

CITY COUNCIL MEETING
Council Chambers, 805 St. Clair River Dr.
Algonac, MI 48001
January 17, 2017
7:00 p.m.
AS APPROVED FEBRUARY 7, 2017

A regular meeting of the Algonac City Council was called to order at 7:00 p.m. on Tuesday, January 17, 2017 by Mayor Eileen M. Tesch. The meeting was held in City Council Chambers, 805 St. Clair River Drive, Algonac, MI 48001.

ROLL CALL:

Present: Michael Bembas, Mayor Pro-
Irene Bird
Ray Martin
Joe Nugent
Eileen Tesch, Mayor

Absent: Helen Meldrum
Mark Thompson

Others: City Manager Alexander, James Downey, Pastor Dan Stewart, Jim Tesch, Danielle Kreger- Blue Water Area CVB, Art Wirgau, Michelle Nolan, Cathy Jones, Maria Jones, Corey Blair, Kim Blair, Gale Anthony, Deanna Gerow, Kelly Skarbek, Dayna Gerow, Robert Scruggs, Debra Scruggs, Christine Craus, James Stewart, Eric Williams, City Clerk Greenia

EXCUSE MEMBERS

CO # 01-03-17

Motion by Martin, supported by Bembas to excuse Member Meldrum due to illness. Motion carried

Motion by Bird, supported by Bembas to excuse Member Thompson. Motion carried.

MOMENT OF SILENT PRAYER

Mayor Tesch called for a moment of silent prayer.

PLEDGE OF ALLEGIANCE

Mayor Tesch led the Pledge of Allegiance.

PUBLIC COMMENT**Discover the Blue Presentation**

Danielle Kreger was present on behalf of the Blue Water Convention Bureau. She reviewed with City Council the many ways that Discover the Blue supports tourism in the Blue Water Area.

St. Clair County Sheriff Presentation

No one was present from the Sheriff's Office at tonight's meeting.

Corey Blair, 104 Edgewater spoke to City Council regarding his concerns with the MERS defined benefit plan being underfunded and suggested that the City could perhaps write additional blight tickets to help bring more income to the City. He added that he felt Woodside should be welcomed by the City and he was concerned that many members of the community were very unwelcoming to this church. He then noted his concern with social media and how certain council members are using it negatively. He mentioned his concern that Council Member Meldrum had missed quite a few meetings and felt she should resign her post on Council.

Michelle Nolan shared that this was the third month of the Algonac Flea Market. Once again they raised money for the local veterans and community suppers. They also raised some money for the Dog Park.

She responded to Mr. Blair's comments by noting everyone has things they do that are not always positive for everyone.

She said she saw no purpose for Woodside Bible Church in our community as we already had quite a few churches here in the City. She felt that our residents were being disrespected by Woodside members. She commented that instead of using negative energy to combat each other we should use positive energy and band together.

Daniel Oakley, owner of the Stroh's Ice Cream Parlor, asked City Council about a recent bill he received for clearing snow from his sidewalk- particularly

what the administrative fee was for. This matter was referred to City Manager Alexander.

Michael P. from Detroit addressed City Council to state that he was in disbelief that anyone would complain about church members going door to door to pray for people in a community and how that could be perceived as a negative. He lived at Jefferson and Chalmers downtown Detroit – that was a neighborhood full of real problems.

Cathy Jones stated that she was fairly certain it wasn't the Woodside Bible Church itself that was a problem with most residents, but rather the way in which they came into the City that caused issues.

Pastor Dan Stewart, Woodside Bible approached the podium. He basically wanted to introduce himself as the new Pastor for the Algonac campus of Woodside Bible Church and said he was very excited to be back in this area with his wife and family.

CITY MANAGER'S REPORT

CO #01-04-17 Approve City Manager's Report

Motion by Bird supported by Nugent to approve the City Manager's report of January 13, 2017 as submitted. Motion Carried

City Manager Alexander wanted to acknowledge all the hard work our DPW crews did during the recent water main breaks.

CONSENT AGENDA

The following items were on the Consent Agenda for the January 17, 2017 Algonac City Council Meeting:

- 1) Consent Agenda
 - a) City Council Minutes
 - 1) Regular Council Meeting Minutes of 12/20/16
 - 2) Minutes Special Council meeting 1/10/17
 - b) Communications and Notices
 - c) Departmental Report
 - 1) Fire Department
 - 2) Building and Code Enforcement
 - 3) Water Department
 - 4) DPW

- 5) Library
- 6) Housing Commission
- 7) Financials
- 8) Update on Boards and Commissions Roster
- 9) Calendar for February 2017

CO # 01-05-17 Approve Consent Agenda

Motion by Bird supported by Martin to approve the Consent Agenda for the January 17, 2017 meeting of the Algonac City Council as presented.
Motion carried.

UNFINISHED BUSINESS Dream Center Proposal

Pastor Dan Stewart approached the podium again. He delivered a letter to the Mayor, Council Members and City Manager explaining that Woodside Bible was no longer looking to move into the old Algonac Elementary School.

NEW BUSINESS

CO # 01-06-17 Choose Citizen of the Year 2016

Motion by Bird supported by Nugent to choose Sandy Malik as the 2016 Algonac Citizen of the Year.

Roll Call Vote:

AYES: Bembas, Bird, Martin, Nugent, Tesch,

NAYS: None

Motion Carried

Discussion of Lifetime Achievement Award

City Clerk Greenia explained that she had contacted City Attorney Downey regarding this proposed award. He indicated that the award itself would actually need to be created prior to giving it to someone.

CO # 01-08-17 Create Lifetime Achievement Award

Motion by Bembas, supported by Martin to create a Lifetime Achievement Award and indicated that this award does not need to be given each year.

AYES: Bembas, Bird, Nugent, Martin

NAYS: Tesch

Motion carried

CO # 01-09-17 Presentation of Lifetime Achievement Award

Motion by Bembas, supported by Martin to present the Lifetime Achievement Award at the Boards and Commissions Appreciation Dinner.

AYES: Bembas, Nugent, Martin

NAYS: Bird, Tesch

Motion fails

CO # 01-10-17 Award Christmas Decorations

Motion by Bird supported by Nugent to award the 2016 Christmas Decoration Winners as follows:

2443 St. Clair River Drive - 1st Place

1213 Market – 2nd Place

525 Green – 3rd Place

Motion Carried.

CO # 01-11-17 Award Residential Beautification for 2016

Motion by Bird supported by Nugent to award the 2016 City of Algonac Residential Beautification Award to 2535 St. Clair River Drive
Motion carried

CO # 01-12-17 Award Commercial Beautification for 2016

Motion by Bird supported by Bembas to award the 2016 City of Algonac Commercial Beautification Award to The Flaming Grill. Motion carried.

CO # 01-13-17 Conversion of Street Lighting System to LED Fixtures

Motion by Bembas supported by Bird to adopt the recommendation of the City Manager to upgrade the City's street lighting system by authorizing payment to DTE Energy in the amount of \$73,984 and further authorizing the City Manager, on behalf of the City of Algonac, to execute the attached "Master Agreement for Municipal Street Lighting".

ROLL CALL VOTE:

AYES: Bird, Martin, Nugent, Tesch, Bembas

NAYS: None

Motion Carried

CO #01-14-17 Approve Custom's Building Lease

Motion by Bird supported by Nugent to adopt the recommendation of the City Manager to approve the attached first amendment to the lease agreement between the City of Algonac and the Walpole Algonac Ferry, LTD., for the purpose of maintaining rent for 2017 and 2018 at current levels and further authorizing the City Manager to execute the same on behalf of the City.

ROLL CALL VOTE:

AYES: Martin, Nugent, Tesch, Bembas, Bird

NAYS: None

Motion Carried

CO # 01-15-17 Adopt the 2017 Poverty Guidelines as Proposed

Motion by Bird supported by Martin to approve the 2017 Poverty Guidelines to be used by the Algonac Board of Review as proposed by the City Assessor. Motion carried.

CO #01-16-17 Adopt the 2017 March Board of Review Dates

Motion by Martin supported by Bembas to adopt the 2017 City of Algonac March Board of Review dates as follows:

Organizational Meeting: Monday, March 13th, 2017 @ 1:00 p.m.

Regular Sessions: Monday, March 27th 9 a.m. to 12:00 p.m.
Monday, March 27th – 1:00 p.m. to 4:00 p.m.

Tuesday, March 28 - 1:00 p.m. to 4:00 p.m.

Tuesday, March 28 – 6:00 p.m. to 9:00 p.m.

Motion carried.

CO # 01-17-17 Approve Reappointment to Board of Review

Motion by Martin supported by Bembas to approve the recommendation of the Mayor and reappoint Jamie Sternberg to the City of Algonac Board of Review with a term ending January 6, 2019. Motion carried

CO # 01-18-17 Waive Bid Process For Purchase of Turbidity Probe

Motion by Martin supported by Bird to waive the bid process and authorize the purchase of a replacement Turbidity probe from ECT in the amount of \$1,953.05.

ROLL CALL VOTE:

AYES: Nugent, Tesch, Bembas, Bird, Martin

NAYS: None

Motion Carried

CO # 01-19-17 Receive and File Pedal Pub Report

Motion by Bird supported by Bembas to receive and file the report of the City Manager on the Pedal Pub proposal. Motion carried.

CO # 01-20-17 Receive and File Legal Opinion Regarding "Discussion" Agenda Items

Motion by Bird supported by Bembas to receive and file legal opinion regarding Roberts Rules of Order Concerning City Council Deliberations and Debates dates January 13, 2017. Motion carried.

CO # 01-21-17 Request of Council Member Bembas to Discuss Duties of the Mayor as Defined by Charter

Motion by Bembas supported by Martin to open discussion on Duties of the Mayor as Defined by Charter

Mayor Pro-Tem Bembas passed out the portion of the Charter regarding the duties of the Mayor. He asked if the City Attorney could please review these with Council.

Mr. Downey referred to the portions of the Charter regarding the Mayor's duties that had been given to each Council Member. He said basically the Mayor runs the meeting, serves ceremonial duties, is a part of law enforcement during an emergency and is required to sign certain documents on behalf of the City as required by law.

Mayor Pro-Tem Bembas asked City Manager Alexander for his thoughts on this. City Manager Alexander stated that he understood the Mayor had never been on City Council and, therefore, never had been Mayor before. She was getting her feet wet and at the very beginning of her term was directly asking

employees to do tasks for her. Since then he believes she has come to understand that the City Manager form of government does not work in that manner and she has been much better about the way in which she deals with requests to city employees.

Mayor Pro-Tem Bembas then asked the Mayor to please be careful about what she states to the newspaper – she does not talk for the entire City Council.

Council Member Martin then added that he wanted to make sure that all seven members of Council were being held equally responsible for decisions made, and he wanted to feel as though he was an equal partner in the decisions as all other six are.

Motion carried

CO # 01-22-17 Request of Council Member Bembas to Discuss Open Meetings Act and Report on Algonac Chamber

Motion by Bembas supported by Martin to open discussion on Open Meetings Act and Report on Algonac Chamber.

Mayor Pro-Tem Bembas stated that he wanted to discuss this because he was concerned with a recent gathering that was held at a local restaurant. He saw a flyer for the meeting and the flyer indicated that the meeting was a City Council event. He was concerned that if City Council were sponsoring any event then it should be decided upon with a vote at an open meeting.

Attorney Downey reviewed the Open Meetings Act and how this could have potentially been a problem. He felt it was resolved prior to the meeting by a quorum not being present so it was not an issue. In the future he suggested that any special meetings like this event should be voted upon, scheduled, have a public notice posted and minutes should be taken.

Motion carried.

ACCOUNTS PAYABLE

CO #01-23-17 Approve Accounts Payable

Motion by Martin supported by Nugent to approve and pay accounts payable in the amount of \$1,017,114.04 as presented.

ROLL CALL VOTE:

AYES: Tesch, Bembas, Bird, Martin, Nugent

NAYS: None

Motion Carried

ITEMS FOR NEXT AGENDA**COUNCIL COMMENTS**

Mayor Pro-Tem Bembas shared that this was the first time since he had been a member of City Council that they received numerous nominations for Citizen of the Year. He wanted to recognize Jake Skarbek, Michelle Nolan and Mr. and Mrs. LaParl for also being nominated. They were all very good to the City.

He reminded everyone of the upcoming Flea Market for February on the 18th from 10 a.m. to 2 p.m. He also reminded everyone that the Winner's Circle Tavern was hosting a fund raiser for the Dog Park. He was so very impressed at the gifts that were being given as prizes for that event and he added that the people of Algonac were very giving people.

Council Member Bird thanked the award winners. She thanked everyone for coming tonight.

Council Member Ray Martin wanted to add that Mr. and Mrs. LaParl had been a big part of our community for a long time. They had been very involved in the Historical Society and were responsible for taking care of the statue at Riverfront park.

Mayor Tesch thanked everyone for coming to the meeting. She referred to an article in a publication called "*The Review*" regarding an old school that was transformed into a community center in the town of Beaverton. This had basically been done by volunteers. She said she did contact the former Mayor of Beaverton who had been involved with this project and was going to see what the activity center there was about.

She thanked Pastor Stewart for the letter regarding the school building.

She made sure everyone knew they were invited to the Boards and Commissions Dinner to be held on February 24th, 2017. Tickets would be on sale at City Hall for \$14 each.

ADJOURNMENT

CO #01-24-17 Motion to Adjourn

Motion by Tesch supported by Martin to adjourn the meeting at 8:30 p.m. Motion carried.

Signed:

Respectfully Submitted:

Eileen M. Tesch
Mayor

Cynthia Greenia
City Clerk