

**City of Marine City
City Commission
September 5, 2019**

A regular meeting of the Marine City Commission was held on Thursday, September 5, 2019 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 moment of silence, the Pledge of Allegiance was led by Mayor Vandebossche.

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

Also in Attendance: City Attorney Robert Davis

COMMUNICATIONS

Received:

- TIFA Meeting Minutes – April 16, 2019
- TIFA Meeting Minutes – July 16, 2019
- St. Clair County

Motion by Commissioner Bryson, seconded by Commissioner Kellehan, to receive the Communications. All Ayes. Motion Carried.

PUBLIC COMMENT

John Sapienza, 126 Jefferson, commented that the Rental Inspection Program was illegal and asked the City to stop property inspections.

APPROVE AGENDA

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

APPROVE MINUTES

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to approve the City Commission Meeting Minutes of August 15, 2019. All Ayes. Motion Carried.

Motion by Commissioner Merchant, seconded by Commissioner Kellehan, to approve the City Commission Closed Session Minutes of August 15, 2019. All Ayes. Motion Carried.

CONSENT AGENDA

Presented:

- Special Event – Pumpkin Palooza Party

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

UNFINISHED BUSINESS

Personnel Policies & Procedures

City Manager Leven stated that she had worked with the City's HR specialist legal firm, Plunkett Cooney, on an in-depth revision of the City's Personnel Policies and Procedures.

Commissioner Hendrick made several suggestions to amend the document:

- Pages 5, 27 & 36 - add that employees may also question or make complaints to an Elected Official or City Attorney, in addition to their Supervisor, City Manager, or the Mayor.
- Page 14 – remove Shipping/Sending Personal Items by employee.
- Page 17 – reduce hours paid out on sick leave. After a discussion about this item, the Board agreed to cap hours paid out to three years of sick time, not to exceed 288 hours.
- Page 29 – Amend Contractor's Equipment to read that City employees may not use City equipment for personal use.

Motion by Commissioner Kellehan, seconded by Commissioner Merchant, to approve the updated copy of the Personnel Policies & Procedures, including the changes the Board agreed to this evening. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

Website Recommendation

At the August 15, 2019 meeting, City Manager Leven reported that she had reviewed seventeen proposals she had received from the City's Website Design Request for Proposals. She stated that she completed a detailed review of the four proposals that fell under the \$10,000 range. She recommended Board approval for CivicPlus for website design in the amount of \$8,000.

Commissioner Hendrick stated that she had viewed other websites, and her preference was Revize.

Motion by Commissioner Kellehan, seconded by Commissioner Merchant, to approve CivicPlus for website design. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Kellehan, Klaassen, Merchant, Vercammen. Nays: Hendrick. Motion Carried.

Parklet Location – KaBoom Grant

At the August 1, 2019 meeting, the Board directed City Manager Leven to check to see if the location of the parklet could be moved, due to Commissioner Hendrick's concern about the safety of the location chosen.

City Manager Leven reported that she was advised that the location could be changed, but it was subject to review by the company awarding the grant.

Commissioner Vercammen suggested putting the parklet behind the library due to the green space available, it being a safer due to its proximity to South Parker Street, and the fact that there was room for expansion in the future.

Motion by Commissioner Vercammen, seconded by Commissioner Klaassen, to move the parklet location to the area behind the Marine City Library. All Ayes. Motion Carried.

NEW BUSINESS

High Service Pump

DPW Superintendent Itrich reported that pump #4 at the Belle River Pump Station needed to be replaced. He estimated the cost to be approximately \$15,866.23.

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to waive competitive bidding for the high service pump. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Bryson, to approve the purchase of the high service pump in the amount of \$15,866.23. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

Police Department General Orders

Chief Heaslip stated that he had done research of policy and procedure review and implementation and found that Lexipol had the best product due to its ability to separate policy from procedures and post policies online, its daily training bulletins for Officers, and updates to stay current with changing State and Federal laws. Chief Heaslip reported that he could not find another company that provided this level of service.

Chief Heaslip reported that the upfront costs would total \$10,954.00, but found that the City's insurance company would fund 25% of the project.

Motion by Commissioner Hendrick, seconded by Commissioner Kellehan, to waive competitive bidding for the Police Department General Orders. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

Motion by Commissioner Hendrick, seconded by Commissioner Kellehan, to approve the purchase of Lexipol in the amount of \$10,954.00 for the Police Department General Orders. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

City Commission Rules of Procedure

Motion by Commissioner Kellehan, seconded by Commissioner Merchant, to accept the updated copy of City Commission Rules of Procedure. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

Resolution No. 021-2019 – SCC Comprehensive Emergency Management Program

City Manager Leven reported that the next step after approving the resolution at the County level would be to move forward with the Emergency Response Steering Committee and develop a local component of emergency response. The steering committee consists of City Manager Leven, Mayor Vandenbossche, Commissioner Hendrick, Commissioner Kellehan, Chief Heaslip, and DPW Superintendent Itrich.

Motion by Commissioner Merchant, seconded by Commissioner Bryson, to approve Resolution No. 021-2019 SCC Comprehensive Emergency Management Program. **Roll Call Vote.** Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen. Nays: None. Motion Carried.

Board Appointments

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to appoint Larry Nichols to the Dangerous Building Board of Appeals. All Ayes. Motion Carried.

Motion by Mayor Vandebossche, seconded by Commissioner Merchant, to appoint Robert Klingler to the Community & Economic Development Board. All Ayes. Motion Carried.

Commissioner Request for Information

City Manager Leven reported that she had received a request for information from Commissioner Hendrick and looked to the City Commission to determine if it should be fulfilled as City business or as a Freedom of Information Act request. The request asked for all internet history for all city-owned computers since January 1, 2019, all City Manager emails (including deleted) between City staff and Commissioners since January 1, 2019, and the City Manager's list of outstanding items to follow-up on. City Manager Leven stated that she did not believe it was a reasonable request so she was turning it over to the City Commission.

City Manager Leven said she had spoken with our representative at Hi-Tech and the cost to provide all internet history would take approximately 12 hours of labor at \$115 per hour, and approximately 25 hours to retrieve the requested emails.

City Attorney Davis pointed out that the emails would then have to be screened for information not allowed for disclosure under FOIA law.

Several Board Members questioned the necessity of the request, the cost to fulfill it, and commented that City Manager Leven should be allowed to do her job.

Mayor Vandebossche commented and said that if there was something to investigate they could set up a sub-committee, but there was no verifiable reason to do so.

The Board took the following action:

- 1) City Manager Leven to check with HR firm and bring back format for an internet policy.
- 2) City Manager Leven to share her list of outstanding items to be followed up on with all the Board members.

No action was taken on the request for City Manager emails.

FINANCIAL BUSINESS

Disbursements

Motion by Commissioner Kellehan, seconded by Commissioner Klaassen, to approve total disbursements, including payroll, in the amount of \$660,791.47. **Roll Call Vote.**
Ayes: Vandenbossche, Bryson, Hendrick, Kellehan, Klaassen, Merchant, Vercammen.
Nays: None. Motion Carried.

CITY MANAGER REPORT

City Manager Leven reported on the following:

- Held a Department Head meeting this week
- Attended Zoning Board of Appeals and Dangerous Building Board of Appeals
- Beach sidewalk finished
- Received a preliminary concept plan for City offices
- City Manager evaluation deadline coming up on September 19th, would like to meet with each City Commissioner prior to that date

COMMISSIONER PRIVILEGE

Commissioner Vercammen said she was tickled pink that the ship mosaics in the park were finished and thanked Heather Bokram for her patience and perseverance with the project.

Commissioner Merchant said the mosaics bring maritime back to Marine City. He announced the 4th Annual Marine City International Comic Con on September 28th, the Pumpkin Palooza on October 5th, and Trunk or Treat at Bower Rose Funeral Home on Halloween.

Commissioner Klaassen commented on K-mart's closing after 40 years of business and said we still needed to support the other businesses in the plaza.

Commissioner Kellehan said that the ship mosaics were a great addition to the parks and the City. She asked drivers to be cautious with the kids back in school.

Commissioner Hendrick asked that drivers stop for school busses and watch out for kids.

Commissioner Bryson thanked everyone involved in the ship mosaic project.

Mayor Vandebossche congratulated Jonathan Markel and Sullivan Smith on becoming Eagle Scouts, thanked Chief Heaslip for putting in a drug reclaiming canister, and thanked the Historical Society for the ship mosaics. He asked everyone to get out and enjoy Comic Con on September 28th, and said the Pumpkin Palooza had two new events this year – the Zombie Pub Crawl and a Haunted Park.

ADJOURNMENT

Motion by Commissioner Hendrick, seconded by Commissioner Kellehan, to adjourn at 8:37 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk