

April 1, 2015

CITY COMMISSION  
AGENDA  
WEDNESDAY, APRIL 1, 2015  
6:00 P.M.

- A. CALL TO ORDER REGULAR CITY COMMISSION MEETING, PLEDGE OF ALLEGIANCE, ROLL CALL
- B. PUBLIC COMMENTS (non-agenda items)
- C. OLD CITY BUSINESS
  - 1. Gary Bovan Munising Cruisers Road Closure Request
  - 2. Committee Reports - Updates
- D. NEW CITY BUSINESS
  - 1. Treasa Sowa Farmers Market License Agreement
  - 2. Sanders & Czapski Associates, PLLC fee increase
  - 3. GEI Consultants invoice \$13,125.00 Bayshore Marina Expansion
  - 4. Pictured Rocks Cruises Dockage Agreement
  - 5. Intensified Wood Restoration - City Hall Building Maintenance
  - 6. Kendricks, Bordeau, Adamini, Greenlee & Keefe, P.C. invoice for Legal Services \$2,292.50
  - 7. Traverse Engineering invoice \$13,497.50 H-58 Water Main Replacement
  - 8. Munising Bay Universal Access Site- Anna River Agreement Amendment
  - 9. Munising Bay Universal Access Site- Vault Style Facility
  - 10. Munising Bay Universal Access Site- Dock Renovation and Extension
  - 11. Munising Bay Universal Access Site- Universal Kayak Launch
  - 12. Lynn Street Tennis Court Renovation Agreement Amendment
  - 13. Excessive Force Policy Resolution
  - 14. Approve City Commission Meeting Minutes of 3-16-15
  - 15. Check Register - List of Bills
  - 16. City Manager Report
- E. CORRESPONDENCE
- F. PUBLIC COMMENTS (non-agenda items)
- G. 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, **April 1, 2015**, in the City Commission Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

PRESENT: Commissioners: Cotey, Nettleton and Mayor DesJardins  
ABSENT: Commissioners: Dolaskie and Bornslaeger - absent excused

- B. PUBLIC COMMENTS (non-agenda items)

There were none.

- C. OLD CITY BUSINESS

April 1, 2015

1. Gary Bovan Munising Cruisers Road Closure Request

Moved by Commissioner Nettleton to approve the road closure request from the Munising Cruisers for September 19<sup>th</sup>; Superior Street from the corner of Lynn Street east to Birch Street, Elm Ave. from the alley south of First Merit Bank, south to the alley between Madigan's and Northern Light Vision. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

2. Committee Reports - Updates

There were none.

Moved by Commissioner Nettleton to amend the agenda to include under New City Business A1. Alger Parks and Recreation - Debi Fulcher Update. Support by Commissioner Cotey.

Unanimous Voice Vote:

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

D. NEW CITY BUSINESS

**Agenda Amended:**

**A1. Alger Parks and Recreation - Debi Fulcher Update**

Debi went over her handouts: 2015 Spring Activities listing; Little League Baseball & Softball, Swim Lessons, Spring Gymnastics, Fuzzy Fitness Center & Fitness Classes, Gymnasium Memberships, Superior Play Land, Day Kamp, Soccer, Golf Clinic, Tennis Kamp, Adult and Family Activities. Debi also provided the Commission with the financials for Alger Parks and Recreation. The Commission was thanked for being the first to commit to a three year contract with Alger Parks and Recreation; Debi indicated that many other supporters have also committed to the three year contracts. Overall Debi stated that she is happy with everything they have to offer and believes they are essential to the community.

1. Treasa Sowa Farmers Market License Agreement

Moved by Commissioner Cotey to approve the License Agreement with Treasa Sowa for the Farmers Market. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

2. Sanders & Czapski Associates, PLLC fee increase

Moved by Commissioner Nettleton to approve the fee increase for Sanders & Czapski Associates, PLLC in the amount of \$1,150.00 for the Munising Bay Universal Access Site - Anna River project. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

3. GEI Consultants invoice \$13,125.00 Bayshore Marina Expansion

Moved by Commissioner Cotey to approve engineering costs with GEI Consultants in the amount of \$13,125.00 for the Bayshore Marina Expansion project. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

4. Pictured Rocks Cruises Dockage Agreement

Moved by Commissioner Cotey to table this item until the April 20, 2015 meeting. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

5. Intensified Wood Restoration - City Hall Building Maintenance

April 1, 2015

Moved by Commissioner Cotey to approve building maintenance for City Hall with Intensified Wood Restoration in the amount of \$2,250.00; work to be completed and paid for in July. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

6. Kendricks, Bordeau, Adamini, Greenlee & Keefe, P.C. invoice for Legal Services \$2,292.50

Moved by Commissioner Cotey to approve the legal services invoice in the amount of \$2,292.50 with Kendricks, Bordeau, Adamini, Greenlee & Keefe, P.C. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

7. Traverse Engineering invoice \$13,497.50 H-58 Water Main Replacement

Moved by Commissioner Cotey to approve the invoice from Traverse Engineering in the amount of \$13,497.50 for the H-58 Water Main Replacement project. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

8. Munising Bay Universal Access Site- Anna River Agreement Amendment

Moved by Commissioner Cotey to approve the agreement amendment with the Michigan Department of Natural Resources for the Munising Bay Universal Access Site - Anna River project. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

9. Munising Bay Universal Access Site- Vault Style Facility

Moved by Commissioner Cotey to accept and place on file the bids received for the Munising Bay Universal Access Site vault style facility. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

**Bids Received: Missoula Concrete Construction \$18,150.00, CXT Incorporated, an LBFoster Co. \$20,100.00.**

Moved by Commissioner Nettleton to award the bid for the vault style facility to Missoula Concrete Construction in the amount of \$18,150.00. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

10. Munising Bay Universal Access Site- Dock Renovation and Extension

Moved by Commissioner Cotey to accept and place on file the bids received for the Munising Bay Universal Access Site Dock Renovation and Extension project. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

**Bids Received: Associated Constructors base bid \$290,000.00 informational breakdown \$120,000.00, Bacco Construction Company base bid \$313,701.40 informational breakdown \$89,624.00, Cross General Contracting base bid \$181,150.00 informational breakdown \$88,150.00 and Olson and Olson Contracting base bid \$196,813.00 informational breakdown \$72,794.00.**

Moved by Commissioner Nettleton to award the bid for the Munising Bay Universal Access Site Dock Renovation and Extension to Cross General Contracting in the amount of \$181,150.00, contingent on the post bid bulletin and DNR approval. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

April 1, 2015

11. Munising Bay Universal Access Site- Universal Kayak Launch

Moved by Commissioner Nettleton to approve the sole source purchase of the kayak launch in the amount of \$26,010.13 from Great Lakes Lift and Dock pending DNR approval. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

City Manager Recommendation: I recommend that the Commission sole source the purchase of the universally accessible kayak launch to Great Lakes Lift and Dock for the price of \$26,010.13 pending DNR approval. (Due to the very unique nature of the specified launch, Great Lakes Lift and Dock was the only provider that submitted a proposal that was within specifications).

12. Lynn Street Tennis Court Renovation Agreement Amendment

Moved by Commissioner Nettleton to approve the Lynn Street Tennis Court Renovation Agreement amendment with the Michigan Department of Natural Resources. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

13. Excessive Force Policy Resolution

Moved by Commissioner Nettleton to approve the Resolution Policy for Excessive Force. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

**RESOLUTION**

**ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST NON-VIOLENT CIVIL RIGHTS DEMONSTRATORS**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MUNISING, ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST NON-VIOLENT CIVIL RIGHTS DEMONSTRATORS.

WHEREAS, the Congress of the United States has passed the Armstrong/Walker "Excessive Force" Amendment (Section 104 (L) (1) of Title I of the Housing and Community Development Act of 1974 as amended) prohibiting the use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS, the City of Munising has received a Michigan Community Development Block Grant and is required to comply with the Armstrong/Walker "Excessive Force" Amendment;

AND WHEREAS, the use of excessive force against demonstrators may cause the CITY to lose its grant or eligibility for future federal grants;  
NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF THE CITY OF MUNISING, MICHIGAN:

It is POLICY of the CITY that the use of excessive force is prohibited by local law enforcement agencies against individuals engaged in lawful and nonviolent civil rights demonstrations within the City.

The City will adopt and enforce a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

The City Council directs the City Manager and Police Chief to implement this Resolution by amending applicable police department procedures.

PASSED BY THE CITY COMMISSION, CITY OF MUNISING, MICHIGAN.

SIGNED BY: \_\_\_\_\_ TITLE: Mayor, City of Munising

DATE: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Sue Roberts, City Clerk

14. Approve City Commission Meeting Minutes of 3-16-15

Moved by Commissioner Cotey to approve the City Commission Meeting Minutes of 3-16-15 as submitted. Support by Commissioner Nettleton.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins

April 1, 2015

Nays: None

15. Check Register - List of Bills

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

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

16. City Manager Report

City Manager Olson began by stating the Recreation Plan was officially approve today by the DNR, we should have the final documents by the end of next week. The Wastewater Treatment Plant is finally getting a new roof, Independent Roofing is currently replacing the roof with a twenty year material warranty, this is all part of the Phase 3 project. As for the Tourist Park, bidding documents for the septic field will be out next week, this will be a mixture of in house (in kind) and contracted work. Hall Contracting is already putting the building together. The H-58 water main replacement bids are due April 10<sup>th</sup>. Olson then informed the Commission that the City received a letter from the State of Michigan State Tax Commission regarding a new Audit of Minimum Assessing Requirements, this is to ensure compliance with assessing standards. Next, Olson stated that he would be putting the old Tahoe up for sale, an advertisement for sealed bids would be going out within the next couple of weeks. Olson then let the Commission know that John Madigan would be attending the next Commission meeting to give them an update of the old City Hall Building. Last, Olson reminded the Commission that City Hall would be closed on Friday, April 3<sup>rd</sup> for system upgrades associated with the new software.

E. CORRESPONDENCE

There was none.

F. PUBLIC COMMENTS (non-agenda items)

There were none.

G. ADJOURNMENT

Moved by Commissioner Nettleton to adjourn the Regular Meeting of the City Commission. Support by Commissioner Cotey.

Approved: Yeas: Commissioners: Cotey, Nettleton and Mayor DesJardins  
Nays: None

The Regular Meeting of the City Commission adjourned at 6:48 p.m.

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Rod DesJardins, Mayor

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Sue Roberts, City Clerk

LIST OF BILLS

28914)ANDERSON, TACKMAN & CO.	1000.00
28915)CHARTER COMMUNICATIONS	78.28
28916)CRANE ENGINEERING SALES INC.	10267.37
28917)DORNER COMPANY	457.00
28918)DTE ENERGY	1495.26
28919)ERA 282.54	
28920)HONEYWELL BUILDING SOLUTIONS	9152.25
28921)LMAS DISTRICT HEALTH DEPT	300.00
28922)QUILL CORPORATION	567.52
28923)UPPER PENINSULA POWER COMPANY	41.25
28924)WEST PAYMENT CENTER	469.04
28925)WEST PAYMENT CENTER	165.75
28926)STATE OF MICHIGAN	132.00
28927)VISION SERVICE PLAN	388.77
28928)MINING JOURNAL	117.04
28929)MUNISING BAY ART ASSOCIATION	500.00
28930)UPPER PENINSULA POWER COMPANY	19.45
28931)CUPPAD REGIONAL COMMISSION	500.00
28932)DELTA DENTAL	1740.84

April 1, 2015

28933)HEALTHY HOMES INC.	500.00
28934)MILLER BRADFORD & RISBERG	847.00
28935)POMASL FIRE EQUIPMENT	208.82
28936)TRUCK EQUIPMENT, INC.	42.69
28937)JACK DOHENY SUPPLIES, INC.	84.21
28938)MICHIGAN DEPT. OF TRANSPORTATION	58626.60
28939)STREICHER'S	104.98
28940)TELNET WORLDWIDE, INC.	16.35
28941)UPPER PENINSULA RECREATION INC.	1230.77
28942)CASH 128.67	
28943)MARILYN DESARMO	140.00
28944)FIRST MERIT BANK N.A.	6160.00
28945)GRAINGER	12.76
28946)RITA HALE	140.00
28947)HOLIDAY COMPANIES	2771.86
28948)LMAS DISTRICT HEALTH DEPT	248.50
28949)NORTH CENTRAL LABORATORIES	382.61
28950)POWER PLAN	97.28
28951)MARIE A. ST. AMOUR	140.00
28952)STANDARD INSURANCE COMPANY	429.80
28953)STANDARD INSURANCE COMPANY	2440.12
28954)DSTECH	25.93
28955)MICHIGAN SECTION AWWA	345.00
28956)NORTHSTAR EAP & LIFE COUNSELING	630.00
28957)PETERSON PUBLISHING INC.	28.27
28958)POMASL FIRE EQUIPMENT	170.64
28959)TRUCK EQUIPMENT, INC.	49.50