

**City of Marine City
City Commission
July 16, 2015**

A regular meeting of the Marine City Commission was held on Thursday, July 16, 2015, in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Mayor Pro Tem Turner at 7:00 pm.

After a prayer offered by Rev. Brant Wilson, the Pledge of Allegiance was led by Mayor Pro Tem Turner.

Present: Mayor Pro Tem Turner, Commissioners Elizabeth Hendrick, Dianne Lovett, Raymond Meli, and David Simpson, Acting City Manager Donald Tillery, City Clerk Kristen Baxter

Absent: Mayor Skotarczyk, Commissioner Avery

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to excuse Mayor Skotarczyk and Commissioner Avery from the meeting. All Ayes. Motion Carried.

Communications

The following communications were received:

- McBride-Manley & Company, PC
- Marine City Recreation Department

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to accept the communications and file, as presented. All Ayes. Motion Carried.

Public Comment

Robert Blanchard, 622 Alger, asked the city to look at the big picture when adding flower beds, garbage cans, signs, and other items to city parks. Mr. Blanchard said the items inhibit the use of the park for other activities, such as Maritime Days, Music Festival, etc.

Pat McFarland, 316 S. Belle River Avenue, requested approval from the Board to install a wooden platform on city property located across from the Belle River Apartments. The

proposed platform would provide handicapped access to the river for fishing. The Board supported the idea, but said that due to the platform being built on city property, it would be available on a first come, first serve basis. They requested to have Mr. McFarland work with the City Manager and Building Inspector for safety guidelines and approval of final plan.

Melissa Blanchard, 622 Alger, invited everyone to Maritime Days to be held July 31 to August 2, 2015.

Larry Biscorner, 415 Carroll, said he agreed with comments made at previous City Commission meetings regarding dog walkers not picking up their dog waste. He asked for enforcement of the city ordinance and suggested posting signs in the city parks to clean up after your dog.

Approve Agenda

The following amendments were made to the Agenda:

- Remove Item #7-B ~ Closed Session Minutes of June 18, 2015
- Add Item #10-D ~ Waive Bids for Tool Truck & 1-Ton Replacement Truck

Motion by Commissioner Lovett, seconded by Commissioner Meli, to approve the Agenda, as amended. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Simpson, seconded by Commissioner Lovett, to approve the following minutes, as presented:

- City Commission Regular Meeting ~ June 18, 2015
- Zoning Board of Appeals ~ November 5, 2014
- Planning Commission ~ May 11, 2015
- Tax Increment Finance Authority ~ May 19, 2015

Commissioner Hendrick said that she wasn't going to approve the minutes because she was concerned that all her comments were not accurately recorded in the minutes. She said that she wanted all comments documented accurately for historical purposes.

City Clerk Baxter replied that, except for motions, the minutes were not meant to be verbatim, but the Clerk's interpretation of the meeting.

Commissioner Lovett replied that she thought the minutes were well written and covered the meeting.

Mayor Pro Tem Turner suggested that Commissioner Hendrick state what she wants in the minutes or it would be up to the interpretation of the City Clerk.

Ayes: Turner, Lovett, Meli, Simpson. Nays: Hendrick. Motion Carried.

Consent Agenda

The following Consent Agenda items were presented:

- Departmental Activity Reports
- Marine City Area Fire Authority ~ Run Report
- Special Event ~ Navy Band Great Lakes Performance

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to accept the Consent Agenda and file, as presented. All Ayes. Motion Carried.

UNFINISHED BUSINESS

City Manager Search

A discussion took place on negotiations for the hire of a new City Manager with Acting City Manager Tillery reporting that the City Manager Search Sub-Committee had spoken at length with candidate Brian Redshaw and that the background investigation was complete.

Commissioner Lovett, speaking on behalf of the City Manager Search Sub-Committee consisting of herself, Commissioner Hendrick, and alternate Commissioner Simpson (in Mayor Skotarczyk's absence), reported that they arrived at a decision not to offer the City Manager contract to Brian Redshaw. Instead, they would like to pursue looking at candidate Elaine Leven.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to halt the process of negotiating a contract with Brian Redshaw and instead begin investigating and negotiating with Elaine Leven.

Commissioner Hendrick said she supported the idea due to Elaine Leven living locally, her computer skills and lower salary requirements. Commissioner Hendrick said the city could work with Candidate Leven on her management skills, and that she was eager and would do a good job for the city. She said Candidate Leven is a better fit for the city.

Commissioner Simpson said he liked that Elaine Leven lived locally and was familiar with the area. With Candidate Leven's lack of management opportunities, he said the city needed to create the proper environment for her to succeed in by providing mentorship and additional training. Mr. Simpson said she is a good fit financially and functionally, as well as being very approachable.

Mayor Pro Tem Turner said that it sounded like a favorable solution, but was concerned that Candidate Leven had no background in management and that, if hired, she would have to hit the ground running.

Commissioner Simpson suggested setting up some benchmarks for training in the first year so that all parties are aware of them when entering into a contract.

All Ayes. Motion Carried.

Motion by Commissioner Lovett and seconded by Commissioner Simpson, to direct Acting City Manager Tillery to reach out to Elaine Leven to find out beginning parameters and report back to the City Manager Search Sub-Committee. All Ayes. Motion Carried.

Commissioner Lovett said Acting City Manager Donald Tillery has been an excellent bridge for the city during the City Manager search and has demonstrated great management capabilities. Commissioner Lovett suggested the Board discuss the possibility of having Acting City Manager Tillery continue on in the capacity of Deputy City Manager, with a contract, to work together with the new City Manager to make a smooth transition.

Mayor Pro Tem Turner agreed and said that it sounded like a viable solution as long as Acting City Manager Tillery was willing to continue work in that capacity for the city for a little longer.

Commissioner Hendrick suggested that this should be sent to the City Manager Search Sub-Committee to explore.

Commissioner Simpson said it was important to have concurrent conversations to help them see what the package deal looks like.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to have the City Manager Search Sub-Committee begin discussions with Donald Tillery to serve as Deputy City Manager, to work with the City Manager, to ensure a smooth transition and to enhance management potential. All Ayes. Motion Carried.

Titanic Memorial in Drake Park ~ Final Draft

Margaret & Dan Micoff presented three final draft options for the Titanic Memorial at Drake Park. Mrs. Micoff said the choices were all based on price and size. Discussion also ensued on placement of the memorial within the park. Mrs. Micoff said in addition to local support, they are also receiving state-level support for the memorial.

Motion by Commissioner Lovett, seconded by Commissioner Meli, to approve the final draft of the Titanic Memorial at Drake Park, not to exceed 36”.

Commissioners Hendrick and Simpson both spoke of concerns about keeping the landscaping around the monument maintenance free.

Mayor Pro Tem Turner said he loved the idea and was happy to see the state-level support of the monument.

The Board asked to see a finalized concept and exact location, upon completion.

All Ayes. Motion Carried.

NEW BUSINESS

Building Inspector Contract

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the City of Marine City Building Official Employment Agreement with Arthur Garbarino. All Ayes. Motion Carried.

Adopt Freedom of Information Act Request ~ Policy & Procedures Update

City Clerk Baxter explained that the update was mandated by the State of Michigan and required public bodies to establish specific written procedures and guidelines for FOIA requests, including a separate written summary informing the public on how to submit a

FOIA request, how to understand the responses to FOIA requests, deposit requirements, fee calculations and avenues for challenging and appealing denials of requests.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the Freedom of Information Request Approved Policy & Procedure Manual dated July 16, 2015. All Ayes. Motion Carried.

Resolution ~ Charitable Gaming License for Marine City Festival, Inc.

Motion by Commissioner Simpson, seconded by Commissioner Hendrick, to approve Resolution #021-2015 in regards to Marine City Festival, Inc. All Ayes. Motion Carried.

Waive Competitive Bidding for Tool Truck & 1-Ton Replacement Truck (DPW)

Acting City Manager Tillery explained the quotes for the trucks were provided by MI-Deal in which the State of Michigan uses its buying power to negotiate the best pricing on equipment for governmental use. He made the recommendation to waive competitive bidding due to MI-Deal not providing sealed bids. Acting City Manager Tillery said the prices have all been competitively bid, but done at the state level.

Department of Public Works Superintendent, Michael Itrich, stated that the presented pricing was only good through July 20, 2015; after that date, the trucks will increase to 2016-2017 pricing.

Motion Commissioner Lovett, seconded by Commissioner Simpson, to waive competitive bidding for the tool truck and 1-ton replacement truck, as presented.

Commissioner Hendrick said she was going to vote in favor of the trucks due to the Board needing a unanimous vote. She said she did not support the purchase, but also didn't support having the city pay higher pricing for them.

Roll Call Vote. Ayes: Turner, Hendrick, Lovett, Meli, Simpson. Nays: None. Motion Carried.

Motion by Commissioner Lovett, seconded by Commissioner Simpson to approve the expenditure for the tool truck and 1-ton replacement truck at a cost of \$39,033 and \$52,263, respectively. Roll Call Vote. Ayes: Turner, Lovett, Meli, Simpson. Nays: Hendrick. Motion Carried.

Commissioner Simpson thanked Michael Itrich for always looking for cost savings for his departmental purchases.

FINANCIAL BUSINESS

Disbursements

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve total disbursements, including payroll, in the amount of \$451,753.73, as presented. Roll Call Vote. Ayes: Turner, Hendrick, Lovett, Meli, Simpson. Nays: None. Motion Carried.

Preliminary Financial Statements

Motion by Commissioner Simpson, seconded by Commissioner Lovett, to accept the Preliminary Financial Statements for June, 2015, and place them on file. All Ayes. Motion Carried.

CITY MANAGER REPORT

Acting City Manager Tillery provided updates on the following:

- Hired Arthur Garbarino as the new Building Inspector.
- DPW installing appropriate docking apparatus for Gray Fox for Maritime Days.
- Music Festival a success; city services worked out great with no hitches.
- Insurance deductible for water/mold claim is \$50,000 – getting estimates for mold removal.
- Hosting a MISHDA meeting at the Fire Hall on July 29, 2015 at 3:00 pm for Rental Rehab information for local business.
- Attending hotel project meeting on July 17, 2015 – moving from a Brownfield to a Greenfield.

COMMISSIONER PRIVILEGE

Commissioner Lovett commented on the beautiful flowers in the community and thanked those who worked hard to take care of them. She also congratulated Commissioner Simpson on his upcoming wedding and thanked him, and other workers, for their hard work put forth for the Music Festival.

Commissioner Hendrick asked for progress on the sirens and was advised by Acting City Manager that they were operating. She also commented that the fireworks ordinance was not complete online and suggested that a full copy be posted and distributed so residents could be aware of what the rules were. Mrs. Hendrick reported that she had spoken with Steve Saph, the city's insurance representative, and Steve advised that the heaving of sidewalks, caused by city trees (located between the curb and sidewalk), were the city's responsibility, unless an ordinance states otherwise.

Commissioner Simpson thanked Building Inspector, Brian Bayly for his service to the city and wished him well in his retirement. He also thanked attendees and volunteers and city services for their assistance with the Music Festival. Mr. Simpson wished the Maritime Days Committee good luck with their festival.

Mayor Pro Tem Turner said he had a great time at the Music Festival and thanked all the volunteers.

Adjournment

Motion by Commissioner Hendrick, seconded by Commissioner Meli, to adjourn at 8:48 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter

Kristen Baxter
City Clerk