

**City of Marine City  
City Commission  
July 18, 2013**

A regular meeting of the Marine City Commission was held on Thursday, July 18, 2013, in the Fire Hall, 200 South Parker Street, Marine City, Michigan, 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 (arrived 7:36 PM), Phelan and Turner; City Manager Gabor; and, City Clerk Kade.

**Absent:** Commissioner Skotarczyk.

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

Commissioner Meli arrived during the meeting after the members of the Commission had voted to excuse him from the meeting.

**Communications**

The following Communications were received:

- 2013 Maritime Days Updates
- Board Vacancies

Motion by Commissioner Turner, seconded by Commissioner Hendrick, to accept the Communications and place them on file. All Ayes. Motion Carried.

**Public Comment**

William Danneels, 206 Westminster, Marine City, spoke of the proposed Blight Prevention Ordinance and said he thought the junk vehicles should be handled by the police department. Mr. Danneels stated that it was the legal obligation of the City to provide a community center under the agreement by Bertha Guy. Mr. Danneels also asked if the

Commission could hold a work session before the August 1<sup>st</sup> meeting regarding a millage request.

Amanda Printz Gohl, formerly of 235 North Fourth Street, Marine City, said she had received a notice regarding high grass, and before she could cut it within the ten days of receiving the notice, the City cut the grass and billed her. She said she had spoken with Brian Bayly who said only the Commission had the authority to waive the billing. *Ms. Gohl was advised to schedule a meeting with the City Manager.*

County Commissioner Bill Grattop addressed the Commission and said they were doing a great job. He congratulated Marine City on Phase I of 300 Broadway and other projects in the community; and, provided updates on issues within the County.

### **Approve Agenda**

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

### **Approve Minutes**

Motion by Commissioner Lovett, seconded by Commissioner Turner, to approve the Minutes of a City Commission Special Workshop held June 20, 2013, and the Minutes of the Regular City Commission Meeting held June 20, 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 ~ June 2013
- Planning Commission Minutes ~ May 13, 2013
- Planning Commission Minutes ~ June 10, 2013
- T.I.F.A. Minutes ~ May 21, 2013
- Business License ~ General Printing Service, Inc.
- Business License ~ Zimmerman Meats, LLC

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

## **Unfinished Business**

### ***Adopt Ordinance #13-04 ~ Blight Prevention***

Motion by Commissioner Lovett, seconded by Commissioner Turner, to adopt an Ordinance to amend Land Use Title XV, Chapter 158, Section 145 et seq, entitled "Blight Prevention; Ordinance No. 13-04. All Ayes. Motion Carried.

### ***City Manager Evaluation Format***

Motion by Commissioner Lovett, seconded by Commissioner Hendrick, to approve the revised City Manager Evaluation format, as presented. All Ayes. Motion Carried.

Mayor Browne asked that setting a date for compiling the evaluations be placed on the next agenda.

## **New Business**

### ***Millage Proposal***

In a memorandum to the Commission, City Manager Gabor provided some basic information with regards to a potential ballot proposal for a special millage to support Marine City's general fund. He discussed a "Headlee" override proposal which would generate 3.1293 mills, and a Public Act 33 to levy a special assessment for police services.

Commissioner Phelan read the itemized factors listed in the City Manager's memorandum that should be considered when discussing the proposals; and, provided statistical graphs. Commissioner Phelan said he was concerned that the City would not be able to provide the services expected to its residents.

Commissioner Hendrick said she was not in favor of a millage; and, commented that Marine City was spending too much on feel-good projects. She said they needed to go back to basics. Commissioner Hendrick spoke of a second push for a millage for 300 Broadway, and said that the Marine City voters would not approve two millage requests on the ballot.

She commented on increased water bills, and the fuel and repair costs for the Police Chief's car.

Mayor Browne clarified that the other millage proposal was being pushed by Friends of City Hall and not the City. He said the City needed to give the residents the opportunity to say *yes* or *no* because it was up to the people to decide.

Commissioner Lovett said that the property values had declined resulting in lowered taxes. She said if they wanted better services, they needed to look at a millage.

Commissioner Phelan said that this would not alleviate the fact that the Commission needed to act responsibly with the taxpayers' money. He said they were essentially asking the voters to re-up an eliminated millage for services. Commissioner Phelan said he also felt that if there were two millage proposals on the ballot, both would fail. He recommended that a capital campaign be gone after first for 300 Broadway. Commissioner Phelan said that services for the citizens should be the first priority.

Commissioner Phelan initially made a motion to formulate a resolution to set the millage rate at a not-to-exceed the Charter limit of 20 mills, but withdrew the motion without support.

Commissioner Meli arrived at the meeting.

City Manager Gabor explained the difference between the two millage increase ballot proposals. The "Headlee" override proposal would be for 3.1293 mills, and the PA 33 proposal could be set at any rate, he said. Any action approved in November 2013 would not take effect until the 2014 tax year, which would impact the 2014/2015 budget year.

Commissioner Meli said that they needed to re-invest into Marine City without raising taxes. He said they needed to cut corners, and he was tired of seeing all of the foreclosures. Commissioner Meli asked about the sidewalk program. He stated he was opposed to any tax hike.

Commissioner Hendrick commented that paying off the 2.92 mills, but adding in 3.1293 mills, was a tax increase.

Commissioner Phelan commented that tax rates were not the only issue and said that services would be damaged, which would make it much harder to sell a home in the community.

Commissioner Hendrick said she had been asked by citizens as to why the City does not look at the St. Clair County Sheriff's Department for police services. She said that they needed to look at a comparison.

City Manager Gabor responded that he would check with the County, but said it would cost Marine City more to go with the County.

Commissioner Turner thanked Commissioner Phelan for his clarification, and thanked Commissioner Hendrick for looking at the other side of the issue. He said he believed a millage proposal probably would not pass. Commissioner Turner said he would like to see other options, and a clearer understanding. He said the right thing to do would be to put it before the voters; but asked if it failed, what the City would do.

City Manager Gabor responded that Marine City would become a part-time city. He announced that the City's liability insurance had recently increased \$43,000 due to the lack of a sidewalk program. City Manager Gabor reminded the Commission that he had spoken to them about cuts during the budget workshops.

Commissioner Hendrick recommended going back department-by-department to see what they could do; however, Commissioner Phelan said that there was not enough to be found.

City Manager Gabor said it would take 25 years for Marine City to get back to the values of 2007.

Commissioner Phelan said he was asking the Commission to give the authority to the voters to decide.

Resident William Danneels stated that "we've got it good in Marine City", and said he wanted to see the 4pm to 4am police car restored. He commented on the number of City employees that had been cut, and the City's obligation to its retirees. Mr. Danneels said he wanted to make sure that the City services continued.

City Manager Gabor said the City was not on a constraint right now, but if they miss the opportunity to ask the voters in November, they would be locked in.

Mayor Browne said City Manager Gabor had worked hard to reduce the overhead a few years ago. He noted that the police department and public works department were very busy. In reality, he said, he did not like increasing taxes, but they needed to provide services. Mayor Browne said that it was up to the Commission to manage the expenditures

and day-to-day business; and, that it was up to the voters to decide how much money to provide to the City.

Resident Rita Roehrig responded that it was the Mayor's responsibility. She said they needed to make the City Manager more responsible with the spending.

Commissioner Phelan explained that the "Headlee Amendment" was approved by the voters, and was intended to control increases due to inflation. He said that those reasons did not apply today.

Mayor Browne recommended postponing any action until the next meeting because they had just received the information.

City Manager Gabor said he would have two resolutions prepared by the City Attorney for the next meeting for the Commission to review and consider.

Mayor Browne said that they needed to take a deep dive into the City's financials.

Motion by Commissioner Phelan, seconded by Commissioner Lovett, to instruct the City Manager to prepare two ballot proposals to be presented at the August 1<sup>st</sup> Commission Meeting. Ayes: Browne, Lovett, Meli, Phelan, Turner. Nays: Hendrick. Motion Carried.

### ***Police Vehicle Purchase***

City Manager Gabor reported that the City's insurance company had settled the claim for the Chevrolet Tahoe Police Patrol Vehicle that had been destroyed by a fire on June 22, 2013. The insurance company deemed the vehicle a total loss. City Manager Gabor stated that Police Chief Tillery had received a quote from Berger Chevrolet to replace the destroyed police patrol vehicle with a 2014 Chevrolet Tahoe Police Patrol Vehicle for a purchase price of \$25,562.90.

In a memorandum to the Commission from Chief Tillery, he stated that Berger Chevrolet in Grand Rapids was the holder of the State of Michigan Contract, and the prices available through MIDEAL were unable to be matched by dealers which do not hold the State Contract.

After a brief discussion, Commissioner Hendrick suggested that the City not purchase another vehicle.

Motion by Commissioner Lovett, seconded by Commissioner Phelan, to approve a resolution to waive competitive bidding for the purchase of a 2014 Fleet/Non-Retail Chevrolet Tahoe 2WD 4dr Commercial Police Patrol Vehicle from Berger Chevrolet, Inc. of Grand Rapids, Michigan, which is made available to local governments through the State's MIDEAL Program, for a total amount not to exceed \$25,562.90, there being no advantage to the City to engage in competitive bidding. Roll Call Vote. Ayes: Browne, Lovett, Phelan, Turner. Nays: Hendrick, Meli. Motion Failed.

City Manager Gabor advised that the City would seek sealed bids for a police patrol vehicle, and bring the bids back to the Commission.

### ***Trail Towns***

City Manager Gabor reported that he had been notified that the St. Clair County Metropolitan Planning Commissioner had chosen Marine City and St. Clair as shoreline communities for a pilot project of Trail Towns, which promotes the value and convenience of businesses located along the water and land trails that dissect recreation communities. The County wanted to hold a joint town hall meeting and provided some suggested dates for consideration.

Mayor Browne stated that he would like to learn more about it, but asked if they could wait until after Labor Day.

Commissioner Turner suggested that David Struck, SCCMPC Director, come to the August 1<sup>st</sup> meeting to address the Commission and explain Trail Towns.

Commissioner Phelan noted the importance of following through with this program.

### ***Service Contract ~ Marine City Senior Citizens***

Motion by Commissioner Phelan, seconded by Commissioner Hendrick, to approve the Service Contract between the City of Marine City and the Marine City Senior Citizens in the amount of \$500.00 for fiscal year 2013/2014. All Ayes. Motion Carried.

### ***Introduce Ordinance #13-05 ~ Licensing Requirements of Dogs***

Motion by Commissioner Lovett, seconded by Commissioner Phelan, to introduce an Ordinance to amend General Regulations Title IX, Chapter 94, Section 3 entitled "Licensing Requirements of Dogs"; Ordinance No. 13-05. All Ayes. Motion Carried.

***Introduce Ordinance #13-06 ~ Uses Not Otherwise Included Within a Specific District***

Motion by Commissioner Lovett, seconded by Commissioner Phelan, to introduce an Ordinance to amend Land Use Title XV, Chapter 160, Section 5 entitled "Definitions", and Section 217 entitled "Uses Not Otherwise Included within a Specific District"; Ordinance No. 13-06. All Ayes. Motion Carried.

***Introduce Ordinance #13-07 ~ Construction and Alteration of Permanent Docks, Wharves, Etc.***

Motion by Commissioner Lovett, seconded by Commissioner Phelan, to introduce an Ordinance to amend Land Use Title XV, Chapter 150 "Waterways", by adopting Section 6 entitled "Construction and Alteration of Permanent Docks, Wharves, Etc."; Ordinance No. 13-07. All Ayes. Motion Carried.

***Introduce Ordinance #13-08 ~ Prohibition on Overnight, Non-Emergency Dockage***

Motion by Commissioner Lovett, seconded by Commissioner Phelan, to introduce an Ordinance to amend Land Use Title XV, Chapter 150 "Waterways" by adopting Section 7 entitled "Prohibition on Overnight, Non-Emergency Dockage"; Ordinance NO. 13-08. All Ayes. Motion Carried.

***Board Appointments***

Zoning Board of Appeals

The following application was received:

- Lloyd McGeachy                      316 S. Belle River Avenue, Apt 1

Motion by Commissioner Phelan, seconded by Commissioner Turner, to nominate Lloyd McGeachy for appointment to the Zoning Board of Appeals for a term ending December 31, 2015. All Ayes. Motion Carried.

#### Board of Review

The following application was received:

- Mary J. Weseloh            165 S. Water Street, Apt 303

Motion by Mayor Browne, seconded by Commissioner Hendrick, to nominate Mary J. Weseloh for appointment to the Board of Review for a term ending December 31, 2016. All Ayes. Motion Carried.

#### Marine City Area Fire Authority

The following application was received:

- Steven McConnell        266 S. Second Street

Motion by Commissioner Hendrick, seconded by Commissioner Lovett, to nominate Steven McConnell for re-appointment to the Marine City Area Fire Authority for a term ending June 30, 2014. All Ayes. Motion Carried.

### **Financial Business**

#### ***Disbursements***

Motion by Commissioner Lovett, seconded by Commissioner Turner, to approve total disbursements, including payroll, in the amount of \$561,130.90, as presented. Roll Call Vote. Ayes: Browne, Lovett, Phelan, Turner. Nays: Hendrick, Meli. Motion Carried.

#### ***Preliminary Financial Statements***

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

### **City Manager's Report**

City Manager Gabor provided updates on the following items:

- Personnel Policies and Procedures – have not received a lot of input from the Commission
- Sidewalk Program Proposal – working with the building inspector on a proposal / will review with the City Attorney and insurance company
- LaBuhn Bridge Project – plates have been replaced / curbs, gutters, and deck to be poured soon / railings and street lights are in / re-opening of bridge still to be the end of August
- Belle River obstructions – tree was pulled out of the Belle River on the Southeast side of the bridge / Unknown obstruction on the North side of the bridge (exact location unknown) – maybe part of the old bridge
- Reviewing Fireworks Ordinance

### **Commissioner Privilege**

Commissioner Lovett thanked Commissioner Phelan for the charts and details in his presentation regarding a millage proposal; and, thanked the City departments for doing their jobs twice as much. She commented on the good response from residents regarding no-smoking on the beach; reported on the recent SEMCOG visioning session that she had attended; congratulated The Snug Theatre on their opening weekend; thanked Friends of City Hall for refurbishing the gazebo; and, congratulated the Marine City Heat Softball Team.

Commissioner Hendrick thanked Bill Danneels for his comments regarding the community center; asked why the City was watering the flowers and hanging baskets when it was raining, and said that the vehicle used for watering had forced people off the sidewalks at times; commented that there had been a flooding issue at Charter and South Belle River Avenue because the curb was higher than the sidewalks; and, spoke about the City purchasing a retirement badge for Brad Kolcz, when he had resigned his position. She commented on the Marine City Area Fire Authority and thanked Howard Draft for his service, said Chief Slankster had done a great job, and acknowledged Jennifer

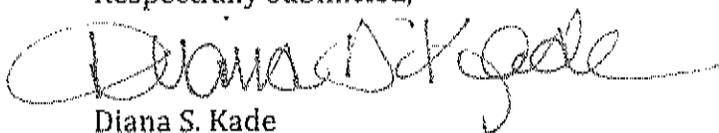
Vandenbossche, the MCAFA Secretary/Treasurer, for taking care of the flowers outside of the Fire Hall.

Mayor Browne reminded everyone to be careful in the heat, and asked residents to check on their neighbors, senior citizens, and pets. He said it was important to help others, and to take care of one another. Mayor Browne noted there were a lot of good events coming to Marine City, and encouraged the residents to check them out.

**Adjournment**

Motion by Commissioner Hendrick, seconded by Commissioner Meli, to adjourn at 9:06 PM.  
All Ayes. Motion Carried.

Respectfully submitted,

A handwritten signature in black ink that reads "Diana S. Kade". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Diana S. Kade  
City Clerk