

**City of Marine City
City Commission
May 7, 2015**

A regular meeting of the Marine City Commission was held on Thursday, May 7, 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 Pastor Wenturine, the Pledge of Allegiance was led by Mayor Skotarczyk.

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

Absent: Acting City Manager Donald Tillery

Motion by Commissioner Turner, seconded by Commissioner Simpson, to excuse Acting City Manager Tillery from the meeting. All Ayes. Motion Carried.

Communications

The following communications were received:

- Aaron Atkinson ~ Water Certification Review Distribution S3 & S4
- Council on Aging ~ Washington Life Center
- Michigan Municipal League Worker's Comp Fund ~ Proof of Insurance

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

Public Comment

James Cain, 204 W. Boulevard, asked the Board to approve the installation of a guardrail in the alley way to stop traffic flow through between Second, Third, Fairbanks, and W. Boulevard.

Joseph McCarthy, 2041 S. Parker Street, said there was a lack of fence enforcement on the zoning ordinance. He said he would like to have a motion from the Board to have the City

Attorney review zoning ordinance 160.254. Mr. McCarthy also requested a copy of the Executive Session minutes from the April 16, 2015 meeting.

Heather Warner, 345 N. Elizabeth, said she is opposed to the proposed PA33 as it would place too much financial burden on the citizens, along with the water increase and sidewalk replacements. Ms. Warner said that no one listened at the Town Hall meeting where people were asking for a quote from the Sheriff's Department.

Janet Demist, 308 Ward Street, thanked everyone on the Board for their services. She asked them to stop throwing Marine City residents under the bus, and said that the Board must have empathy for the citizens as they cannot handle a tax increase.

Ray Skwiers, 211 Michigan, said that 15% of Marine City residents are living below the poverty level. Mr. Skwiers suggested that the city hire a specialist to review the budget and that they should only raise taxes as a last resort. He also recommended that 2% raises be removed from the budget.

William Haas, 203 Pleasant, said there was an incident that needed reporting where a police vehicle almost hit another vehicle, as it was driving through a busy area at 10:30 pm on Friday evening.

Duane Mullica, 2035 S. Parker Street, said the city is not being upfront with communications, which are public information. He asked the Commission to go back and enforce zoning ordinance #160.254.

Kathy Murray, 262 S. Second Street, said the Board doesn't think the residents pay attention because they aren't attending meetings. She also said that higher taxes will drive residents out of the Marine City.

James Furtah, 806 W. Boulevard, said he has a problem paying higher taxes just to fund the police department. He said the Board should do what is in the best interest of the city and its citizens.

Mike Horn, 218 N. William, said he has a family history in Marine City and commented that taxes are getting out of hand.

Rosalie Skwiers, 211 Michigan, said Marine City has a vulnerable population with many retirees and said it is tough for people to live here with high water bills and taxes.

Robert Blanchard, 622 Alger Street, said he is concerned with the Board member's positions if they go through with the PA33. He said doing so was not the right answer for the problem. Mr. Blanchard suggested the Board revise this year's budget and deal with the long-term issue.

Approve Agenda

The following items were **removed** from the Agenda:

* **Public Hearing**

#9-A: Establish a Special Assessment District to Defray the Costs to Continue the Maintenance and Operation of Public Safety Protection for the City of Marine City.

* **New Business**

#11-A: Resolution #08-2015 ~ Establish a Special Assessment District

The following item was **added** to the Agenda:

* **New Business**

#11-A: Set Public Hearing Date for Establishing a Special Assessment District

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

Approve Minutes

Motion by Commissioner Simpson, seconded by Commissioner Turner, to approve the Minutes of the Regular City Commission Meeting held April 16, 2015, as amended. All Ayes. Motion Carried.

Consent Agenda

The following Consent Agenda items were presented:

- Special Event ~ Concerts in the Park
- Business License ~ Michael Brothers (new location)
- Special Event ~ Brucey Boys, LLC (dba Anita's Place ~ entity change)

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

UNFINISHED BUSINESS

High Street Vacation

City Attorney Downey said, in order to move forward, a property survey must be completed. Mr. Downey asked if the city wishes to absorb the expense of the survey or does the city wish to have the applicants pay for it.

Commissioner Hendrick reported that the applicants, Mr. & Mrs. Thompson, were not aware that the process would be so involved and asked to have their application withdrawn.

Motion by Commissioner Lovett, seconded by Commissioner Hendrick, not to pursue the vacation of High Street. All Ayes. Motion Carried.

Narcotics & Narcotic Paraphernalia ~ Ordinance #03-2015

Motion by Commissioner Simpson, seconded by Commissioner Lovett, to approve the Narcotics & Narcotic Paraphernalia Ordinance #03-2015, as presented. All Ayes. Motion Carried.

NEW BUSINESS

Set Public Hearing Date for Establishing a Special Assessment District

Mayor Skotarczyk proposed Wednesday, May 20, 2015 at 7:00 pm as a Public Hearing date to set up a Special Assessment District. The purpose of the Public Hearing is to determine what the assessment would entail and the scope of the district.

Commissioner Hendrick said it wasn't in the budget to do a PA33 and said the Commission needs to show why it is being done. She said a proposal was needed first.

Commissioner Simpson said that the process followed in the Budget Workshops, which were open to the public, laid the groundwork for the PA33.

Mrs. Hendrick said that the city wasn't following proper procedure and that they must prove the benefit of the PA33 and demonstrate an improvement in property value before moving forward. In addition, property owners must be advised by US mail, not just by publication.

City Attorney Downey said that the purpose of scheduling a public hearing was to address two items that are required for the PA33 Special Assessment; the scope of the district and what the assessment would entail. Mr. Downey said that he felt that the proper procedures have been followed thus far on the PA33 Special Assessment.

Motion by Commissioner Lovett, seconded by Mayor Skotarczyk, to set a Public Hearing for Wednesday, May 20, 2015 at 7:00 pm in the fire hall for the purpose of establishing a Special Assessment District. Roll Call Vote. Ayes: Skotarczyk, Avery, Lovett, Simpson, Turner. Nays: Hendrick, Meli. Motion Carried.

Commissioner Lovett said they city has consistently cut back. She said residents of the city have been telling her that they want their streets fixed and they want the 4pm-4am police shift added back onto the budget. Mrs. Lovett said that they have done their due diligence and want to see the city move forward.

Mayor Skotarczyk said we need to find out if we are approaching the PA33 Special Assessment process properly and asked City Attorney Downey to conduct research to determine if proper procedures were being followed.

Commissioner Simpson said he supported having the City Manager work with the City Attorney to double check if we are following proper procedures with the PA33 and work with Commissioner Hendrick with any concerns she might have.

Motion by Mayor Skotarczyk, seconded by Commissioner Simpson, to direct the City Attorney to research the requirements of the PA33 Special Assessment. All Ayes. Motion Carried.

Set Public Hearing Date for 2015/2016 Budget

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to set a Public Hearing for Thursday, May 21, 2015 at 7:00 pm in the fire hall for the purpose of approving the proposed 2015/2016 Budget. 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 \$140,878.91, as presented. Roll Call Vote. Ayes: Skotarczyk, Avery, Hendrick, Lovett, Meli, Simpson, Turner. Nays: None. Motion Carried.

CITY ATTORNEY REPORT

City Attorney Downey addressed the public comments made on the fence ordinance. Mr. Downey said he was instructed to provide a legal opinion at the April 2, 2015 meeting, which was marked *Confidential Attorney/Client Communication*. He said there was some misunderstanding that because it is a public body that you are not entitled to receive legal advice.

Mayor Skotarczyk said he chose not to release the letter as some of the comments made at the meeting were suggesting that there were people trying to build a lawsuit. Mayor Skotarczyk said the city has every right to keep it confidential.

COMMISSIONER PRIVILEGE

Commissioner Meli thanked the people who came out showing concern about the community and said he heard them strongly. Mr. Meli said he has concerns with the PA33, and still supported obtaining a quote from the St. Clair County Sheriff's Department to police Marine City.

Commissioner Lovett announced that Marine City was recently chosen as one of the top five day trip destinations in Metro Detroit. Mrs. Lovett said in order to continue to move forward, the Commission has to make hard choices and has to honestly look at what has happened to the tax base. Without the PA33, she said we can make cuts, but we will have to cut important services. Commissioner Lovett asked residents to please get the facts straight on why the Commission is supporting the increase.

Commissioner Hendrick made suggestions for Acting City Manager Tillery to follow-up on such as Water Street tree trimming, the enforcement of "no trucks" on Ward Street, advertising for a new Building Inspector, and the blind spot at Broadway and Market

Streets. Mrs. Hendrick thanked the people who made comments and stated their concerns and said that the city needed to cut down to bare bones before asking to raise taxes.

Commissioner Avery said that the city has been "kicking the can" down the road for too long. With property values down, taxes down, and the cost for services remaining the same, the city has to decide if they want to maintain what they have now or cut back on services.

Commissioner Simpson thanked the people who were in attendance and who have contacted him. He announced that the Planning Commission was looking at the fence zoning ordinance and invited residents to attend the meeting on Monday, May 11, 2015 at 7:00 pm.

Mr. Simpson said that it was the responsible thing to do to look at a quote from the St. Clair Sheriff's Department. Mr. Simpson shared numbers from the 2015 contracts with the Sheriff's Department and Port Huron Township, Fort Gratiot and Ira Township. Commissioner Simpson said that if a comparison was done with the Sheriff's Department and Marine City Police, based on existing services, the numbers could not compare with the cost of running Marine City Police. The Sheriff's Department would cost more and not provide the same coverage and service that the Marine City Police Department provides.

Mayor Skotarczyk explained his reasoning behind waiting for the new City Manager to obtain a quote from the St. Clair County Sheriff's Department, saying that if Acting City Manager/Police Chief Tillery obtained the quote, and it showed unfavorable results, no one would believe it. Mayor Skotarczyk said he will insist on a formal proposal from the Sheriff's Department.

Mayor Skotarczyk said the city does have structural deficit and will have to give up services if citizens want a balanced budget. He said he heard, at the Town Hall meeting, that people didn't want less, they wanted more. He further said that every year the city doesn't maintain and fix buildings and equipment, it will cost more and more to bring them up to speed.

Mayor Skotarczyk thanked everyone who came to the meeting and said he listened to every word and took their words to heart. He continued that the Commission was trying to make the city strong and keep it the envy of the River District. Mayor Skotarczyk said the one thing he did not hear this evening was how much it was going to cost the people. He said the tax increase was a worthwhile investment to improve property values within the city and keep Marine City moving forward.

Adjournment

Motion by Commissioner Hendrick, seconded by Commissioner Simpson, to adjourn at 8:53 pm. All Ayes. Motion Carried.

Respectfully submitted,



Kristen Baxter
City Clerk