City of Marine City
City Commission
November 19, 2015

A regular meeting of the Marine City Commission was held on Thursday, November 19, 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 Lepley, 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, City Manager Elaine Leven, City Clerk Kristen Baxter

Communications

The following Communication was received:

- Jay DeBoyer ~ St. Clair County Clerk

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to receive the Communication and file. All Ayes. Motion Carried.

Public Comment

Janet Demist, 308 Ward Street, said she did not support the city hiring an independent attorney for a second opinion on the PA33 Special Assessment. She also said the city should be better prepared for budget shortfalls by setting money aside and saving for an emergency.

Approve Agenda
The following item was added to the Agenda:

- **Item #10-C** ~ Correspondence from John Stewart

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 Lovett, to approve the City Commission Regular Meeting Minutes of November 5, 2015, as amended. All Ayes. Motion Carried.

Consent Agenda

The following Consent Agenda items were presented:

- Zoning Board of Appeals Minutes ~ August 5, 2015
- Planning Commission Minutes ~ September 14, 2015
- Planning Commission Minutes ~ October 12, 2015
- Departmental Activity Reports
- MCAFA Run Report
- Business License ~ Tobacco Outlet USA
- Business License ~ Ken Kupski Bookkeeping & Tax Service -- Relocation

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

UNFINISHED BUSINESS

PA33 Special Assessment

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to not collect the PA33 Special Assessment, therefore not spending the money and adjusting the 2015/2016 Budget.

Commissioner Avery made a second motion, to amend the original motion, to cancel the vote of the PA33 Special Assessment on the May, 2016 election, therefore saving the city money. The motion received no support.

A vote was taken on the original motion. Ayes: Skotarczyk, Avery, Hendrick, Lovett, Meli, Simpson. Nay: Turner. Motion Carried.

Titanic Memorial

A Titanic Memorial proposal was submitted by Dan and Maggie Micoff for final approval. The plan illustrated the memorial in the original spot, including brick pavers, providing a spot for benches to be installed. Mrs. Micoff shared that they had run the proof by Department of Public Works Superintendent Itrich for his approval.

Commissioner Avery asked the Commission if they were planning to open up the city parks to other memorials. He also questioned the relevance of the city having a Titanic Memorial and said a Great Lakes Memorial seemed more appropriate for the park.

Mrs. Micoff replied that seventy-two people on the Titanic were coming to the State of Michigan. She further said that the memorial will be the only one in Michigan and that it would be a great tourist attraction.

Commissioner Hendrick also remarked that room needed to be left in the parks for festivals, etc. and expressed concern on how the brick pavers would work and was informed that stamped concrete was also being considered.

Commissioner Turner thanked Mr. & Mrs. Micoff for their efforts in creating and promoting the Titanic Memorial.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the proposed Titanic Memorial, and asked that the Board be kept apprised of the project. Ayes: Skotarczyk, Hendrick, Lovett, Meli, Simpson, Turner. Nay: Avery. Motion Carried.

Employee Policy & Procedure Amendment

Addressing the concerns presented at the October 15, 2015 City Commission Meeting regarding four-ten hour work days, City Manager Leven amended the Personnel Policies and Procedure Manual adding the following language, ***A Department or Office that works a compressed work week, (ex: four (4) ten (10) hour days), shall not be compensated for holidays that fall on a regular scheduled day off.*** She said that with the proposed amendment, employees would make a concession, ultimately working more hours than they would with a five (5) day work week. City Manager Leven said it was her hope that the schedule change would allow for more opportunity for those who work to be able to utilize the office.

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the Employee Policy & Procedure Amendment, as presented. All Ayes. Motion Carried.

NEW BUSINESS

Sewer Ready-To-Serve Fees

Ready to Serve Fees implemented with the adoption of Ordinance 04-2015 were discussed. At the time of adoption, it was not taken into account that some residential and commercial properties had an additional meter installed for lawn sprinklers. An amendment to make the second meter exempt from the water ready-to-serve fees, if used as a lawn sprinkler, was proposed.

Motion by Commissioner Hendrick, seconded by Commissioner Simpson, to table the item until City Manager Leven can discuss with City Attorney Downey for further review if sewer ready-to-serve fees should be considered as well, and if it could be handled administratively. All Ayes. Motion Carried.

King Road Park Restroom Facility

A request was received from the Marine City Little League for a waiver on plumbing, electrical, and building permit fees associated with the King Road Park Restroom Project. In addition, final approval of the project was also requested.

Commissioner Avery said he was concerned about the long-term costs and maintenance associated with the restrooms. He said there should be more discussion on costs due to the city's austere budget.

Little League representative, Chris Simons, said that he has had conversations with Department of Public Works Superintendent Itrich about concerns with sewage backups and said that the bathrooms will only be open during games and they will be closely monitored. Further, the bathrooms will be cleaned and maintained by the Little League who said they are willing to put money aside for any potential problems.

Commissioner Simpson said he supports the request, due to the cleaning and supervision issues being addressed.

Mayor Skotarczyk also supported the request, saying that he is impressed with the Little League Park, and the way everything that has been done top notch.

Motion by Commissioner Lovett, seconded by Commissioner Hendrick, to waive the plumbing, electrical, and building permit fees associated with the project, and give final approval. All Ayes. Motion Carried.

Correspondence from John Stewart

Email correspondence from local business owner, John Stewart was received and discussed. Mr. Stewart asked the Board for help getting the fire-rated corridor issue resolved for 308-312 South Water Street. In his email, Mr. Stewart asked why his previous building plans were approved by the current Building Inspector, but now have been put on hold due to the requirement for fire-rated corridor materials. He said the requirement is cost prohibitive and would place a financial burden on him. Mr. Stewart also wrote that he has shopkeepers who are relying on opening their business by December due to having a large stock of holiday items to sell. Mr. Stewart asked that the project move forward as previously approved, without a fire-rated corridor. In addition, he asked for a tax abatement for the full amount of the improvements, if they were found to be required.

Mr. Dan Micoff, representative for John Stewart, said he was not there to circumvent the code, but asked if the Board had any room for a tax abatement. He pointed out that the architect on the project made a notation on the plans indicating that no fire suppression was needed.

Mayor Skotarczyk said that if the architect did make the notation, that he/she should be able to provide documentation on why the fire suppression wasn't needed. Mayor Skotarczyk was willing to meet with the architect to discuss it.

City Manager Leven said she would attempt to set up a meeting with the architect and Building Inspector to discuss why the architect did not require fire suppression. A special meeting may be set in the upcoming week. City Manager Leven said the city would also attempt to move forward with setting up temporary occupancy for one of the shopkeepers to allow for holiday sales.

Mayor Skotarczyk reiterated that the city would work with Mr. Stewart to aid in moving the project forward.

Synagro ~ Materials Management Agreement

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve the Synagro Material Management Agreement, as presented.

City Manager Leven, at this time, suggested the Board vote to waive competitive bidding on the project first, and then vote on the contract. She encouraged the Board to take action at this meeting because Synagro would not haul sludge without a current contract.

The original motion was withdrawn by Commissioner Lovett.

Motion by Commissioner Hendrick, seconded by Commissioner Simpson, to waive competitive bidding for sludge hauling. Roll Call Vote. All Ayes. Motion Carried.

Motion by Commissioner Lovett, seconded by Commissioner Turner, to keep Synagro as the city's sludge hauler, and approve of the Materials Management Agreement, as presented. Roll Call Vote. All Ayes. Motion Carried.

Building Permit Cancellation/Refund

Item was withdrawn due to it not needing Board approval.

Recreation Millage Distribution Report

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to accept the Recreation Millage Distribution Report and file. All Ayes. Motion Carried.

Resolution of Exemption ~ Publicly Funded Health Insurance Contribution Act (2014-2015)

Motion by Commissioner Lovett, seconded by Commissioner Turner, to approve Resolution #029-2015, as presented. All Ayes. Motion Carried.

Resolution of Exemption ~ Publicly Funded Health Insurance Contribution Act (2015-2016)

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve Resolution #030-2015, as presented. All Ayes. Motion Carried.

Resolution of Exemption ~ Publicly Funded Health Insurance Contribution Act (2016-2017)

Motion by Commissioner Lovett, seconded by Commissioner Simpson, to approve Resolution #031-2015, as presented. All Ayes. Motion Carried.

FINANCIAL BUSINESS

Disbursements

Motion by Commissioner Simpson, seconded by Commissioner Turner, to approve total disbursements, including payroll, in the amount of $559,854.97, as presented. Roll Call Vote. Ayes: Skotarczyk, Avery, Hendrick, Lovett, Meli, Simpson, Turner. Nays: None. Motion Carried.

Preliminary Financial Statements

Motion by Commissioner Simpson, seconded by Commissioner Turner, to approve the Preliminary Financial Statements, as presented. All Ayes. Motion Carried.

CITY MANAGER REPORT

City Manager Leven provided updates on the following:

- Attended a Blue Meets Green meeting.
- Met St. Clair County officials, escorted by County Commissioner Bill Gratopp.
- Meeting with a representative from Wade Trim Planning Services.

COMMISSIONER PRIVILEGE

Commissioner Hendrick wished everyone a happy and safe Thanksgiving. She also announced the upcoming Lighted Santa Parade on November 24th and Merrytime Christmas, Old Newsboys Craft Show, and HOH Cookie Sale on December 5th.

Commissioner Simpson also wished everyone a Happy Thanksgiving and said it was a good time of the year for reflection and to consider neighbors who may need help and support. Mr. Simpson said this was one of the best things about living in a small community.

Commissioner Meli wished a happy and safe Thanksgiving to community members and said it was a pleasure working with City Manager Leven, who was proving herself more to the

Commission on being open and keeping them aware of what is going in the community. He also said he was thankful that the city was putting the PA33 Special Assessment to the vote of the people. Mr. Meli said he gives his support to the police department and was appreciative of how Interim Police Chief Heaslip did his due diligence in amending the police department budget.

Commissioner Turner questioned if the Monaghan Company had resolved the door issue at Old City Hall.

Commissioner Lovett announced that the Christmas lights would be installed over the weekend at Old City Hall so they could be open for the upcoming Merrytime Christmas on December 5th and the Holiday Home Tour on December 12th. Mrs. Lovett wished everyone a blessed and joyous Thanksgiving and said that there was so much to be thankful for in our community.

Mayor Skotarczyk announced Merrytime Christmas on December 5th and said it was going to be a great day in Marine City. He asked everyone to support our local businesses. Mayor Skotarczyk complimented the Department of Public Works for the great job they did on the Christmas lights and thanked Interim Police Chief Heaslip for stepping up in the city's time of need.

Adjournment

Motion by Commissioner Hendrick, seconded by Commissioner Meli, to adjourn at 8:29 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter
City Clerk