

**City of Marine City
City Commission
August 20, 2015**

A regular meeting of the Marine City Commission was held on Thursday, August 20, 2015, in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Mayor Skotarczyk at 7:00 pm.

After a prayer offered by Reverend Rooney, the Pledge of Allegiance was led by Mayor Skotarczyk.

Present: Mayor Raymond Skotarczyk, Commissioners Terrance Avery, Elizabeth Hendrick, Dianne Lovett, Raymond Meli, David Simpson, James Turner, Acting City Manager Donald Tillery, City Clerk Kristen Baxter

Absent: None

Communications

No Communications were received.

Public Comment

William Haas, 203 Pleasant, spoke about dogs on the beach, the PA33 Special Assessment, a potential safety hazard on S. Water Street due to lack of parking, and the Planning Commission.

Approve Agenda

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

Approve Minutes

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the City Commission Regular Meeting Minutes of August 6, 2015, as presented. All Ayes. Motion Carried.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the Zoning Board of Appeals Meeting Minutes of June 3, 2015, as presented. All Ayes. Motion Carried.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the Special Planning Commission Meeting Minutes of July 21, 2015, as presented. All Ayes. Motion Carried.

Consent Agenda

The following Consent Agenda items were presented:

- Departmental Activity Reports
- MCAFA Run Report & Agenda Packet
- Business License ~ V.J. Industries

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

UNFINISHED BUSINESS

NEW BUSINESS

Rules of Procedure of the Marine City Commission Update ~ Introduction

The Rules of Procedure of the Marine City Commission was amended and presented to include **Communication with City Attorney and Contractual Employees**, which states that all routine questions be made through the City Manager's office and forwarded to the contractual employee, if needed, unless there is a question of impropriety on the part of the City Manager. It also states that the Mayor shall be able to contact the contractual employees for clarification on procedures or agenda items.

Mayor Skotarczyk clarified the amendment and said that it sets guidelines on how the Commission should interact with the City Attorney. He further said that there has been abuse of the present system, where Commissioners could call the City Attorney at no additional charge.

Commissioner Hendrick opposed the proposed amendment and said it was a violation of her rights. She said there were cases where a Commissioner should have the opportunity to go directly to the City Attorney, without going through the City Manager. In addition, Commissioner Hendrick pointed out that the City Attorney wasn't a contractual employee, as stated in the Charter. Mayor Skotarczyk suggested she provide any requested corrections to the City Clerk.

Commissioner Lovett said she supported the amendment and said that the Commission's authority comes from the agreements they make together, as a majority. Commissioner Lovett said that if contact is needed with the City Attorney, it should be the majority of the Commission to decide that. Commissioner Lovett reported that \$5,000 in legal fees were generated from a Commissioner who made direct contact with the City Attorney.

Mayor Skotarczyk said the City Attorney was aware of the proposed amendment and was in favor of it. He also pointed out that the Commission wouldn't be discussing the topic if the policy hadn't been abused.

Commissioner Turner said the amendment was a good move towards transparency.

There was discussion on item #C which states, *the Mayor shall be able to contact the contractual employees for the following reason - for clarification on procedures or agenda items in the absence of the City Manager.*

Commissioner Simpson said he was in full support of the amendment and had no problem with Item #C and said it was within the scope of the Mayor's job to discuss the agenda with the City Attorney.

Commissioner Avery agreed with leaving Item #C in the amendment saying that the Mayor had a responsibility for preparation of the agenda and may need to contact the City Attorney.

Several modifications to the amendment were suggested and discussed. A revised document will be brought back to the Board for consideration.

Emergency Plan Mutual Aid Agreement

An Agreement for Mutual Aid for Emergencies and Disasters in St. Clair County was reviewed and discussed. Mayor Skotarczyk informed the Board that the agreement was brought to them because it may cost the city money.

Commissioners Avery and Simpson both said they were in favor of the agreement. Commissioner Simpson said the potential cost was not a factor as the city would stand to benefit from the agreement.

Commissioner Meli said he also was in favor of the agreement because safety comes first.

A resolution will be presented for approval at a future meeting.

FINANCIAL BUSINESS

Disbursements

Motion by Commissioner Simpson, seconded by Commissioner Lovett, to approve total disbursements, including payroll, in the amount of \$494,720.16, as presented. Roll Call Vote. Ayes: Skotarczyk, Avery, Lovett, Turner. Nays: Hendrick, Meli. Motion Carried.

CITY MANAGER REPORT

Acting City Manager Tillery provided updates on the following:

- Hotel project moving forward; turn from a Brownfield to a Greenfield.
- Michigan Coastal Management Program – possible grant money for water access in Marine City.
- Last meeting as Acting City Manager. Welcomed new City Manager, Elaine Leven and thanked City Department Heads.

COMMISSIONER PRIVILEGE

Commissioner Meli announced that taxes were due August 31, 2015, and said he was grateful for the growth of Marine City and the nice summer.

Commissioner Turner thanked Acting City Manager Tillery for the extra effort he put forth in the City Manager position, and stepping up in the city's time of need.

Commissioner Lovett announced that the Safe Routes to School Program was moving forward and thanked Acting City Manager Tillery for continuing Marine City on the route to expanding Marine City.

Commissioner Hendrick said she works hard for the city to ensure that people's rights were taken care of and the city is protected. She wished everyone a safe and happy Labor Day.

Commissioner Avery expressed thanks to Acting City Manager Tillery for his effort in keeping the city looking good.

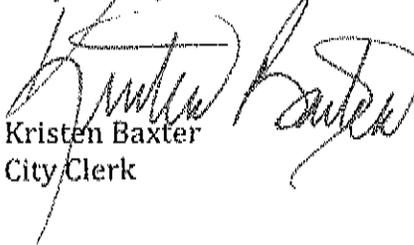
Commissioner Simpson said the city and the City Commission have been through a lot recently, and thanked Acting City Manager Tillery for the extra time and effort he put forth. He also said the meeting sound system issues were still a concern and asked that the Board move forward in implementing necessary changes.

Mayor Skotarczyk commented on Commissioner's responsibility to ensure veracity of any comments placed on websites or social media sites such as Facebook, and gave several examples of past comments with which he disagreed. Mayor Skotarczyk said the statements contained inaccurate information that were designed to make the city administration look bad.

Adjournment

Motion by Commissioner Simpson, seconded by Commissioner Meli, to adjourn at 8:05 pm. All Ayes. Motion Carried.

Respectfully submitted,



Kristen Baxter
City Clerk