

May 1, 2013

CITY COMMISSION
AGENDA
WEDNESDAY, MAY 1, 2013
6:00 P.M.

- A. CALL TO ORDER REGULAR CITY COMMISSION MEETING, PLEDGE OF ALLEGIANCE, ROLL CALL
- B. PUBLIC COMMENTS (non-agenda items)
- C. PUBLIC HEARING
 - 1. DDA - Approve Resolution Calling Public Hearing Regarding Approval of Amendment to the Development and Tax Increment Financing Plan of the City of Munising Downtown Development Authority
- D. OLD CITY BUSINESS
 - 1. Committee Reports - Updates
- E. NEW CITY BUSINESS
 - 1. MML Information on City Manager Services
 - 2. Bill Savage Bayshore Park Use Request
 - 3. Approve AECOM Engineering for Dredging Project \$33,429.00
 - 4. Quotes for Electrical Repairs MIOSHA required at the Department of Public Works Building
 - 5. Approve Letter Carriers Proclamation
 - 6. State of Michigan Deed for Old State Police Post
 - 7. Approve Resolution for Honeywell Project
 - 8. Approve Mead & Hunt's invoice \$7,350.19 for Munising Phase 3 Sewer Project
 - 9. Approve Mead & Hunt's invoice \$2,732.00 for Munising Phase 3 Water Project
 - 10. Accept JoAnn Carlson's Resignation from the Planning Commission and Zoning Board of Appeals; Advertise for Vacant Seats on Planning Commission
 - 11. Mayor to appoint Don Sanders to the Zoning Board of Appeals also appointing Ken Kline as an alternate on the Zoning Board of Appeals
 - 12. Insurance Committee Recommendation
 - 13. Approve City Commission Meeting Minutes of 4-15-13
 - 14. Check Register - List of Bills
 - 15. City Manager Report
- F. CORRESPONDENCE
- G. PUBLIC COMMENTS (non-agenda items)
- H. ADJOURNMENT

CITY COMMISSION

Official Proceedings

- A. CALL TO ORDER REGULAR CITY COMMISSION MEETING, PLEDGE OF ALLEGIANCE, ROLL CALL

The Regular Meeting of the City Commission was duly called and held on Wednesday, **May 1, 2013**, in the City Commission Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

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PRESENT: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
ABSENT: Commissioner: Cotey

B. PUBLIC COMMENTS (non-agenda items)

There were none.

C. PUBLIC HEARING

- 1. DDA - Approve Resolution Calling Public Hearing Regarding Approval of Amendment to the Development and Tax Increment Financing Plan of the City of Munising Downtown Development Authority

Moved by Commissioner Bornslaeger to approve/adopt the Resolution Calling for a Public Hearing Regarding Approval of Amendment to the Development and Tax Increment Financing Plan of the City of Munising Downtown Development Authority. Support by Commissioner Dolaskie.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

City of Munising
County of Alger, Michigan

RESOLUTION CALLING PUBLIC HEARING REGARDING
APPROVAL OF AMENDMENT TO THE
DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF
THE CITY OF MUNISING DOWNTOWN DEVELOPMENT AUTHORITY

Minutes of a regular meeting of the City Commission of the City of Munising, County of Alger, Michigan, held on the 1st day of May, 2013, at 6:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and supported by Member _____:

WHEREAS, the City of Munising (the "City") is authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), to create a downtown development authority; and

WHEREAS, pursuant to Act 197, the City Commission of the City duly established the City of Munising Downtown Development Authority (the "Authority") which exercises its powers within the Downtown District designated by City Commission (the "District"); and

WHEREAS, THE City Commission has previously adopted an Ordinance approving the Authority's Development and Tax Increment Financing Plan (as subsequently amended, the "Plan"), for the Development Area described in the Plan; and

WHEREAS, in accordance with the provisions of Act 197, and in cooperation with the Development Area Citizens Council, the Authority has prepared and submitted to the City Commission for approval and amendment to the Plan (the "Plan Amendment"); and

WHEREAS, prior to the approval of the Plan Amendment, it is necessary to conduct a public hearing in connection with the consideration of such proposed Plan Amendment as required by Act 197.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The City Commission hereby acknowledges receipt of the Plan Amendment, attached hereto as Exhibit A, from the Authority and directs the

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City Clerk to submit the Plan Amendment to the governing body of each taxing jurisdiction within the Authority's District.

2. There shall be a public hearing on Wednesday, the 5th day of June, 2013, at 6:00 p.m., prevailing Eastern Time, at City Hall to consider adoption by the City Commission of an ordinance approving the Plan Amendment.

3. The City Clerk shall cause notice of said public hearing to be published twice before the public hearing in The Munising News, a newspaper of general circulation in the City. The first such notice shall be published not less than 20 days before the date set for the public hearing and shall be published as a display advertisement prominent in size. The Clerk also shall cause the notice to be mailed by first class mail not less than 20 days prior to the hearing to all property taxpayers of record in the Authority's District as shown by the most recent tax roll of the City. The Clerk also shall post, or cause the posting of, the notice in a least 20 conspicuous and public places in the Authority's District not less than 20 days before the hearing. The Clerk shall also cause notice of the hearing to be mailed via certified mail, not less than 20 days before the public hearing, to the governing body of each taxing jurisdiction levying taxes that would be subject to capture by the DDA if the Plan Amendment is approved.

4. The notice of the hearing shall be in substantially the following form:

CITY OF MUNISING
COUNTY OF ALGER, MICHIGAN

NOTICE OF PUBLIC HEARING ON AMENDMENT TO THE
DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF THE
CITY OF MUNISING DOWNTOWN DEVELOPMENT AUTHORITY

TO ALL INTERESTED PERSONS IN THE CITY OF MUNISING:

PLEASE TAKE NOTICE that the City Commission of the City of Munising, Michigan will hold a public hearing on Monday, the 5th day of June, 2013, at 6:00 p.m., prevailing Eastern Time at City Hall, 301 East Superior Street, Munising, Michigan, to consider the adoption of an ordinance approving an amendment to the Development and Tax Increment Financing Plan for the City of Munising Downtown Development Authority pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended.

The boundaries of the development area to which the amendment to the Development and Tax Increment Financing Plan applies are as follows:

(insert description of boundaries of development area)

Copies of the proposed amendment to the Development and Tax Increment Financing Plan, maps, plats, etc. are on file at the office of the City Clerk for inspection.

At the public hearing, all interested persons desiring to address the City Commission shall be afforded an opportunity to be heard in regard to the approval of the amendment to the Development and Tax Increment Financing Plan for the city of Munising Downtown Development Authority and all aspects of the amendment to the Development and Tax Increment Financing Plan will be open for discussion at the public hearing.

FURTHER INFORMATION may be obtained from the City Clerk's office.

This notice is given by order of the City Commission of the City of Munising, Michigan.

Sue Roberts, City Clerk
City of Munising

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution by and the same hereby are rescinded.

AYES: Members _____

Nays: Members _____

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RESOLUTION DECLARED ADOPTED.

Sue Roberts, City Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the City Commission of the City of Munising, County of Alger, State of Michigan, at a regular meeting held on the 1st day of May, 2013 and that public notice of said meeting was given pursuant to and in full compliance with Act No 267, Public Acts of Michigan, 1976, and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Sue Roberts, City Clerk

EXHIBIT A

(Attach copy of Plan Amendment here)

Moved by Commissioner Dolaskie to adjourn the Public Hearing and enter the Regular City Commission Meeting. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

D. OLD CITY BUSINESS

1. Committee Reports - Updates

Committee updates are listed on agenda.

E. NEW CITY BUSINESS

1. MML Information on City Manager Services

Moved by Commissioner Bornslaeger to table this item until the MML representative Caroline Kennedy arrives. Support by Commissioner Dolaskie.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

2. Bill Savage Bayshore Park Use Request

Mr. Savage stated to the Commission that he is not satisfied with the rate structure for vendors using the Bayshore Park. After much discussion Mayor DesJardins stated that during budget preparation the Commission will consider possibly doing a third tier rate for vendors in Bayshore Park.

1. MML Information on City Manager Services

Caroline Kennedy the MML representative gave a brief outline of the procedures the League uses when assisting a community hiring a City Manager. The Commission thanked Caroline for coming to the meeting.

3. Approve AECOM Engineering for Dredging Project \$33,429.00

Moved by Commissioner Nettleton to approve the AECOM Engineering proposal as presented with a not to exceed amount of \$33,429.00 for the dredging project (using funds from the Marina Fund). Support by Commissioner Dolaskie.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

4. Quotes for Electrical Repairs MIOSHA required at the Department of Public Works Building

Moved by Commissioner Dolaskie to accept and place on file the quotes received for electrical repairs at the Department of Public Works building. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

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Quotes Received: Alger County Electric, Inc. \$1,094.00 and Hi-White Electric, Inc. \$3,250.00.

Moved by Commissioner Bornslaeger to award the electrical repairs quote to Alger County Electric, Inc. in the amount of \$1,094.00. Support by Commissioner Dolaskie.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor
DesJardins
Nays: None

5. Approve Letter Carriers Proclamation

Moved by Commissioner Bornslaeger to approve the Letter Carriers Proclamation. Support by Commissioner Dolaskie.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor
DesJardins
Nays: None

THE CITY OF MUNISING
Munising, Michigan
PROCLAMATION

WHEREAS, the National Association of Letter Carriers, the United States Postal Service, and the Knights of Columbus have joined together with the St. Vincent de Paul Society of Munising for the 2013 Twenty First Annual Letter Carriers' Food Drive; and

WHEREAS, the food drive was initiated in 1993 to assist the many community food banks, food pantries and homeless shelters throughout the nation; and

WHEREAS, the second Saturday in May has been set aside for the Annual Food Drive for the collection of food items donated by postal customers; and

WHEREAS, the Letter Carriers, assisted by the Knights of Columbus and local St. Vincent de Paul representatives, have developed a food delivery system that allows residents along postal routes to donate non-perishable food items to our local food bank; and

WHEREAS, the Food Drive is a community-based endeavor and all food items donated remain within our local community to serve the needs of the community.

NOW, THEREFORE, I, Rod DesJardins, Mayor of the City of Munising do hereby proclaim Saturday, May 11, 2013 as LETTER CARRIERS FOOD DRIVE DAY in the City of Munising and urge all our citizens to join in this effort and leave a food item by the mailbox on Saturday for the letter carriers to pick up as they make their rounds.

AND FURTHER, to offer our appreciation and admiration for our local Letter Carriers for the enthusiasm and unique contribution they are making towards the betterment of the community.

IN WITNESS WHEREOF, I have
Hereunto set my hand and caused
The Seal of the City of Munising
To be affixed this 1st day of May
2013.

Rod DesJardins, Mayor

6. State of Michigan Deed for Old State Police Post

Moved by Commissioner Dolaskie to accept the conveyance of the old State Police Post from the State of Michigan to the City of Munising. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor
DesJardins
Nays: None

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7. Approve Resolution for Honeywell Project

Moved by Commissioner Dolaskie to adopt the Resolution Authorizing 2013 Capital Improvement Bonds (Limited Tax General Obligation) in the amount of \$1,450,000.00. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

RESOLUTION AUTHORIZING
2013 CAPITAL IMPROVEMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)

Minutes of a regular meeting of the City Commission of the City of Munising, County of Alger, State of Michigan (the "City"), held on May 1, 2013, at 6:00 o'clock p.m., Eastern Daylight Time.

PRESENT: Commissioners _____

ABSENT: Commissioners _____

The following preamble and resolution were offered by
Commissioner _____ and supported by
Commissioner _____:

WHEREAS, the City does hereby determine that it is necessary to pay part of the costs for the purpose of acquiring and constructing certain capital improvements, consisting generally of energy conservation improvements to various facilities owned by the City, including the city hall, department of public works building, fire/police building, ice rink, tourist information center, sewage treatment building and system, and street lights, together with all appurtenances and attachments thereto (the "Project"); and

WHEREAS, the total cost of the Project is estimated to be approximately Two Million One hundred Thousand Dollars (\$2,100,000); and

WHEREAS, to finance part of the cost of the Project, the City Commission deems it necessary to borrow the principal amount of One Million Four Hundred Fifty Thousand Dollars (\$1,450,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), to pay the cost of the Project; and

WHEREAS, the City intends to finance the remaining costs of the Project through separate issuance of limited tax general obligation development bonds for that portion of the Project which is within the Development Area of the City's Downtown Development Authority, and through the separate issuance of an installment purchase agreement; and

WHEREAS, a notice of intent for bonds was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and as of this date no petition has been filed with the Clerk; and

WHEREAS, the City has received a proposal from J.J.B. Hilliard, W.L. Lyons, LLC (the "Underwriter") to purchase the Bonds, as herein defined, pursuant to a negotiated sale.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated 2013 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (the "Bonds"), are authorized to be issued in the aggregate principal sum of One Million Four Hundred fifty Thousand Dollars (\$1,450,000) for the purpose of paying part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in

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fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery, or such other date as determined by the Mayor, the City Manager, the City Clerk or the City Treasurer (the "Authorized Officers"), numbered as determined by the Transfer Agent (hereinafter defined), and maturing or subject to mandatory redemption on September 1st in the years 2015 to 2029, inclusive, or such other dates and/or years as shall be determined at the time of sale and in the amounts as determined by an Authorized Officer. The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, but in any event not exceed 7% per annum, payable on September 1, 2014, and semi-annually thereafter on March 1st and September 1st of each year, or such other first and subsequent interest payment dates as determined by an Authorized Officer. The Bonds shall be sold at a price not less than 97% of their par value and the Underwriter's discount shall not exceed 1.25%. The bonds shall be subject to optional redemption as determined by an Authorized Officer at the time of sale.

Interest shall be paid by check drawn on the Transfer Agent mailed to the registered owner of the Bonds at the registered address, as shown on the registration books of the City maintained by the Transfer Agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at the bank or trust company as shall be finally identified in the Sale Order as registrar, paying agent and transfer agent for the Bonds (the "Transfer Agent").

The Bonds shall be issued in book entry only form through the Depository Trust Company in New York, New York ("DTC") and the Authorized Officers are authorized to execute such custodial or other agreements with DTC as may be necessary to accomplish the issuance of the Bonds in book entry only form and to make such change in the Bond Form within the parameters of this Resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the City Treasurer upon payment of the purchase price for the Bonds in accordance with the bid therefore when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds.

The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefore, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The Treasurer is authorized and directed to open a depository account with a bank or trust company to be designated 2013 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company to be designated 2013 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) CONSTRUCTION FUND (the "Construction Fund"), and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the cost of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds Shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF ALGER

CITY OF MUNISING

2013 CAPITAL IMPROVEMENT BOND
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____ %	September 1, _____	_____, 2013	

Registered Owner:

Principal Amount:

The City of Munising, County of Alger, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on September 1, 2014 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of _____, _____, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft

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mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$2,450,000, issued for the purpose of paying the cost of certain capital improvements in the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the City.

Bonds of issue maturing in the years 20__ to 20__, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 20__ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after September 1, 20__, at par and accrued interest to the date fixed for redemption.

(INSERT TERM BOND PROVISIONS, IF NECESSARY)

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefore as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest hereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this one, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Commission, has caused this bond to be signed in its name with the facsimile signatures of its Mayor and its City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF MUNISING
County of Alger
State of Michigan

BY _____

May 1, 2013

Rod DesJardins, Mayor

Seal

BY _____
Sue Roberts, City Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

_____, Michigan Transfer Agent

By _____
Authorized Signature

DATE OF AUTHENTICATION: _____

7. Negotiated Sale. The City has considered the option of selling the Bonds through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34, hereby determines that a negotiated sale of the Bonds to the Underwriter will result in the most efficient and expeditious means of selling the Bonds and will result in the lowest interest cost to the City and hereby approves the Underwriter as the purchaser of the bonds.

8. Bond Purchase Agreement; Delegation to Authorized Officer; Sale Order. The Authorized Officers are each hereby authorized to negotiate the sale of the Bonds with the Underwriter, negotiate and execute a Bond Purchase Agreement, execute a Sale Order specifying the final terms of the Bonds and take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds within the parameters authorized in this resolution.

9. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than fifteen (15) years.

10. Tax Covenant; Qualified Tax Exempt Obligations. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be bond proceeds. The City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

11. Official Statement; Ratings; Insurance. The Authorized Officers are each authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds, to obtain ratings on the Bonds and solicit bids for and approve the purchase of a municipal bond insurance policy for the Bonds, including negotiation and acceptance of reasonable terms related to the policy.

12. Continuing Disclosure. The City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Bonds.

13. Authorization of Other Actions. The Authorized Officers are each hereby authorized to adjust the final Bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates,

redemption rights, the place of delivery and payment, and other matters within the parameters described in this resolution. The Authorized Officers are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, including the Michigan Department of Treasury, to enable the sale and delivery of the Bonds as contemplated herein.

14. Appointment of Bond Counsel. The appointment of the law firm of Miller, Canfield, Paddock and Stone, P.L.C. of Detroit, Michigan, as Bond Counsel for the Bonds is hereby confirmed, notwithstanding the periodic representation by Miller, Canfield, Paddock and Stone, P.L.C., in unrelated matters of other parties and potential parties to the issuance of the Bonds. The fees and expenses of Miller, Canfield, Paddock and Stone, P.L.C., as Bond Counsel, and other accumulated bond related fees and expenses shall be payable as a cost of issuance from proceeds of the Bonds or other available funds.

15. Rescission. All resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners: _____

NAYS: Commissioners: _____

RESOLUTION DECLARED ADOPTED.

Sue Roberts, City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Munising, County of Alger, State of Michigan, at a regular meeting held on May 1, 2013, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Sue Roberts, City Clerk

- 8. Approve Mead & Hunt's invoice \$7,350.19 for Munising Phase 3 Sewer Project

Moved by Commissioner Dolaskie to approve Mead & Hunt's invoice in the amount of \$7,350.19 for the Munising Phase 3 Sewer Project. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

- 9. Approve Mead & Hunt's invoice \$2,732.00 for Munising Phase 3 Water Project

Moved by Commissioner Bornslaeger to approve Mead & Hunt's invoice in the amount of \$2,732.00 for the Munising Phase 3 Water Project. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

- 10. Accept JoAnn Carlson's Resignation from the Planning Commission and Zoning Board of Appeals; Advertise for Vacant Seats on Planning Commission

Moved by Commissioner Dolaskie to accept JoAnn Carlson's resignation from the Planning Commission and the Zoning Board of Appeals, with regret and to approve advertising for vacant seats on the Planning Commission. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

May 1, 2013

11. Mayor to appoint Don Sanders to the Zoning Board of Appeals also appointing Ken Kline as an alternate on the Zoning Board of Appeals

Moved by Commissioner Bornslaeger to approve the Mayor's appointment of Don Sanders to the Zoning Board of Appeals and to appoint Ken Kline as Don Sanders alternate on the Zoning Board of Appeals. Support by Commissioner Dolaskie.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

12. Insurance Committee Recommendation

Commissioner Nettleton stated that the Insurance Committee has been working on this for the last couple of months. They have had three presentations from carriers regarding their bids. It appears that City Insurance (Liberty Mutual) can offer a non-blue plan that would be a great savings. At this time the carrier has asked for more information from the employees and still has to come back with their final quote for the City of Munising. Mayor DesJardins stated that he would like to see all information before a decision is made.

13. Approve City Commission Meeting Minutes of 4-15-13

Moved by Commissioner Dolaskie to approve the City Commission Meeting Minutes of 4-15-13 as presented. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

14. Check Register - List of Bills

Moved by Commissioner Dolaskie to approve and pay the Check Register-List of Bills as submitted. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

15. City Manager Report

City Manager Bovin stated that the Department of Public Works refurbished the old City Hall sign and it now hangs on the parking lot side of City Hall, they are also making a smaller version to be placed on the Superior Street side of the building. Next, Bovin informed the Commission of a meeting with Matt Rintamaki next Thursday the 9th at 10:00 a.m. regarding the Forest Management Plan. Bovin then stated that this Thursday afternoon and Friday he would be attending the City Managers Meeting. Regarding the Industrial Park, they did raise the monthly rate to \$110.00 and all leases are due June 20, 2015. Bovin gave the Commission a letter from the Midnight Run people they are looking for two people to help out with the event. Next, Bovin stated that he has been in contact with the Brown's Addition merchants they wanted to extend the DDA to be included; it is possible that the area could be a Historical District; the main reason is to improve business in that area. He then explained the hand out of the President's budget and how it is affecting the Rural Development monies. Their amounts have increased but will be going toward administration salaries monies for water and sewer projects have decreased; also monies for H-58 have also hit a snag. Last Bovin mentioned the EVIP and that there are new rules for the second category and penalties have been put in place. It is frustrating because they keep changing the rules and coming back for more information.

Mayor DesJardins mentioned the Grand Opening for the new Pocket Park on Superior Street.

F. CORRESPONDENCE

Correspondence included a letter from the Michigan Municipal League Worker's Compensation Fund showing the city's dividend credit.

G. PUBLIC COMMENTS (non-agenda items)

May 1, 2013

Mayor DesJardins presented Commissioner Dolaskie with a key to the city and thanked him for serving a three year term as a Commissioner.

H. ADJOURNMENT

Moved by Commissioner Dolaskie to adjourn the Regular Meeting of the City Commission. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Dolaskie, Bornslaeger, Nettleton and Mayor DesJardins

Nays: None

The Regular Meeting of the City Commission adjourned at 7:50 p.m.

Rod DesJardins, Mayor

Sue Roberts, City Clerk

LIST OF BILLS

26338)	ALGER COUNTY BUILDING DEPARTMENT	250.00
26339)	UPPER PENINSULA TIMBER CO. LLC.	1600.00
26340)	MUNISING COMMUNITY CREDIT UNION-VISA	197.87
26341)	PETERSON PUBLISHING INC.	129.17
26342)	KATHY REYNOLDS	50.00
26343)	U.P. ENGINEERS & ARCHITECTS	726.00
26344)	U.P. POWER COMPANY	19.84
26345)	BLUE CROSS BLUE SHIELD OF MICHIGAN	20923.68
26346)	BLUE CROSS BLUE SHIELD OF MICHIGAN	1792.73
26347)	BLUE CROSS BLUE SHIELD OF MICHIGAN	539.74
26348)	BLUE CROSS BLUE SHIELD OF MICHIGAN	3186.27
26349)	CHARTER COMMUNICATIONS	71.62
26350)	COLEMAN ENGINEERING COMPANY	1292.75
26351)	DECATUR ELECTRONICS, INC.	180.00
26352)	FREI CHEVROLET	472.24
26353)	LMAS DISTRICT HEALTH DEPARTMENT	281.00
26354)	MAZZALI AGENCY	741.55
26355)	MUNISING COMMUNITY CREDIT UNION-VISA	929.66
26356)	UPPER PENINSULA RECREATION INC.	1230.77
26357)	WEST PAYMENT CENTER	255.50
26358)	WILLEYS TIRE SHOP	930.78
26359)	M-TEC AT BAY COLLEGE	138.00
26360)	ALGER COUNTY CLERK	20.00
26361)	AT&T MOBILITY	72.39
26362)	COLEMAN ENGINEERING COMPANY	5874.50
26363)	ECONO SIGNS LLC	53.54
26364)	FASTENAL COMPANY	33.93
26365)	GALL'S INC.	295.21
26366)	HOLIDAY COMPANIES	2548.91
26367)	HYDRITE CHEMICAL COMPANY	742.88
26368)	MACQUEEN EQUIPMENT INC.	381.03
26369)	MICHIGAN DEPT. OF TECH, MANAGEMENT & BUDG.	1.00
26370)	MILLER BRADFORD & RESBERG	965.45
26371)	NORTHERN MICHIGAN PUBLIC	200.00
26372)	NORTHWOODS PRINTING	48.50
26373)	POMASL FIRE EQUIPMENT	1351.82
26374)	QUILL CORPORATION	354.15
26375)	STANDARD INSURANCE COMPANY	638.66
26376)	U.P. POWER COMPANY	2474.91
26377)	ZARNOTH BRUSH WORKS, INC.	79.25
26378)	ZEP SALES & SERVICE	137.57