

CITY COUNCIL MEETING
Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001
May 17, 2016, 7:00 P.M.
AS APPROVED 6/7/16

A regular meeting of the Algonac City Council was called to order on Tuesday, May 17, 2016 at 7:00 p.m. by Mayor Irene Bird. The meeting was held in City Council Chambers, 805 St. Clair River Drive, Algonac, MI 48001.

ROLL CALL:

Present: Michael Bembas
Irene Bird, Mayor
Ray Martin
Helen Meldrum
Mark Thompson, Mayor Pro-Tem
Gary Tuzinowski

Absent: Joe Nugent

Others: City Manager Alexander, City Attorney James Downey, Planner David Scurto, Diane Strevel, Ada Smith, Karen Cole, Kathy Gougeon, Rick Mangue, Ruth Edmunds, Leslie Edmunds, Jennie Hutchenson, Virginia Baumgartner, Harry Baugartner, Gale Anthony, Michelle Landry, Cheryl Baker, Amanda Gougeon, Jim Earst..., Cindy Kloeffler, Jay Bissett, William Telesz, Charlotte Randazzo, Carol Crawford, Tom Borowy, Yvonne Borowy, Jane Eglington, City Clerk Greenia, Fire Chief Doan, Deputy Fire Chief Doan,

MOMENT OF SILENT PRAYER

Mayor Bird called for a moment of silent prayer.

PLEDGE OF ALLEGIANCE

Mayor Bird led the Pledge of Allegiance.

PUBLIC HEARING ON FY 16/17 CITY OF ALGONAC BUDGET

CO # 05-13-16 Open Public Hearing on FY 16/16 Algonac Budget

Motion by Meldrum supported by Thompson to open the public hearing on the FY 2016/2017 Proposed City of Algonac Budget at 7:02. Motion carried.

City Manager Alexander reviewed the proposed budget with City Council, noting that the City of Algonac still has the lowest tax rate in St. Clair County of any City.

No public comment was heard on this matter.

CO # 05-14-16 Close Public Hearing on FY 16/17 Algonac Budget

Motion by Thompson supported by Martin to close the public hearing on the FY 2016/2017 Proposed City of Algonac Budget at 7:07 p.m. Motion carried.

Mayor Bird reviewed some guidelines for public comment at the meeting.

Sarah Kilchevskyi began by thanking Council for treating the public so well, noting that Clay Township did not do the same. She specifically thanked Amanda Gougeon for the countless time she has given to this issue. She reviewed that she felt the City already had many good services and churches to offer its residents and that it did not need the Dream Center. She knew there were some problems with a few of the services, but stated that she hoped the community could come together and work on solving those without having anyone new come in.

Amanda Gougeon addressed the Council. She thanked Sarah Kilchevsky for all of her help with this matter. She reviewed that she attended a meeting on May 6 in Pontiac with Superintendent Stryker, Supervisor Stryker and members of The Dream Center Team. She reviewed the conversation, noting that Mr. Bryant from the church apologized for the way in which the brochure portrayed Algonac. When she left she felt pretty certain that the building would be a church.

Gale Anthony stated that she was new to the community. She noted she was involved in many activities so far and that she felt Algonac was a great place to be and already had a lot to offer. She did not feel that the Dream Center come into Algonac would not be a good fit for our community.

Sherry Alef approached City Council and completed the thoughts of both Amanda Gougeon and Sarah Kilchevskyi.

From Amanda Gougeon: She reviewed that there had been a job posting on a website seeking a pastor for the church in Algonac. When she left the meeting she felt that the Dream Center team was certain that it would be up and running soon. She said she has tried to unearth the truth.

From Sarah Kilchevskyi: She felt that the citizenry could become advocates for less for those that need services and help. She felt that this entire plan was orchestrated by Dr. Stryker.

Jim Wisdom said he felt that Dr. Stryker had done nothing to protect our community. He should be representing the school district and the City and the way in which he has done this left a lot to be desired. He indicated that everyone should look at what Mr. Bryant had done in the past with the other sites of the Dream Centers. He was in support of Helen Meldrum, Gary Tuzinowski, and Ray Martin on this issue.

APPROVE CITY MANAGER'S REPORT

CO # 05-15-16 Approve City Manager's Report

Motion by Thompson supported by Bembas to approve the City Manager's report dated May 13th, 2016 as presented. Motion carried.

CONSENT AGENDA

The following items were on the Consent Agenda for the May 17th, 2016 meeting of the Algonac City Council:

- 1) Consent Agenda
 - a) City Council Minutes
 - 1) Regular Minutes May 3, 2016
 - 2) Minute of Special Meeting May 10th, 2016
 - b) Communications and Notices
 - c) Departmental Reports
 - 1) Building and Zoning Enforcement
 - 2) Fire Department
 - 3) DPW Department
 - 4) Water Department
 - 5) Housing Commission
 - 6) Library

- 7) Financials
- 8) Update on Boards and Commissions
- 9) Calendar for June 2016

CO # 05-16-16 Approve Consent Agenda

Motion by Tuzinowski supported by Thompson to approve the May 17th, 2016 City of Algonac Consent Agenda as presented. Motion carried.

UNFINISHED BUSINESS:

Dream Center Proposal

- 1) Presentation of Legal Opinion On Zoning Requirements for Proposed Dream Center

City Manager Alexander reviewed some updates he had in regards to the building being discussed. He said that the Building Inspector Bill Klaassen and he went over to the school last Friday and meet with the new owner to inspect the storm damage.

He noted that he spoke to the owner, Steve Pierik, about the building and was informed that the transfer to Woodside Bible was in process and perhaps just days away.

City Manager Alexander introduced planner Dave Scurto, with the firm of Carlisle Wortman.

Jim Downey approached City Council. He reviewed the legal opinion they requested as to whether or not the City could enforce the zoning ordinances on a church. He referred to case law from 2008. Basically as long as a municipal unit used a “two pronged” approach in such matter as cited in the law, they could require a church follow their ordinance requirements.

Discussion was had on what to do about the current use of the building. It was unsafe and Council Member Meldrum felt that it could be a liability.

Council Member Tuzinowski asked if the City perhaps had any vested interest in the school property – should we have been included in the initial process?

Cindy Kloefler stated her concerns. She attended the Clay Township meeting and expressed concern with the way that Algonac was portrayed in the Dream Center brochure.

Amanda Gougeon asked that since it is a private business that owns the building currently, and there are people using the building, how could a private owner allow this to happen. She wondered what type of liability this could cause. She also noted that she looked at the GIS drawing of the property and it did not appear that the parcel that was purchased included all the parking that was being used by the school at the time of the sale. This could prove to be a problem for the Church if they needed to meet a certain number for parking space requirements.

Mr. Scurto stated that yes, parking might be an issue and this would be reviewed when plans are submitted.

A gentleman from the audience came forward to ask if going forward the “backroom dealings” that had happened so far with this would make a difference in how it was dealt with moving forward. Mr. Downey stated that there was a process that would need to be followed regardless of the meetings.

Both Misters Downy and Scurto stated that until we had a formal application there would be many questions that simply could not be answered.

Cheryl Baker stated she went to the Clay Township meeting and was treated rudely. She wanted someone to explain to her the deed transfers that had occurred on this property.

Michelle Landry read from an article in *“The Times Herald”* which followed the sale of the property.

NEW BUSINESS:

CO # 05-17-16 Approval of Special Events Permit Request – Memorial Day Parade

Motion by Thompson supported by Bembas to approve the City Manager’s recommendation and grant the Special Events Permit to the VFW 1-3091 for Memorial Day Parade and Service to be held on Monday, May 30th, 2016 beginning at 11:30 a.m. Motion carried.

CO # 05-18-16 Approval of Special Events Permit Request – V.A.L.O.R. League VFW # 1-3901

Motion by Martin supported by Thompson to approve the City Manager’s recommendation and grant the Special Events Permit to the VFW # 1-3901

V.A.L.O.R. League for a fundraiser walk to be held on September 17, 2016 with set up beginning at 7:00 a.m. and the walk ending at approximately 2:00 p.m.
Motion carried.

CO # 05-19-16 Approve Proposal of PCE, Inc. to Develop an Asset Management Program for Water Plan and Water Distribution System

Motion by Meldrum supported by Thompson to adopt the recommendation of the City Manager to approve the attached proposal from PCE, Inc. in the amount fo \$31,417 to complete the Asset Management Program for the Water Plant and Distribution System as mandated by MDEQ.

ROLL CALL VOTE:

AYES: Bird, Martin, Meldrum, Thompson, Tuzinowski, Bembas

NAYS: None Motion Carried

CO #05-20-16 Approve Bid Waiver for Repairs on F550 Dump Truck

Motion by Martin supported by Meldrum to approve waiving the bid process and authorize payment in the amount of \$3,164.76 for repair on the F550 Dump Truck as presented, as it is in the best interest of the City.

ROLL CALL VOTE:

AYES: Bird, Martin, Meldrum, Thompson, Tuzinowski, Bembas

NAYS: None Motion Carried

CO # 05-21-16 Approve Bid Waiver Flag Contract Extension Rocket Enterprises

Motion by Tuzinowski supported by Meldrum to approve waiving the bid process and authorize payment in the amount of \$1,495.00 to Rocket Enterprise, Inc. for a one year contract extension for flag services at City Park as it is in the best interest of the City.

ROLL CALL VOTE:

AYES: Bird, Martin, Meldrum, Thompson, Tuzinowski, Bembas

NAYS: None Motion Carried

ACCOUNTS PAYABLE**CO # 05-22-16 Accounts Payable**

Motion by Thompson supported by Bembas to approve and pay accounts payable and payroll in the amount of \$232,807.81 as presented.

ROLL CALL VOTE:

AYES: Bird, Martin, Meldrum, Thompson, Tuzinowski, Bembas

NAYS:

ITEMS FOR NEXT AGENDA

Council Member Martin discussed having the Dream Center proposal on the next agenda. The City Manager responded it would continue to be on the agenda under Unfinished Business until the matter is concluded.

Council Member Bembas asked if Mr. Downey was going to look into the deed transfers for the next meeting. Yes he will.

Council Member Meldrum stated that there were a few things she brought up at the last meeting and she did not get a consensus on.

The first of these was her request to authorize the City Attorney to review Section 6.6 of the City Charter regarding the use of investigations. She wondered if we could use this portion of the Charter to being an investigation on the secret meetings that were held. If nothing else, she wished to understand how to go about using this Section of the Charter to investigate internally the people on City Council that were involved in these meetings.

CO #05-23-16 Authorize Attorney to Give Opinion on Charter Section 6.6

Motion by Meldrum, supported by Bembas to authorize the City Attorney to review City Charter Section 6.6 regarding investigations and author an opinion as to how to proceed with performing an investigation on the "secret meetings" held on the Dream Center, especially to investigate the City Council members involved in the meetings. Motion Carried.

She also asked that the City Manager be requested to send a letter to the Clay Township Supervisor and the Algonac Community Schools Superintendent asking that they cease and desist any further involvement in the planning of the Dream Center. She felt that they needed to stay out of this and let the City

Council and Manager make the decisions regarding happenings in their own town.

City Manager Alexander requested a vote on this, he needed to know, prior to sending such a letter, that the majority of the Council is behind this action.

CO #05-24-16 Authorize City Manager To Send Letter to Township Supervisor and School Superintendent

Motion by Meldrum, supported by Martin to request that the City Manager send a letter to the Clay Township Supervisor and the Algonac Community Schools Superintendent stating the City Council's wish for them to cease and desist any and all involvement with the proposed Dream Center:

ROLL CALL VOTE:

Ayes: Bird, Martin, Meldrum

Nays: Thompson, Tuzinowski, Bembas

Motion Failed

The last item that Council Member Meldrum requested was to request that we look into the sale of the Algonac Elementary school. She wanted to see if they could get all the documents pertaining to this matter.

COUNCIL COMMENTS

Council Member Martin said he felt that City Council had been subjected to lies and deception regarding these meetings. He felt that there were two (2) reasons the City Manager was not invited to the meetings and they were that he would have immediately reported on the meeting to the entire Council and that he would have been the smartest person at the meetings. He added that last Wednesday he spoke with someone who heard that the Mayor told them this Dream Center was a done deal.

Council Member Bembas thanked everyone for coming to the meeting. He felt it was good that they could all get together and communicate. He added that the food drive at the Post Office last week brought in over 8,000 pounds of food and this was due to the generous nature of the residents of Algonac.

Council Member Meldrum reviewed that the civic leaders that were at the secret meetings could make things much better by just reviewing with everyone the

details of those meetings. She added that in her opinion Supervisor Bryson and the Algonac Schools Board of Education needed to turn over all documents they had regarding the sale of the building for the sake of transparency. She added that she thought Dr. Stryker and the Board of Education should come clean about how much it is costing to keep the school up and running.

She once again asked for the resignation of Mayor Bird and Council Member Nugent.

Council Member Tuzinowski said he was amazed at the work that some of our residents had done investigating the Dream Center. He appreciated their time and efforts. He said he really just wants to know what happened from the beginning of this matter. He was disappointed with the School District and how this has been handled. If the building had been developed the right way in essence the Algonac Community Schools would have been the primary beneficiary of that thru new taxes.

Mayor Bird then commented that she felt Council Member Meldrum was doing things that were against the Code of Conduct by attacking her personally and asked for her resignation.

ADJOURNMENT

CO # 05-25-16 Adjourn

Motion by Meldrum supported by Martin to adjourn the meeting at 8:48 p.m. Motion carried.

Signed:

Respectfully Submitted:

Irene Bird, Mayor

Cynthia Greenia, Clerk