

**City of Marine City
City Commission
August 16, 2018**

A regular meeting of the Marine City Commission was held on Thursday, August 16, 2018 in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Mayor Vandebossche at 7:00 pm.

After a prayer by Reverend Lepley, the Pledge of Allegiance was led by Mayor Vandebossche.

Present: Mayor Dave Vandebossche; Commissioners Terrance Avery, Elizabeth Hendrick, Wendy Kellehan, William Klaassen, Rebecca Lepley, James Turner; City Manager Elaine Leven, City Clerk Kristen Baxter

Also In Attendance: City Attorney Robert Davis

Communications

Received:

- Departmental Activity Reports
- MCAFA Run Report
- Pension Board Meeting Minutes – April 24, 2018
- Pension Board-Retiree Health Care Meeting Minutes – April 24, 2018
- Zoning Board of Appeals Meeting Minutes – June 6, 2018
- Lead & Copper Rule Changes

Commissioner Turner requested that Lead & Copper Rule Changes correspondence be placed on the September 6, 2018 Agenda for discussion.

Motion by Commissioner Avery, seconded by Commissioner Klaassen, to receive the Communications. All Ayes. Motion Carried.

Public Comment

Bill Haas, 203 Pleasant, made comments regarding parking on easements and slumlords of rental properties within the city.

Rudy Menchaca, 315 Westminster, spoke in opposition to Ordinance No. 2018-006 Sidewalks, Outdoor Sales and Cafes due to the public safety issue the tables, chairs and umbrellas presented in front of businesses.

Johnathan Markel, of Boy Scout Troop 296 presented a check to the City of Marine City in the amount of \$1,135.39, which came from funds raised for the handicapped accessible swing installed at the beach. Johnathan asked that the check be deposited in the Beach Fund to be used for future repairs to the swing.

Mayor Vandebossche read a proclamation prepared for Johnathan for his hard work fund raising, purchasing, and assisting in the installation of the handicapped accessible swing. Motion by Commissioner Hendrick, seconded by Commissioner Turner, to issue the Proclamation to Johnathan. All Ayes. Motion Carried.

APPROVE AGENDA

Motion by Commissioner Avery, seconded by Commissioner Kellehan, to approve the Agenda. All Ayes. Motion Carried.

APPROVE MINUTES

Motion by Commissioner Avery, seconded by Commissioner Klaassen, to approve the City Commission Meeting Minutes of August 2, 2018. All Ayes. Motion Carried.

Motion by Commissioner Klaassen, seconded by Commissioner Avery, to approve the Closed Session Meeting Minutes of August 2, 2018. All Ayes. Motion Carried.

CONSENT AGENDA

Presented:

- Business License – MC Marketplace

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to accept the Consent Agenda and file.

Roll Call Vote.

Ayes: Vandebossche, Avery, Hendrick, Kellehan, Klaassen, Lepley, Turner

Nays: None

Motion Carried.

UNFINISHED BUSINESS

Ordinance No. 2018-006 – Sidewalks, Outdoor Sales and Cafes (Second Reading)

City Manager Leven stated that although Ordinance No. 2018-006 was in front of the Board for the second reading/adoption, she had received feedback from Building Official Wilburn regarding outdoor displays in off-street parking, landscaped areas, and city easements – all which should be clear-zone areas and should be considered before adopting ordinance.

Commissioner Avery commented that the ordinance was not ready for prime time yet. He said he was not pleased to hear the public comments, but was glad they were expressed.

Commissioner Hendrick, questioned page two of the ordinance which stated that outdoor displays, seating and/or planters were prohibited from December 1 through March 31, and wondered about the permanently installed benches on Broadway. She also commented that many of the displays on the sidewalk were taking up too much space resulting in people having to walk on the street around them. In addition, she reminded the Board that they still had to be in compliance with ADA requirements for dual wheelchairs on sidewalks.

Commissioner Klaassen questioned if the police could enforce the ordinance on the weekends.

Commissioner Kellehan commented that business owners just needed to be given clear cut guidelines and rules and they would abide by them.

Commissioner Turner reminded the Board that there were other issues with the ordinance besides the Outdoor Café portion.

City Manager Leven stated that she would work with the City Attorney and City Planner on the issues addressed this evening and bring an amended ordinance back in September.

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to table the item until the September 6, 2018 meeting. All Ayes. Motion Carried.

NEW BUSINESS

Water Plant Intake Inspection Bids

DPW Superintendent Itrich reported that an intake inspection of the Water Plant was requested from the Department of Environmental Quality (MDEQ). Sealed bids were requested from three commercial diving companies that perform inspections for other municipalities. One bid was received.

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to accept the bid from Solomon Diving, Inc. in the amount of \$3,345.00 for the intake inspection at the Water Plant.

Roll Call Vote.

Ayes: Vandenbossche, Avery, Hendrick, Kellehan, Klaassen, Lepley, Turner

Nays: None

Motion Carried

Letter of Commitment: Huron to Erie Corridor Drinking Water Monitoring Program

City Manager Leven reported that the City had been awarded a grant through SEMCOG which supported the purchase of new drinking water intake monitoring equipment. In order to receive the grant, she said that the city was required to fund the maintenance portion of the agreement at an estimated cost of \$4,000 a year, for a minimum of five years.

Motion by Commissioner Avery, seconded by Commissioner Lepley, to enter into the agreement to fund the maintenance to monitor water for five years.

Roll Call Vote.

Ayes: Vandenbossche, Avery, Hendrick, Kellehan, Klaassen, Lepley, Turner

Nays: None

Motion Carried

East China Facility Use Agreement

City Manager Leven reported that the Facility Use Agreement between the City of Marine City and East China School District was about to expire. With the retirement of Lynn Zyrowski, and no committed future recreation programs, she questioned if the agreement was necessary.

Mayor Vandenbossche suggested the item be tabled until someone was in place to run the Recreation Department.

City Manager Leven said it was her hope that the City had someone in place next year to develop the program.

City Attorney Davis suggested, instead of cancelling the Facility Use Agreement, suspending and renegotiating it, pending a study of the Recreation Department.

Motion by Commissioner Klaassen, seconded by Commissioner Turner, to suspend the Facility Use Agreement between the City of Marine City and East China School District, pending a study of the Recreation Department. Ayes: Vandenbossche, Hendrick, Kellehan, Klaassen, Lepley, Turner. Nays: Avery. Motion Carried.

FINANCIAL BUSINESS

Disbursements

Motion by Commissioner Hendrick, seconded by Commissioner Klaassen, to approve total disbursements, including payroll, in the amount of \$552,938.84, as presented.

Roll Call Vote.

Ayes: Vandenbossche, Avery, Hendrick, Kellehan, Klaassen, Turner

Nays: Lepley

Motion Carried.

Preliminary Financial Reports

Motion by Commissioner Klaassen, seconded by Commissioner Avery, to accept the Preliminary Financial Statements and place them on file. All Ayes. Motion Carried.

CITY MANAGER REPORT

City Manager Leven reported on the following:

- Attended Planning Commission, MCAFA, Emergency Management meetings
- Attending handicapped swing dedication at beach
- Met with USDA Rural Development Representative for grant availability
- Home on Bruce Street did not sell during auction – looking at other options to sell

Commissioner Lepley inquired about an evaluation of the City Manager and said it would be wise to complete it while the current Board was still seated.

Mayor Vandebossche asked the City Manager to get an evaluation form together and she responded that the evaluation was done independently of her in the past.

Commissioner Hendrick commented that she thought she had the form that was last used and said she would provide it at the September 6, 2018 meeting.

COMMISSIONER PRIVILEGE

Commissioner Lepley commented on the passing of Aretha Franklin, thanked everyone who was involved with Maritime Days, and announced Heritage Days on September 14-16, 2018.

Commissioner Kellehan commented that the Maritime Days Committee pulled off a great event. She announced that she served on the Chamber of Commerce Board and would bring updates of what the Chamber was doing to help bridge the gap between businesses and community members. She also thanked all the voters who came out to the August 7, 2018 Primary Election to cast their votes.

Commissioner Hendrick announced that the Marine City Lions Club had adopted the Tot Lot and thanked DPW Superintendent Itrich for 120 yards of mulch. She asked that more people/groups adopt local parks and asked for people to be vigilant and watch out for vandalism in the parks.

Commissioner Turner thanked Johnathan Markel for organizing the handicapped accessible swing and handing the city a check for future repairs of the swing. He also thanked DPW Superintendent Itrich for his detailed letter on Lead & Copper Rule Changes.

Mayor Vandebossche thanked Johnathan Markel and commented that it was really nice to see a young man being involved in a community project and finishing it so quickly. He asked for people to look out for first responders and announced that many officers were lost this week.

CLOSED SESSION

Motion by Commissioner Avery, seconded by Commissioner Klaassen, to enter into Closed Session at 8:00 pm to Review Legal Opinion Regarding Consideration of the Purchase or Lease of Real Property – MCL 15.268 (d) and (h).

Roll Call Vote.

Ayes: Vandebossche, Avery, Hendrick, Kellehan, Klaassen, Lepley, Turner

Nays: None
Motion Carried

OPEN SESSION

Motion by Commissioner Avery, seconded by Commissioner Hendrick, to go back into Open Session at 8:58 pm. All Ayes. Motion Carried.

ADJOURNMENT

Motion by Commissioner Hendrick, seconded by Commissioner Lepley, to adjourn at 8:59 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk