

**City of Marine City
City Commission
June 20, 2013**

A regular meeting of the Marine City Commission was held on Thursday, June 20, 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 (arrived 7:05 PM), Meli, Skotarczyk and Turner; City Manager Gabor; and, City Clerk Kade.

Absent: Commissioner Phelan

Motion by Commissioner Hendrick, seconded by Commissioner Skotarczyk, to excuse Commissioners Lovett and Phelan from the meeting. All Ayes. Motion Carried.

Commissioner Lovett arrived during the meeting after the members of the Commission had voted to excuse her from the meeting.

Communications

The following Communication was received:

- DTE Energy ~ Meter Installation / Opt-Out Program

Motion by Commissioner Skotarczyk, seconded by Commissioner Hendrick, to accept the Communication and place it on file. All Ayes. Motion Carried.

Public Comment

No residents addressed the Commission.

Approve Agenda

The following additions were made to the meeting's agenda:

- Consent Agenda 8-H Business License – American Chiropractic Medical Services

- New Business 11-D Resolution – CDBG Rental Rehabilitation Program Guidelines and Fair Housing Policy

Motion by Commissioner Hendrick, seconded by Commissioner Turner, to approve the Agenda, as amended. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Hendrick, seconded by Commissioner Skotarczyk, to approve the Minutes of the Regular City Commission Meeting held June 6, 2013, as presented. All Ayes. Motion Carried.

Consent Agenda

The following Consent Agenda items were presented:

- Departmental Activity Reports
- Marine City Area Fire Authority Run Report ~ May 2013
- Pension Board – Pension Plan Minutes ~ January 29, 2013
- Pension Board – Retiree Health Care Plan Minutes ~ January 29, 2013
- Business License ~ Snug Theatre
- Special Event ~ Farmer's Market
- Special Event ~ Praise in the Park
- Business License ~ American Chiropractic Medical Services

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

Presentation

Nickel and Saph – Sidewalk Program

Stephen Saph, Jr. of Nickel and Saph, the City's current insurance agent, reported that a recent review of the City's loss history indicated six slip and fall claims as of mid-April 2013. Mr. Saph stated that the City of Marine City had no formal pro-active methodology in place, and he recommended that a formalized sidewalk inspection and repair program be considered. A letter from Mr. Saph to the City dated April 14, 2013 stated that "An inspection and repair program will help to 1) reduce liability for the City and homeowners, 2) reduce potential harm to the City's residents and guests, and 3) help maintain the appearance and value of the adjacent properties".

Discussion ensued and Mr. Saph answered inquiries of the Commission. He stated that Marine City had a \$10,000 deductible per each incident, and that the principal liability belonged to the City.

City Manager Gabor commented that the City has a voluntary replacement program in place, which is not enforced even though the Ordinance says that it is the responsibility of the property owner to maintain the sidewalk.

Mr. Saph agreed that enforcement becomes the issue in this matter. He continued that if there was enough interest, a starting point would be with the City Attorney, City Manager, City Engineer, and himself. Mr. Saph said they would then come back to the Commission with the information in an open format to develop an Ordinance. He reiterated that the City was responsible for the liability, and the property owner was responsible for the repair and maintenance of the sidewalks. Mr. Saph stated that it was the City's duty to provide safe walkways to its residents.

Motion by Commissioner Meli, seconded by Commissioner Turner, to direct City Manager Gabor to prepare a sidewalk inspection and repair program, and bring it back to the City Commission. All Ayes. Motion Carried.

Mr. Saph thanked Richard Ames, Public Works Director, and Brian Bayly, Building Official, for their efforts, patience and assistance in helping him develop historic information on the city-owned properties.

Unfinished Business

City Manager Evaluation Format

Commissioner Hendrick asked for input on the two formats prepared by Commissioner Lovett and herself.

City Manager Gabor commented that the City employees had no direct contact with him and they would be wasting their time. He said he had no objections to the Commission contacting the department heads.

Commissioner Skotarczyk said he felt the question areas were too broad.

Commissioner Turner said he was comfortable with the format.

Commissioner Lovett spoke about the "Administration" section of the format and explained that they would be evaluating the whole concept.

Commissioner Hendrick volunteered to convert the format into a spreadsheet for each section, with a comment area available.

Commissioner Turner inquired as to what was going to be done with the information, and how the scoring was going to be averaged. He suggested using numbers from one to five in the scoring.

Mayor Browne said he was not interested in letting the employees provide input in the evaluation. He asked that the form be brought back again to the next meeting for review, and then the Commission could set a date for the evaluation.

Adopt Ordinance #13-02 ~ Water & Sewer Rates

Commissioner Skotarczyk said he knew that the rate increase had been approved with the budget, but asked if it was really necessary.

City Manager Gabor stated that the rates were raised by Ordinance according to the rate of inflation. If the rates were not increased, he said the City would need to go to the fund balance for any shortfalls.

Motion by Commissioner Lovett, seconded by Commissioner Meli, to adopt an Ordinance to amend Section 8 of Ordinance No. 57 relating to Water and Sewer Rates, and continuing Debt Service Charges; Ordinance #13-02. Ayes: Browne, Lovett, Meli, Skotarczyk, Turner. Nays: Hendrick. Motion Carried.

Adopt Ordinance #13-03 ~ Police Chief's Certificate

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to adopt an Ordinance to amend Business Regulations Title XI, Chapter 110, Section 10 entitled "Police Chief's Certificate"; Ordinance #13-03. Ayes: Browne, Hendrick, Lovett, Meli, Skotarczyk. Nays: Turner. Motion Carried.

New Business

Introduce Ordinance #13-04 ~ Blight Prevention

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to introduce an Ordinance to amend Land Use Title XV, Chapter 158, Section 145 et seq, entitled "Blight Prevention"; Ordinance #13-04. All Ayes. Motion Carried.

Marine City Personnel Policies and Procedures – Update

City Manager Gabor discussed the changes to vacation benefits for full-time employees hired after June 20, 2013, Health Insurance, Retiree Health Insurance, and Life Insurance, as presented to the Commission in their agenda packets.

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to approve the updates to the Marine City Personnel Policies and Procedures, as presented. All Ayes. Motion Carried.

Board Appointments

Planning Commission

The following application was received:

- Howard Draft 413 North Belle River Avenue

Motion by Mayor Browne, seconded by Commissioner Hendrick, to nominate Howard Draft for re-appointment to the Planning Commission for a term expiring June 30, 2016. All Ayes. Motion Carried.

Tax Increment Financing Authority

The following applications were received:

- Jonathan Phelan 343 North William Street
- Raymond Skwiers 211 Michigan Drive

Motion by Mayor Browne, seconded by Commissioner Hendrick, to nominate Jonathan Phelan and Raymond Skwiers for re-appointment to the Tax Increment Financing Authority for terms expiring June 30, 2017. All Ayes. Motion Carried.

Resolution ~ Adopt CDBG Rental Rehabilitation Program Guidelines and Fair Housing Policy

Motion by Commissioner Lovett, seconded by Commissioner Turner, to approve a Resolution to Adopt Community Development Block Grant (CDBG) Rental Rehabilitation Program Guidelines, and Fair Housing Policy; Resolution No. 018-13. All Ayes. Motion Carried.

Financial Business

Fund Transfers

Motion by Commissioner Skotarczyk, seconded by Commissioner Lovett, to approve a Resolution to approve the Fund Transfer from General Fund to Cemetery Fund in the amount of \$15,000.00; Resolution No. 019-13. All Ayes. Motion Carried.

Motion by Commissioner Skotarczyk, seconded by Commissioner Lovett, to approve a Resolution to approve the Fund Transfer from Water/Sewer Fund to Special Assessment Fund in the amount of \$2,082.00; Resolution No. 020-13. All Ayes. Motion Carried.

Motion by Commissioner Skotarczyk, seconded by Commissioner Lovett, to approve a Resolution to approve the Fund Transfer from Cemetery Trust Fund to Cemetery Fund in the amount of \$95.00; Resolution No. 021-13. All Ayes. Motion Carried.

Budget Amendments

Motion by Commissioner Lovett, seconded by Commissioner Skotarczyk, to approve a Resolution to amend the Fiscal Year 2012/2013 Budget to adjust for changes in anticipated revenues and expenditures, as presented; Resolution No. 022-13. All Ayes. Motion Carried.

Disbursements

Motion by Commissioner Lovett, seconded by Commissioner Turner, to approve total disbursements, including payroll, in the amount of \$269,130.13, 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 May 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 – all spans set today except for two / cannot pour deck until plates are set / expect opening of bridge to be third week in August
- South Belle River Avenue – to be re-opened on June 21st to local traffic / final coat to be completed with bridge approach
- 300 Broadway – Phase I walk-thru on June 24th / steel spans up in auditorium/ painter to finish up
- City Offices closed July 4th and July 5th for holiday
- Auditors to begin preliminary review on July 23rd
- Brian Bayly, Code Enforcer, mailed out 40 violation letters re grass / same plan scheduled for blight
- Looking at an outbound Twitter account with email link

Commissioner Privilege

Commissioner Hendrick thanked City Clerk Kade for sending out updated notices to all businesses regarding the LaBuhn Bridge Project; and, wished everyone a safe July 4th Holiday.

Mayor Browne wished everyone a Happy July 4th, and asked residents to respect their neighbors during the holiday celebration.

Adjournment

Motion by Commissioner Hendrick, seconded by Commissioner Turner, to adjourn at 8:28 PM. All Ayes. Motion Carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diana S. Kade". The signature is written in a cursive style with a large, looping initial "D".

Diana S. Kade
City Clerk