

DRAFT MINUTES  
GENERAL COUNSEL COMMISSION  
REGULAR MEETING OF DECEMBER 9, 2014

Present: Councilwoman and Chairwoman Mary Bartolotta, Councilman Daley, Councilman Giuliano, Councilman Chisem, and Councilwoman Kleckowski. Staff: Director Morey and Attorney Wisneski.

**Call to Order:**

Meeting was called to order at 7:05 p.m.

**Public Comment:**

No one from the public spoke.

**Approval of Minutes:**

Councilman Daley made a MOTION to approve the Minutes from October 14, 2014 Regular Meeting. The Motion was seconded by Councilwoman Kleckowski. The Motion was approved unanimously.

**New Business:**

**A. Ordinance: Highway Naming Committee § 262-15**

There was a brief discussion on the revised ordinance, which had been before this Commission previously. Councilman Daley made a MOTION to approve the ordinance, which was seconded by Councilman Chisem. The Motion was approved unanimously.

**B. Ordinance: Rental of Dock Space in the Harbor Management Area § 214-50**

Attorney Wisneski explained that her office had received a draft of this ordinance from Jim Sipperly and the Harbor Improvement Agency. She made some revisions to ensure that the ordinance would not need to be changed every time the Commission changed the rental rate. She added a provision explaining that the fee the City charges cannot be greater than that allowed by the enabling statute. Attorney Wisneski also explained that the Harbor Improvement Agency still has to come up with the fee it intends to charge and that said fee is not explicitly set forth in the ordinance. Once the Agency decides on an appropriate fee, the Council will receive a resolution for its review and ultimate approval.

Councilman Chisem made a MOTION to approve the ordinance. The Motion was seconded by Councilman Giuliano. The Motion was approved unanimously.

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### **C. Resolution re: Planning/Environmental Specialist**

There was significant discussion related to this resolution. Michiel Wackers, Director of Planning, Conservation, and Development, was present in support of the resolution. He explained that he had initiated the job requisition for the Planning/Environmental Specialist position before last year's budget was finalized. He acknowledged that he should have checked the budget again before filling the position and that he made a mistake, for which he takes responsibility. Staff explained the changes that the Mayor has implemented to ensure that this will not happen again. For instance, going forward all job requisition requests and notices of appointment will require the department heads to certify that they have checked the budget and there is funding for the position. Each year, the Finance Department will also provide HR a list of positions that the Council defunded in the budget process, so that Director Morey's office can cross-reference that list against the current vacancy list to see if anything needs to be removed.

Councilman Daley and Councilwoman Bartolotta made clear that this was not a small mistake and that neither of them was minimizing the issue. Nonetheless, they acknowledged that they wanted to resolve it now so as to avoid litigation and grievances. Councilwoman Kleckowski asked whether the job could be done by others in the office or by the individual who currently holds the Environmental Resources Specialist position. Staff explained the labor implications of doing so and that significant negotiation that would have to occur between two different unions. Councilman Giuliano believed that the Planning/Environmental Specialist position had been taken out of the classified plan because Council had put a 0 in the line item. Councilman Daley as well as Staff disagreed stating that the GCC would have had to take action to eliminate the position from the classified plan. Some discussion ensued as to whether the individual would be willing to take on the Zoning/Wetlands Officer position instead of the Planning/Environmental Specialist position. Without knowing the employee's preference, Mr. Wackers could not answer the question. Staff also explained that the City could not unilaterally place her in said position without an MOU from the Teamsters and likely 466. There was also no clear understanding if the individual was qualified for the Zoning/Wetlands Officer position.

Ultimately, Councilman Daley made a MOTION to approve the resolution and move it to Council. The Motion was seconded by Councilman Chisem. The Motion was approved 3-2. Councilman Giuliano and Councilwoman Kleckowski voted no. The rest of the Commission voted to approve the Motion.

### **Other**

- A. **Vacancy Report** – Some discussion ensued on the timeframe for filling truck driver positions as well as why there has been difficulty filling one of the nursing positions.
- B. **Legal Bills** – No questions.
- C. **New Schedule** - There was a reminder that the next meeting will be on Tuesday, January 20, 2015.
- D. **Ilegislate** - The packets will now be on ilegislate, so Staff will no longer be

providing the Councilmembers will hard-copies of the packets.

**Adjournment**

MOTION to Adjourn by Councilman Daley, seconded by Councilwoman Kleckowski.  
Motion was unanimous and meeting ended at 7:51 p.m.