start installation towards the end of 2019, pending the permit process.

It was clarified that if the agreement with AT&T was approved, that other carrier companies would not be able to utilize the same poles as AT&T.

Motion by Commissioner Bryson, seconded by Commissioner Hendrick, to approve the AT&T Small Cell Location Contract.

Roll Call Vote.

Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant

Nays: None

Motion Carried.

### ***Appoint Election Commission Representative for May 7, 2019 Special Election***

Motion by Mayor Vandenbossche, seconded by Commissioner Kellehan, to appoint Commissioner Hendrick as the Election Commission representative for the May 7, 2019 Special Election. All Ayes. Motion Carried.

### ***Resolution No. 004-2019 – Publically Funded Health Insurance Contribution Act***

City Manager Leven stated that the City was required by the State to approve this Resolution each year and if not approved, the City would need to go into contract negotiations with the Unions.

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to approve Resolution No. 004-2019 – Publically Funded Health Insurance Contribution Act.

Roll Call Vote.

Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant

Nays: None

Motion Carried.

## **FINANCIAL BUSINESS**

### ***Disbursements***

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to approve total disbursements, including payroll and bond payment, in the amount of \$1,269,754.15.

Roll Call Vote.

Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant

Nays: None

Motion Carried.

### ***Distribution of Surplus TIFA Funds***

Motion by Commissioner Klaassen, seconded by Commissioner Bryson, to accept the Distribution of Surplus TIFA Funds and place it on file. All Ayes. Motion Carried.

## **CITY MANAGER REPORT**

City Manager Leven reported on the following:

- Attended Strategic Planning, ZBA, TIFA Subcommittee, and a SEMCOG road funding seminar
- Attended the Blue Meets Green Retreat last week and presented on the Redevelopment Ready Communities process
- Met with Department Heads regarding their Capital Improvement Plans, and will be meeting with them next week about their proposed budgets
- Met with Tetra Tech regarding the proposal for property ownership issues, reviewed preliminary responses, and should have the final package soon
- Working with City Attorney Davis on potential changes regarding fireworks
- Meeting with City Attorney Davis on March 8, 2019 and some property owners regarding a building issue

## **COMMISSIONER PRIVILEGE**

Commissioner Merchant announced that the Michigan Small Business Development Center would be hosting classes at the Washington Life Center on Thursday evenings over the next few months for those interested in starting a business.

Commissioner Klaassen said he hoped every enjoyed their pączkis on Fat Tuesday.

Commissioner Kellehan thanked DPW Superintendent Mike Itrich and the DPW crew, Mayor Vandenbossche, and Friends of City Hall for the great tour and information at the February 9, 2019 building tours. She also announced the 3<sup>rd</sup> Annual Llama Races on Saturday, March 9, 2019 at the Rivertown Event Centre.

Commissioner Hendrick congratulated Holy Cross Catholic School student, Jimmy Downey, on placing in the top 100 National Geographic GeoBee competitors in the State of Michigan this year and being the only St. Clair County student to achieve this. She said he will advance to the State-level competition and wished him luck.

Mayor Vandenbossche announced the passing of Linda Schwiehoff's son and expressed his condolences to their family. He also sent his condolences to the family of the man who passed away in the accident at Catholic Point. He thanked the first responders, the dive team and all involved, and said he was grateful for the food that was supplied by the restaurants during that incident. Lastly, he said he hoped everyone would enjoy the Llama Races this weekend.

## **CLOSED SESSION**

Motion by Commissioner Hendrick, seconded by Commissioner Merchant, to go into Closed Session to Review Legal Opinion Regarding Consideration of the Purchase or Lease of Real Property – MCL 15.268 (d) at 7:31 pm.

Roll Call Vote.

Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant

Nays: None

Motion Carried.

Motion by Commissioner Merchant, seconded by Commissioner Kellehan, to go back into Open Session at 8:01 pm. All Ayes. Motion Carried.

## **OPEN SESSION**

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to implement the course of action as discussed in Closed Session.

Roll Call Vote.

Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant

Nays: None

Motion Carried.

## **ADJOURNMENT**

Motion by Commissioner Hendrick, seconded by Mayor Vandenbossche, to adjourn at 8:03 pm. All Ayes. Motion Carried.

Respectfully submitted,



Elizabeth Desmarais  
Deputy Clerk



Kristen Baxter  
City Clerk