

**City of Marine City  
City Commission  
July 16, 2020**

A regular meeting of the Marine City Commission was held on Thursday, July 16, 2020 at 200 South Parker Street, Marine City, with public participation through virtual telephone conference, and was called to order by Mayor Dave Vandenbossche at 7:00 pm.

Present: Mayor Dave Vandenbossche; Commissioners Jacob Bryson, Wendy Kellehan, William Klaassen, Paul Merchant, Cheryl Vercammen; City Manager Elaine Leven, City Clerk Kristen Baxter

Absent: Commissioner Elizabeth Hendrick

Motion by Commissioner Klaassen, seconded by Commissioner Merchant, to excuse Commissioner Hendrick from the meeting. All Ayes. Motion Carried.

City Attorney Davis participated in the meeting through Zoom.

**APPROVE AGENDA**

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the Agenda. All Ayes. Motion Carried.

**PUBLIC COMMENT**

None.

**APPROVE MINUTES**

Motion by Commissioner Klaassen, seconded by Commissioner Bryson, to approve the City Commission minutes of June 18, 2020. All Ayes. Motion Carried.

Motion by Commissioner Klaassen, seconded by Commissioner Merchant, to approve the Closed Session minutes of June 18, 2020. All Ayes. Motion Carried.

**CONSENT AGENDA**

Presented:

- Monthly Activity Reports
- MCAFA Run Report
- Special Event – The Pocket Jazz Performance

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

## **FINANCIAL BUSINESS**

### Expenditures

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to approve total expenditures including payroll, in the amount of \$551,731.18. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

## **UNFINISHED BUSINESS**

### City Manager Evaluation

A number of evaluation forms from other communities were distributed to Board members, along with the form that was used in recent years by the City. Commissioner Kellehan commented on the multiple forms and said that the Board couldn't continue to change the evaluation tool. She said the tool was not the problem – the process was and said the Board had the responsibility to understand the tool. Commissioner Kellehan explained that she had reviewed the other evaluations forms and said that they said the same thing as the one the City was currently using. She suggested that the Board stay with the tool they had used previously and add a step in the process to have the City Manager complete the evaluation form and present it to Board members in Closed Session.

Mayor Vandenbossche agreed and said what was important was how they applied the tool. He also said the Board, in the past, did not implement goal setting and said it was vital to set goals to evaluate the City Manager on how they have worked in the previous year. Mayor Vandenbossche said adding the step would be beneficial to everyone.

Commissioner Klaassen said that they had used the form before and they were all familiar with it.

Commissioner Vercammen also agreed using the same evaluation form and thought it would be beneficial to have the City Manager complete it as well.

City Manager Leven stated that she would try to have the evaluation form completed for Closed Session on August 4. It was agreed that a schedule would be set at that time.

## **NEW BUSINESS**

### DTE Master Agreement for Municipal Street Lighting

City Manager Leven advised that this was an update on an existing agreement with DTE for the decorative lighting on Broadway. She said there would be no additional costs during the five year extension and said after the five years, it would be on a month to month basis.

Motion by Commissioner Bryson, seconded by Commissioner Klaassen, to approve the DTE Master Agreement for Municipal Street Lighting. All Ayes. Motion Carried.

### Leak Adjustment & Base Rate Policy

A Leak Adjustment & Base Rate Policy was created by the Utility Billing Department due to the rising costs associated with leak adjustments. This was previously discussed during Budget Workshop meetings.

City Clerk Baxter explained that the City had been using a policy that had been adopted in 1976 that allowed for leak adjustments for residents whose bills exceeded their quarterly average (12 month history) plus 75% of that average. Proof of repair was required to process the leak adjustment however, even with a receipt, the City was not able to verify there was an actual leak in the home or if the water was used for another purpose such as leaving a hose on, watering flowers, etc.

Treasurer/Finance Director Megan Pearce compiled data on previous years, showing billing adjustments of \$29,813.61 in 2018-2019 and \$31,450.14 for 2019-2020. She explained that the current policy put financial strain on the greater majority of residents with increasing water rates because of the expenses that were re-absorbed by the City.

Deputy Clerk/Utility Billing Clerk Michele Goodrich rewrote the policy eliminating all leak adjustments except in the case of a faulty or misread meter and no financial adjustments to a utility bill if the request was related to a leak in the home, or if the water meter had been tampered with.

Commissioner Vercammen stated that we needed a system that forced people to check uninhabited buildings and said the large adjustments needed to stop.

Mayor Vandebossche suggested residents use the shut off/on services provided by the City as insurance for leaks in uninhabited houses and buildings.

An appeal process to be added to the proposed policy with appeals going to the City Clerk and, if they cannot be resolved, they will be forwarded to the City Commission for input.

Motion by Commissioner Bryson, seconded by Commissioner Vercammen, to approve the Leak Adjustment & Base Rate Policy. All Ayes. Motion Carried.

#### Chapter 156.03 – Fencing Ordinance

Commissioner Bryson stated that this was before the Board at the last meeting and he asked that the ordinance be brought back due to archaic rules on temporary fencing. Instead of brushing it aside, he said he'd like to fix it. He asked City Manager Leven if the ordinance had to be sent to the Planning Commission for amendments.

City Manager Leven advised that since it wasn't a zoning ordinance, the City Commission could amend the ordinance and it didn't need to go to Planning Commission.

Commissioner Bryson responded and said his viewpoint on temporary fencing was he didn't care what it looked like as long as there was a set plan when it was going to come down.

Mayor Vandebossche said the ordinance was not specific enough to give us a true definition of temporary fencing. He said the ordinance needed a description of exactly what temporary fencing was and a timeline for it.

Commissioner Klaassen informed the Board that temporary fences had to be approved by the Zoning Board of Appeals.

Commissioner Bryson asked why the Board couldn't eliminate the extra step and make it easier on everyone.

Mayor Vandebossche agreed and said the process needed more clarity.

City Manager Leven to contact the City Planner to develop a temporary fencing section to compliment the residential and non-residential sections.

### Chapter 160.081 – District B-1 Ordinance/Principal Uses Permitted

Commissioner Bryson said this also came up at the last meeting and asked if Section E could be addressed to allow, at the discretion of the City Commission, outdoor performances.

Mayor Vandebossche said the only problem he had with this was District B-1 was bordered by residential and some of the events may have live music performances. He suggested, in lieu of going to a ZBA meeting to get the ordinance waived, maybe a special event permit would work and would make it easier for everyone.

Commissioner Bryson agreed and recommended sending a request to the Planning Commission with a recommendation that they add a sentence in Section E stating: *when conducted completely in an enclosed building or at the discretion of the City Commission.*

City Attorney Davis stated that when the Board sends the request to the Planning Commission, they should give some direction of review criteria to add so the City Commission could say yes or no and not put them in an awkward position. City Attorney Davis to work with City Manager Leven to come up with a directive to the Planning Commission. Language will be brought back to the City Commission for approval prior to sending it to Planning Commission.

### **ITEMS REMOVED FROM CONSENT AGENDA**

None.

### **CITY MANAGER REPORT**

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

- Attended Planning Commission meeting
- Met with Materials Subcommittee for 260 South Parker
- The Clinton Friendship will be docking on the seawall overnight July 30 and 31 for fundraisers.
- August statutory revenue sharing will be replaced by Federal CARES Act money at 150%
- Scheduled Brownfield Informational online meeting July 29 at 7 pm

Commissioner Bryson asked where we stood with the new City Hall. City Manager Leven responded that the guaranteed maximum price would be presented at the August 20 meeting.

### **COMMISSIONER PRIVILEGE/LIAISON REPORTS**

Commissioner Vercammen made a statement and said she wanted to set the record straight for residents that do not know her. She described herself as a straight shooter and said she doesn't let anyone influence her decisions. She stated that she had only one purpose in sitting on the Board and that was to make our community a place we can be proud of and call our home and said her goal was to make the City a better place to live.

Commissioner Klaassen reported that the Planning Commission was looking at an expansion of Nautical Mile District to include South Belle River to get more development and business in that area. He also commented that most of the Board members were there because they were thinking of the City, not politics. He asked that people get out and vote and tell us what you want.

Mayor Vandebossche said that everyone needed to vote on August 4<sup>th</sup>. He asked that residents be careful in the heat and keep an eye on neighbors.

### **ADJOURNMENT**

Motion by Commissioner Klaassen, seconded by Commissioner Merchant, to adjourn at 7:54 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter  
City Clerk