

CITY COUNCIL MEETING
Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001
February 7, 2017
AS APPROVED 2/21/17

A regular meeting of the Algonac City Council was called to order at 6:30 p.m. on Tuesday, February 7, 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-Tem
Irene Bird
Ray Martin
Joe Nugent
Eileen M. Tesch, Mayor
Mark Thompson

Absent: Helen Meldrum

Others: City Manager Alexander, Cathy Jones,
Gale Anthony, William and Jean
Rushford, Rocky and Mary Gillis,
Deanna Gerow, Kelly Skarbek,
Christine Cron, Ayle Bakery,
Jim Wisdom, Barb Borowier, Joe
DeRue, Jim Tesch, Artie Bryson,
Bill Gratopp, Michelle Landry,
City Clerk Greenia

EXCUSE MEMBER

CO # 02-01-17 Excuse City Council Member

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

AYES: Bembas, Martin

NAY: Bird, Nugent, Tesch, Thompson

Motion denied

EXECUTIVE SESSION**CO # 02-02-17 Enter Into Executive Session Collective Bargaining**

Council Member Bird moved and Council Member Thompson supported the following resolution:

WHEREAS, The Michigan Open Meetings Act (PA 267 of 1976) provides that local governments may meet in closed sessions to discuss collective bargaining.

WHEREAS, a resolution recessing to a closed meeting requires a roll call vote.

NOW THEREFOR BE IT RESOLVED that the Algonac City Council hereby recesses into a closed session to discuss collective bargaining issues;

Members Present: Bembas, Bird, Martin, Nugent, Tesch, Thompson

Members Voting Yes: Bembas, Bird, Martin, Nugent, Tesch, Thompson

Members Voting No: None

This resolution declared adopted by the Mayor on February 7, 2017.

Eileen M. Tesch, Mayor

Cindi Greenia, City Clerk

The City Council entered into Executive (closed) session at 6:32 p.m.

The City Council reconvened from Executive (closed) session at 7:12 p.m.

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

Rocky Gillis, 381 Center, Algonac approached the Council. He indicated that there had recently been a fund raiser for the Dog Park in Algonac held at The Winner's Circle. It has raised \$2,500 and he was here to present the check in that amount to the Mayor.

Jean Rushford, 351 Colonial, wanted to thank Mayor Pro-Tem Bembas for all of his efforts to get the Dog Park funded in Algonac. She was also concerned as to why that area was not plowed. City Manager Alexander explained that when the park will be updated that path will need to be removed. It was not really in good condition to plow as it is.

Mayor Pro-Tem Bembas stated that he wanted to publicly thank the Winner's Circle for all their help with the fundraiser.

Michelle Landry, Clay Township spoke to City Council regarding the previous meeting on January 17, 2017. She began by commenting on comments made by Mr. Blair regarding the Woodside Go Home signs as being seen as an affront to our freedom of religion rights. She stated that she felt this was more a freedom of speech right issue.

She then spoke regarding his comments about Council Member Meldrum's absences and his opinion that she was not fulfilling her duties she was elected to do. Ms. Landry noted that her opinion was that Council Member Meldrum was a very strong woman, who had suffered a setback but was working very hard to get back to represent those that elected her.

She commented on the attack against Mayor Pro-Tem Bembas hosting a party for a fundraising event. It was stated that this could be a violation of the OMA. She stated that in her opinion it was not at all a violation, unlike other meetings that had been held with a quorum of City Council present, behind closed doors and with other community leaders.

As to the comments made by Michael P. from Detroit, she reviewed the Pledge of Allegiance history in regards to when the words "Under God" were added to it, and she added that while she was not a believer in that manner she respected the men and women who died for that flag and would say the entire Pledge as it was written now.

She added that she felt he insulted Michelle Nolan and the work she has done getting the Flea Market up and running again. She indicated that his comments on everyone's right to choose their religion was correct, but added that the City already has 8 churches in its borders. She was concerned that Woodside Bible would absorb other smaller churches and was not happy with this.

James Wisdom, 2402 St. Clair River Drive, stated that he felt it was up to City Council Member Meldrum whether or not she was ready to come back to the meetings, and it should not be left up to others.

CITY MANAGER'S REPORT

CO # 02-03-07 Approve City Manager's Report

Motion by Thompson supported by Bembas to approve the City Manager's report as given. Motion carried.

CONSENT AGENDA

The following items were on the Consent Agenda for the February 7, 2017 meeting of the Algonac City Council.

- 1) Consent Agenda
 - a) City Council Minutes
 - 1) Regular Council Meeting Minutes of 1/17/17
 - b) Communications and Notices
 - c) Departmental Report

CO # 02-04-17 Approve Consent Agenda

Motion by Thompson supported by Bird to approve the Consent Agenda for the February 7, 2017 meeting of the Algonac City Council as presented. Motion carried.

UNFINISHED BUSINESS

No unfinished business was heard.

NEW BUSINESS:

CO #02-05-17 Approval of MDOT ROW Agreement

Motion by Thompson supported by Nugent to adopt the recommendation of the City Manager to approve the attached agreement with the Michigan Department of Transportation and further authorize

the City Manager and/or the Public Services Director to apply for the required permit thereto. Motion carried.

CO # 02-06-17 Acceptance of MDNR Volunteer Fire Assistance Grant

Motion by Thompson supported by Martin to support the recommendation of the City Manager to accept the offer of grant from the MDNR and authorize Chief Doan to execute the necessary paperwork on behalf of the City. Motion carried.

Mayor Pro-Tem Bembas wanted to thank Chief Doan for taking the initiative and getting us this grant.

CO # 02-07-17 ZBA Reappointments

Motion by Bird supported by Bembas to reappoint Charles Bayly, John Bolf, Chari Lawton, Mark Thompson and Brian Tideswell to the City of Algonac Zoning Board of Appeals with terms ending February 1, 2020. Motion carried.

CO # 02-08-17 Approve Special Events Permit - Pickerel Tournament

Motion by Thompson supported by Martin to support the recommendation of the City Manager and approve the Special Events Permit Application as submitted by the Algonac Lions Club to hold the 79th Annual Pickerel Tournament for 2017 and allow them to use the parking lot(s) on Smith, Michigan and Clay from June 25, 2017 for set up through Wednesday, July 5, 2017 for teardown as presented. Motion carried.

CO # 02-09-17 Pickerel Tournament Waive Electrical Permit Fee

Motion by Nugent supported by Thompson that City Council approves the recommendation of the City Manager and waive the electrical permit fee for the festival grounds for the 79th Annual Pickerel Tournament in the amount of \$336. Motion carried.

CO # 02-10-17 Approval of "Opt In" Status for School Elections

Motion by Bird supported by Thompson to authorize the City Clerk to sign the Elections Coordinating Committee's Opt In Agreement with St. Clair County which states that we will be responsible for holding the

School Elections for the Algonac School District through January 2021.
Motion carried.

CO # 02-11-17 Request to Discussion City's Legal Services Mayor Tesch

Motion by Bird supported by Thompson to discuss the City's Legal Services as requested by Mayor Tesch. Motion carried.

Mayor Tesch indicated that since the City was going to start working on their new budget, she felt it was City Council's fiduciary responsibility to make sure that they were getting a fair price from their attorney.

City Manager Alexander stated he would be happy to poll all the Cities in St. Clair County, Clay and Ira Townships, and New Baltimore and Richmond to see what their cost was for attorneys and whether or not they had an actual written contract with them. City Council felt this was a good place to start. City Manager Alexander stated he would have this information on the next agenda as a receive and file report.

ACCOUNTS PAYABLE

CO # 02-12-17 Approve and Pay Accounts Payable

Motion by Thompson supported by Bird to approve and pay accounts payable and payroll in the amount of \$335,927.21.

ROLL CALL VOTE:

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

NAYS: None

Motion Carried

ITEMS FOR NEXT AGENDA

Report of attorney costs

COUNCIL COMMENTS

Mayor Pro-Tem Bembas wanted to again thank The Winner's Circle Bar for hosting a fund raiser for the Algonac Dog Park.

Council Member Martin stated that since the beginning of the meeting would not be on tape he wanted everyone watching to know that four of

the Council Members present voted against excusing Council Member Meldrum from the meeting.

Mayor Tesch wanted to thank everyone for attending the meeting tonight. She reminded everyone of two events coming up –one was this Friday at the Lions Club it was a fund raiser for Special Olympics, the other was the Annual Boards and Commissions Appreciation Dinner for the City of Algonac. That was being held on February 24, 2017 beginning at 6:00 p.m. and dinner at 7:00. It was at the Lions Club as well.

ADJOURNMENT

CO# 02-13-17 Adjournment

Motion by Nugent supported by Tesch to adjourn the meeting at 7:43 p.m. Motion carried.

Signed:

Respectfully Submitted:

Eileen M. Tesch
Mayor

Cynthia L. Greenia
Clerk