

September 3, 2008

CITY COMMISSION
AGENDA
WEDNESDAY, SEPTEMBER 3, 2008
6:00 P.M.

- A. CALL TO ORDER OF REGULAR CITY COMMISSION MEETING, PLEDGE OF ALLEGIANCE, ROLL CALL
- B. PUBLIC COMMENTS (non-agenda items)
- C. OLD CITY BUSINESS
 - 1. Sidewalks Update
 - 2. Dangerous Buildings - Next Process to Follow
 - 3. Traffic Light Funding Quotes
 - 4. Scrap Metal Quotes
- D. NEW CITY BUSINESS
 - 1. Approve Change Order #1 - Hall Contracting Tourist Park Project
 - 2. Approve Pay Request from Hall Contracting \$28,357.00
 - 3. Approve Change Order #4 - O.S. Excavating, LLC Tourist Park Project
 - 4. Approve Pay Request for O.S. Excavating, LLC Tourist Park
 - 5. Fire Department Request to Purchase Pumper-Ladder Truck
 - 6. Railroad Crossing Approach Repair Quotes
 - 7. Donna Kolbus - Alley Vacating Request
 - 8. Approve Asbestos-Containing material Inspection
 - 9. Mayoral Proclamation Eric R. Beverly Family Foundation
 - 10. Fire Insurance Withholding Program
 - 11. Approve Resolution Supporting Michigan Small Harbors Coalition
 - 12. MML Representative and Alternate Designation
 - 13. Approve City Commission Meeting Minutes of 8/18/08
 - 14. Check Register - List of Bills
 - 15. City Manager Report
- E. CORRESPONDENCE
- F. PUBLIC COMMENTS (non-agenda items)
- G. ADJOURNMENT

CITY COMMISSION

Official Proceedings

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

The Regular Meeting of the City Commission was duly called and held on Wednesday, **September 3, 2008**, in the City Commission Meeting Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

PRESENT: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
ABSENT: None

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B. PUBLIC COMMENTS (non-agenda items)

There were none.

C. OLD CITY BUSINESS

1. Sidewalks Update

Moved by Commissioner Lovellette to authorize setting aside \$50,000.00 in disallowed costs for sidewalk replacement, for citizens on a 50/50 basis for the rest of this construction season and for next construction season on a first come first serve basis for citizens within the construction area. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

2. Dangerous Buildings - Next Process to Follow

Moved by Commissioner Beauprey to table this item until the 9-15-08 meeting. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

3. Traffic Light Funding Quotes

Moved by Commissioner Bornslaeger to accept and place on file the quotes received for the traffic light funding. Supported by Commissioner Lovellette.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

Quotes received: Peoples State Bank 4.25%, Wells Fargo 4.65% and Citizens Bank 5.45 %

Moved by Commissioner Beauprey to award the traffic light funding to Peoples State Bank at 4.25% interest rate for ten years. Supported by Commissioner Lovellette.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

4. Scrap Metal Quotes

Moved by Commissioner Lovellette to accept and award the scrap metal quote to Good Ol Boys Recycling LLC at \$102.50 per ton for pick up and disposal of scrap metal. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

Moved by Commissioner Beauprey to amend the agenda to move item #5 Fire Department Request to Purchase Pumper-Ladder Truck to #1. Supported by Commissioner Scholtz.

Unanimous Voice Vote:

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

D. NEW CITY BUSINESS

Agenda amended

5. Fire Department Request to Purchase Pumper-Ladder Truck

Moved by Commissioner Bornslaeger to approve the acquisition process to receive the pumper-ladder truck and to enter into a Mutual Aide agreement with the DNR, insuring the truck, matching color of truck to existing trucks in department. Supported by Commissioner Scholtz.

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Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

1. Approve Change Order #1 - Hall Contracting Tourist Park Project

Moved by Commissioner Beauprey to approve the change order.

Motion died for lack of support.

Moved by Commissioner Beauprey to approve Change Order #1 to Tom Hall Contracting, Inc. to increase the contract by \$3205.00. Supported by Commissioner Lovellette.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

2. Approve Pay Request from Hall Contracting \$28,357.00

Moved by Commissioner Scholtz to approve the pay request from Tom Hall Contracting in the amount of \$28,357.00. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

3. Approve Change Order #4 - O.S. Excavating, LLC Tourist Park Project

Moved by Commissioner Beauprey to accept and approve Change Order #4 from O.S. Excavating, LLC in the amount of \$933.32. Supported by Commissioner Scholtz.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

4. Approve Pay Request for O.S. Excavating, LLC Tourist Park

Moved by Commissioner Lovellette to approve the pay request for O.S. Excavating, LLC in the amount of \$55,903.72, less retainage not exceeding the total contract amount of \$105,086.12. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

5. Fire Department Request to Purchase Pumper-Ladder Truck

Amended agenda item already acted on.

6. Railroad Crossing Approach Repair Quotes

Moved by Commissioner Bornslaeger to approve the City getting involved with MDOT regarding the railroad crossing approach repairs. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

Moved by Commissioner Lovellette to amend the agenda to add item #16 Traffic Light Engineering. Supported by Commissioner Beauprey.

Unanimous Voice Vote:

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

7. Donna Kolbus - Alley Vacating Request

Moved by Commissioner Beauprey to refer this item to the Planning Commission for their recommendations. Supported by Commissioner Bornslaeger.

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Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

8. Approve Asbestos-Containing material Inspection

Moved by Commissioner Lovellette to accept the proposal with ASTI Environmental for the inspection of 109 and 131 W. Munising Ave. with a not to exceed amount of \$1400.00 including testing. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

9. Mayoral Proclamation Eric R. Beverly Family Foundation

Moved by Commissioner Beauprey to approve the Mayor's Proclamation that October be Breast Cancer Awareness Month in the City of Munising. Supported by Commissioner Scholtz.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

Proclamation

Whereas, Breast cancer is the most common type of cancer among women in the United States, and;

Whereas, Breast cancer is the leading cause of death for women between the ages of 35 and 55, and one out of every eight women will develop the disease during their lifetime, and;

Whereas October is Breast Cancer Awareness Month, and;

Whereas, the Eric R. Beverly Family Foundation is pledged to the eradication of this disease by "Making a Difference, One Day, One Life At A Time," and;

Whereas, The Foundation will host the 3rd Annual Celebration of Life Luncheon and Silent Auction on Saturday, October 25th, and;

Whereas, Proceeds from the luncheon benefit the Alger County Chemotherapy and Mammography Program (CHAMP) Fund which provides grants and a variety of support services to uninsured and underinsured individuals living with Breast Cancer in Alger County,

Therefore, I hereby recognize October as Breast Cancer Awareness Month in the City of Munising, encourage all residents to support the 3rd Annual Celebration of Life activities and authorize the display of the Pink Wreath at City Hall during the month of October, 2008.

Rod DesJardins, Mayor

Date

10. Fire Insurance Withholding Program

Moved by Commissioner Lovellette to adopt the resolution and direct the City Manager to establish a policy to implement the Fire Insurance Program. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

Resolution # _____

City of Munising

WHEREAS, the provisions of Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, and the provisions of Act 217 of the Public Acts of 1998, provide that a portion of certain casualty losses for fire or explosion otherwise payable by insurers may be withheld in escrow by participating municipalities in order to secure repair, replacement or

removal of damaged structures which violate the City of Munising's health or safety standards; and

WHEREAS, the City of Munising had determined that participation in said program would protect and promote the public health, safety and welfare and wishes to be included in the list of participating municipalities published by the Commissioner of Insurance; and,

WHEREAS, the City of Munising desires to implement all procedures necessary to administer said program by designating the City of Munising official responsible for administration of the program and establish an escrow account for said purpose.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. That the City of Munising does hereby become a participating municipality in the program providing for the escrow of fire insurance as established by Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, or as established by Act 217 of the Public Acts of 1998, and does declare its intention to uniformly apply the provisions of Section 2845 or Section 2227 to all property within the City of Munising.
2. That the City of Munising's official responsible for the administration of Section 2845 or 2227 of said Acts and any rules promulgated by the Commissioner or Financial and Insurance Services is hereby designated as follows:

City Manager

3. The City of Munising's Official shall establish an escrow account with the Peoples State Bank for the purpose of receiving and holding deposits of money received from insurers pursuant to Section 2845 or 2227 of said Acts, which account shall be separately maintained from all other accounts and may be an interest bearing account.

Name, Capacity

Name, Capacity

Date: _____

11. Approve Resolution Supporting Michigan Small Harbors Coalition

Moved by Commissioner Scholtz to approve the Resolution Supporting Michigan Small Harbors Coalition. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins
Nays: None

RESOLUTION SUPPORTING MICHIGAN SMALL HARBORS COALITION

Whereas, there are more than 50 federally authorized small Great Lakes harbors in Michigan, more than all the other Great Lakes states combined; and

Whereas, the federal government is responsible for maintaining boater access to these harbors through adequate dredging and maintenance of navigation infrastructure (hereinafter referred to as maintenance); and

Whereas, small harbors perform other valuable functions such as ports of refuge during inclement weather, ports for U.S. Coast Guard rescue stations, ports for law enforcement, ports for commercial fleets, ports for Great Lakes research vessels, and ferry terminals; and

Whereas, many of the 50 federally authorized small harbors in Michigan require regular maintenance because of natural sedimentation, low water levels, storm events, and littoral drift, among other factors; and

Whereas, longstanding federal policy prevents the U.S. Army Corps of Engineers from allocating funds for the maintenance of small harbors in its operation and maintenance budget for the Great Lakes, thus forcing these harbors to seek Congressional assistance or "earmarks" to secure funds for maintenance; and

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Whereas, this inefficient, inequitable system has resulted in maintenance backlogs that have hindered, or in some cases totally blocked access to Michigan small harbors, causing significant economic loss and increased risk to human health and safety; and

Whereas, small harbors in Michigan have not, to date, had an organization through which to unite and speak with one voice to address concerns about maintenance and other shared interests to federal and state agencies;

Therefore be it resolved that the City of Munising supports and commits to being a member of the Michigan Small Harbors Coalition; and

Be it further resolved that the City of Munising urges the Michigan Small Harbors Coalition to advocate for a more equitable, sustainable, needs-based system to allocate funds for adequate maintenance of small Great Lakes harbors in Michigan.

Date

Rod DesJardins, Mayor

12. MML Representative and Alternate Designation

Moved by Commissioner Scholtz to designate Mayor DesJardins as the City of Munising's Representative. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

13. Approve City Commission Meeting Minutes of 8/18/08

Moved by Commissioner Beauprey to approve the City Commission Meeting Minutes of 8-18-08 as submitted. Supported by Commissioner Scholtz.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

14. Check Register - List of Bills

Moved by Commissioner Beauprey to approve and pay the check register-list of bills as submitted. Supported by Commissioner Lovellette.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

15. City Manager Report

The City Manager was absent.

Amended Agenda

16. Traffic Light Engineering

Moved by Commissioner Bornslaeger to have the City Manager contact Wilcox and Mansell for engineering costs for the traffic light. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

E. CORRESPONDENCE

Correspondence included a quote from A1 Water Systems, Inc. for the cemetery watering system installation.

F. PUBLIC COMMENTS (non-agenda items)

There were none.

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G. ADJOURNMENT

Moved by Commissioner Lovellette to adjourn the Regular Meeting of the City Commission. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey
and Mayor DesJardins
Nays: None

The Regular Meeting of the City Commission adjourned at 7:10 p.m.

Rod DesJardins, Mayor

Sue Roberts, City Clerk

LIST OF BILLS

19570)MAC'S TREE REMOVAL	17070.00
19571)VOIDED	VOIDED
19572)41 LUMBER COMPANY	116.13
19573)AIRGAS NORTH CENTRAL	20.15
19574)ALTRAN	42.50
19575)ANDERSON, TACKMAN & COMPANY	4777.50
19576)AUTO VALUE OF MUNISING-OK AUTO	1071.24
19577)BLUE CROSS BLUE SHIELD OF MICHIGAN	16486.46
19578)BLUE CROSS BLUE SHIELD OF MICHIGAN	3007.21
19579)BLUE CROSS BLUE SHIELD OF MICHIGAN	3491.98
19580)BLUE CROSS BLUE SHIELD OF MICHIGAN	4511.20
19581)BLUE CROSS BLUE SHILED OF MICHIGAN	458.73
19582)BOB'S IGA	24.40
19583)BROWNFIELD REDEVELOPMENT AUTHORITY	3041.22
19584)CITY OF MUNISING-PETTY CASH	83.70
19585)COLLEGE LAUNDRY & RENTAL	196.00
19586)DENMAN'S HARDWARE	277.68
19587)DTE ENERGY	225.25
19588)ETNA SUPPLY COMPANY	1134.77
19589)FASTENAL	66.51
19590)FRED'S LOCKSMITHING	124.50
19591)GREAT AMERICAN DISPOSAL COMPANY	5291.22
19592)HOLMQUIST FEED MILL	22.50
19593)HORST DISTRIBUTING, INC.	182.96
19594)KIWANIS CLUB OF ALGER COUNTY	52.50
19595)LAKE SUPERIOR CAR WASH	100.00
19596)MACQUEEN EQUIPMENT INC.	118.82
19597)MANISTIQUE OIL COMPANY, INC.	3854.00
19598)MICHIGAN GOVERNMENT FINANCE OFFICERS	70.00
19599)MML-WORKER'S COMPASATION FUND	7115.00
19600)MUNISING COMMUNITY CREDIT UNION-VISA	913.97
19601)NORTH CENTRAL LABORATORIES	167.38
19602)PEOPLE'S STORE	63.98
19603)QUILL CORPORATION	294.24
19604)RJ THOMAS MFG CO., INC.	11027.25
19605)SHELL FLEET PLUS	2918.47
19606)SPARTAN SOTRES, INC.	30.54
19607)STREICHER'S MINNEAPOLIS	80.98
19608)SUPERIOR ICE	137.90
19609)JESSICA TESTER	76.50
19610)TRI-COUNTY SEPTIC	80.00
19611)U.P. POWER COMPANY	14299.51
19612)UPPER PENINSULA RECREATION INC.	4892.89
19613)WEST PAYMENT CENTER	969.00
19614)ALGER PARKS & RECREATION PETTY CASH	64.61
19615)ALTRAN	690.00
19616)AMY ANDERSON	108.75
19617)TED BELANGER	200.00
19618)SCOTT BOND	108.75
19619)JERRY GOSS	334.00
19620)JERRY GOSS	17.00
19621)ANDREA GRAVES	125.63
19622)MAIN STREET PIZZA	119.00

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19623)MUNISING COMMUNITY CREDIT UNION-VISA	1075.84
19624)CODY SADLER	15.00
19625)JARRETT SADLER	75.00
19626)SHIRT TAILS, INC.	14.00
19627)KRIS TIDD	26.60
19628)U.S. POSTMASTER-MUNISING	84.00
19629)ANDERSON LANDSCAPING	975.00
19630)ANDERSON, TACKMAN & COMPANY	472.50
19631)BROWNFIELD REDEVELOPMENT AUTHORITY	3027.24
19632)HI-WHITE ELECTRIC, INC.	721.00
19633)LAV DEVELOPERS, INC.	2500.00
19634)MINING JOURNAL	691.52
19635)PENINSULA LAND SURVEYIKNG LLC	1167.00
19636)PETERSON PUBLISHING INC.	110.00
19637)ALGER COUNTY HUMANE SOCIETY	325.00
19638)AT&T MOBILITY	244.05
19639)DOUG BOVIN INC.	7250.18
19640)DEERFIELD SEMINARS	198.00
19641)LAGASCO PROPANE	1183.21
19642)MADIGAN'S HARDWARE	1209.31
19643)MARK MAKI	1000.00
19644)MENARDS	1432.88
19645)NORTHWEST HYDRAULICS & ENGINEERING	680.00
19646)PETERSON PUBLISHING INC.	1111.88
19647)RURAL DEVELOPMENT	16813.61
19648)STANDARD INSURANCE COMPANY	730.85
19649)WELLS FARGO BANK MINNESOTA, NA	45732.50
19650)RURAL DEVELOPMENT	9119.19
19651)AN*SER SERVICES & TEL/SEE	87.75
19652)AT&T MOBILITY	39.57
19653)BANC OF AMERICA LEASING	346.65
19654)CITY OF MUNISING-PETTY CASH	30.93
19655)DON DESARMO	450.00
19656)JACK DOHENY SUPPLIES INC.	35.51
19657)GEROU EXCAVATING, INC.	3285.20
19658)HIAWATHA TELEPHONE COMPANY	2376.56
19659)HYDRITE CHEMICAL COMPANY	2309.36
19660)JOHN DEERE CREDIT	12040.39
19661)KELLEY MARKETING	150.00
19662)LAGASCO PROPANE	1077.68
19663)PATTY LEVEQUE	1500.00
19664)MANISTIQUE OIL COMPANY INC.	3059.20
19665)MEAD & HUNT	6448.69
19666)MICHIGAN DEPARTMENT OF ENVIRONMENTAL	100.00
19667)MOTOROLA	436.00
19668)PARAGON LABORATORIES, INC.	180.00
19669)THE SHIPPING SHOP	41.70
19670)U.P. POWER COMPANY	1380.43
19671)UPPER PENINSULA RECREATION INC.	3219.57
19672)WOODALL'S	1176.00