

**City of Marine City
City Commission
March 21, 2013**

A regular meeting of the Marine City Commission was held on Thursday, March 21, 2013, in the Fire Hall, 200 South Parker Street, Marine City, and was called to order by Mayor Charles R. Browne at 7:00 PM.

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

Present: Mayor Browne; Commissioners Hendrick, Lovett, Meli, Phelan, Skotarczyk and Turner; City Manager Gabor; and, City Clerk Kade.

Absent: None

Communications

There were no Communications presented.

Public Comment

William Danneels, 206 Westminster, Marine City, asked for more transparency in local government, and requested that the City post its labor contracts on the City's website; and, asked the City Manager to prepare a chart comparison of Marine City's property assessments and taxable values for 2010, 2011 and 2013, which could also be placed on the City's website.

Approve Agenda

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to approve the Agenda, as presented. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to approve the Minutes of the Regular City Commission Meeting held March 7, 2013, as presented. All Ayes. Motion Carried.

Approve Consent Agenda

The following Consent Agenda items were presented:

- Departmental Activity Reports
- Marine City Area Fire Authority Run Report ~ February 2013
- Business License ~ Twice as Nice Resale & Consignment

Motion by Commissioner Phelan, seconded by Commissioner Turner, to approve the Consent Agenda, and place it on file. All Ayes. Motion Carried.

Unfinished Business

Personnel Policies and Procedures – Updates

City Manager Gabor provided copies of the pages with changes to the City's Personnel Policies and Procedures, with a comment line as to the reason for each change.

Resident William Danneels inquired as to how Floating Holidays were credited to an employee's account.

City Manager Gabor explained that Floating Holidays were paid days off that the employee could use at their discretion.

Commissioner Meli spoke of his concerns for closing the office on Good Friday, and said that the day would be a great opportunity for employees to catch up on work.

Commissioner Hendrick asked if the Commission was going to have a workshop on the Personnel Policies and Procedures.

Commissioner Skotarczyk questioned the increase from a 3% match to a 5% match for the City's 457 Retirement Plan.

While discussing when to hold a workshop, Commissioner Phelan suggested that the workshop be held sometime within the next three months.

Motion by Commissioner Skotarczyk, seconded by Commissioner Hendrick, to approve scheduling a workshop for review of the City's Personnel Policies and Procedures, at a date to be determined. All Ayes. Motion Carried.

Motion by Commissioner Lovett, seconded by Commissioner Phelan, to approve March 7, 2013 Revision of the City of Marine City's Personnel Policies and Procedures, as presented. All Ayes. Motion Carried.

New Business

Legal Opinion – Police Standard Operating Procedures

The City's Attorney, James Downey, provided a written opinion on whether the City could publicly disseminate the Police Department's Standard Operating Procedures dated March 12, 2013. Mr. Downey wrote *I think it ill-considered to disregard the protections afforded by FOIA in releasing this information.* The opinion also stated that *if the Commission were to release for public consumption the Police Department's Standard Operating Procedures, that it do so by way of resolution that both acknowledges the generally privileged nature of this information according to FOIA, and asserts with specificity the public interest served by its disclosure.*

City Manager Gabor reported that a copy of the Police Standard Operating Procedures would be made available to the Commission, who could sign-out the watermarked document from the Police Department.

Commissioner Hendrick stated that she had spoken with the City Attorney who advised that a policy would be created to go along with the form. She noted that citizens can buy a copy of the MSP Manual, and that major cities in the country post their procedures online.

City Manager Gabor said that, although protected under FOIA, it was the Commission's decision regarding the release of the document.

Commissioner Skotarczyk stated that he wanted to review the Police Standard Operating Procedures himself before making a decision.

Commissioner Hendrick commented that the Charter stated that it was the Commission's responsibility to approve all processes and procedures.

Commissioner Lovett recommended that the Commission listen to the City Attorney; and, said that they needed to be very careful of what they do with the information.

Financial Business

Fund Transfers

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to approve the following fund transfers:

- Fund Transfer from Capital Improvement Fund to General Fund in the amount of \$40,000.00 – Resolution No. 003-13;
- Fund Transfer from Capital Improvement Fund to General Fund in the amount of \$50,000.00 – Resolution No. 004-13;
- Fund Transfer from Drug Forfeiture Fund to General Fund in the amount of \$1,000.00 – Resolution No. 005-13;
- Fund Transfer from General Fund to Water/Sewer Fund in the amount of \$8,000.00 – Resolution No. 006-13; and,
- Fund Transfer from General Fund to Water/Sewer Fund in the amount of \$10,000.00 – Resolution No. 007-13.

All Ayes. Motion Carried.

Disbursements

Motion by Commissioner Lovett, seconded by Commissioner Turner, to approve total disbursements, including payroll and bond payment, in the amount of \$334,610.67, as presented. Roll Call Vote. All Ayes. Motion Carried.

Preliminary Financial Statements

Motion by Commissioner Lovett, seconded by Commissioner Turner, to accept the Preliminary Financial Statements for February 2013, and place them on file. All Ayes. Motion Carried.

City Manager's Report

City Manager Gabor provided updates on the following items:

- LaBuhn Bridge Project ~ still 7 to 10 days ahead of schedule
- MSHDA to be at the City Offices on March 22nd to review proposal for 160 South Water Street
- Filter repairs completed at Water Filtration Plant
- 300 Broadway ~ windows and doors are 85% installed
- Watershed ~ compliance in process

Commissioner Privilege

Commissioner Hendrick reported that the Marine City Area Fire Authority discussed the placement of an electronic message sign in front of the Fire Hall. She said that the Fire Authority felt that the sign would create a site-line issue, and turned down the proposal.

City Manager Gabor responded the City owned the property and that the Commission would make the decision as to the location of the electronic message sign's install location. Discussion ensued on the topic.

Commissioner Hendrick also reported that the Police Department was considering funding from a Stone Garden Grant in order to use the Fire Authority's boat to patrol the river in front of the community. She said that the Fire Authority, which would absorb the costs for the boat, turned down the proposal.

City Manager Gabor responded that he had not been notified of any plan by the Police Department to patrol the river; however, he noted that this type of police activity could fall under an approved use for the grant.

Commissioner Lovett wished everyone a Blessed and Happy Easter; and, reminded everyone to *Go Blue* on April 2nd.

Commissioner Skotarczyk echoed *Go Blue*, and commented that 1 in 50 children were affected by autism in some way. He commented that May 20th was Canadian Appreciation Day, and suggested a sign be commissioned for the event welcoming our Canadian neighbors.

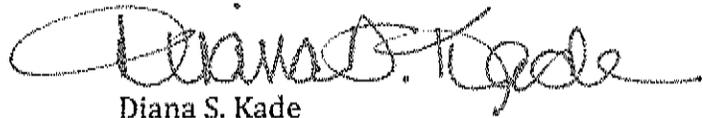
Commissioner Phelan apologized for missing the last meeting, and said he had wanted to be in attendance for the *Turn the Town Blue* presentation. Commissioner Phelan announced that his young son had been diagnosed with autism spectrum disorder, and thanked the Commission for their support. He said that Autism Alliance had training programs for police and fire department personnel involved in situations affected by individuals with autism. He said this was worth looking into, and he would report back to the Commission when he had more information. Commissioner Phelan said he hoped for full participation in turning the town blue.

Mayor Browne asked for residents to remember to turn on their blue lights April 2nd, and to continue through April, providing support to the community and showing kids that we care.

Adjournment

Motion by Commissioner Hendrick, seconded by Commissioner Phelan, to adjourn at 7:50 PM. All Ayes. Motion Carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diana S. Kade". The signature is fluid and cursive, with a large initial "D" and "K".

Diana S. Kade
City Clerk