

APRIL 3, 2019

CITY COMMISSION
AGENDA
WEDNESDAY, APRIL 3, 2019
6:00 P.M.

- A. CALL TO ORDER THE REGULAR CITY COMMISSION MEETING, PLEDGE OF ALLEGIANCE, ROLL CALL
- B. PUBLIC COMMENT (non-agenda items)
- C. OLD CITY BUSINESS
 - 1. Amending the City Charter adding Commissioner Code of Conduct - tabled from 3-6-19 Meeting
 - 2. George Mannisto - Speed Limit Signs on H-58
 - 3. Treasurer's Monthly Report
 - 4. Monthly Reports - Committee - Fire - Police - WWTP
 - 5. DDA - Partnership Updates - Kathy Reynolds
- D. NEW CITY BUSINESS
 - 1. Accept Commissioner Cotey's Resignation - Declare a Vacant Seat
 - 2. Discussion-Possible action on Elected Officials Conduct
 - 3. Discussion-Possible action on Alger Parks and Recreation Department Board Appointment
 - 4. 2% Gaming Fund Request for Alger County Communities That Care - Funding for Body Works "Using Yoga in Recovery" Resolution
 - 5. 2% Fund Request for Alger Centennial Arena - Funding for Dasher Board & Glass Replacement Resolution
 - 6. 2% Funding Request for Munising Mountain Bike Park Non-Motorized Trails Expansion Resolution
 - 7. City of Munising Resolution Addressing Cost Participation for the 2020 MDOT/City of Munising M-28 Project
 - 8. UPEA Engineers & Architects invoice \$12,400.00 - M-28 Water System Improvement Project
 - 9. Resolution in Support of an MDOT Category B Program Application
 - 10. Resolution to Waive Penalties under MCL 211.27b
 - 11. First Reading of Ordinance 2019-1 Amending the City of Munising Zoning Ordinance
 - 12. Approve City Commission Meeting Minutes of 3-6-2019
 - 13. Check Register/List of Bills
 - 14. City Manager Report
- E. CORRESPONDENCE
- F. PUBLIC COMMENTS (non-agenda items)
- G. ADJOURNMENT

City Commission

Official Proceedings

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

APRIL 3, 2019

The Regular City Commission Meeting was duly called and held on Monday, **April 3, 2019**, in the Commission Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

PRESENT: Commissioners: Ballas, Nettleton and Mayor DesJardins
ABSENT: Commissioners: Cotey and Bogater - excused

B. PUBLIC COMMENT (non-agenda items)

There were no public comments.

C. OLD CITY BUSINESS

1. Amending the City Charter adding Commissioner Code of Conduct - tabled from 3-6-19 Meeting

This item was discussed and the subject dropped. No Action Necessary.

2. George Mannisto - Speed Limit Signs on H-58

Mr. Mannisto relayed his findings to the Commission that the cars are still going way to fast in that section of H-58. Tickets have been issued and drivers warned. City Manager Olson stated that once the signs arrive and the ground is thawed the signs will be placed.

3. Treasurer's Monthly Report

Moved by Commissioner Nettleton to approve the City Treasurer's monthly report as submitted. Support by Commissioner Ballas.

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

4. Monthly Reports - Committee - Fire - Police - WWTP

There were no comments or questions on the monthly reports.

5. DDA - Partnership Updates - Kathy Reynolds

Kathy Reynolds was not in attendance.

D. NEW CITY BUSINESS

Moved by Commissioner Nettleton to amend the agenda to include 3A. Lease of City Dock Space Agreement. Support by Commissioner Ballas.

Unanimous voice vote:

**Approved: Yeas: Commissioners: Ballas, Nettleton and Mayor DesJardins
Nays: None**

1. Accept Commissioner Cotey's Resignation - Declare a Vacant Seat

Moved by Commissioner Nettleton to accept Commissioner Cotey's resignation from the City Commission. Also, instructing the City Clerk to publish the vacant seat. Support by Commissioner Ballas.

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

2. Discussion-Possible action on Elected Officials Conduct

This was discussed at length, City Attorney Ferguson stated that he did not think amending the Charter was a good idea. He went on to say an Ordinance or a Resolution would be a better avenue to pursue. Ferguson stated that either one of those could work, reminding the Commission that whatever they do would only be suggestions, there would be no penalties and no ability to enforce anything. No action was necessary.

3. Discussion-Possible action on Alger Parks and Recreation Department Board Appointment

No action was needed for this item. Commissioner Nettleton did state that once a director is in place he will step down from the Alger Parks and Recreation Board.

Agenda Amended:

APRIL 3, 2019

3A. Lease of City Dock Space Agreement

Moved by Commissioner Nettleton to approve the Lease of City Dock Space Agreement with Navis I, LLC as presented also authorizing the City Manager to sign the documents. Support by Commissioner Ballas.

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

- 4. 2% Gaming Fund Request for Alger County Communities That Care - Funding for Body Works "Using Yoga in Recovery" Resolution

Moved by Commissioner Nettleton to approve the 2% gaming fund request for the Alger County Communities That Care Funding for Body Works "Using Yoga in Recovery". Support by Commissioner Ballas.

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

RESOLUTION

BE IT RESOLVED that the City Commission of the City of Munising, is in support of the 2% funding request for the Alger County Communities That Care Funding for Body Works "Using Yoga in Recovery".

Sue Roberts, City Clerk

The foregoing Resolution was adopted at a Regular meeting of the Munising City Commission held on April 3, 2019.

Sue Roberts, City Clerk

- 5. 2% Fund Request for Alger Centennial Arena - Funding for Dasher Board & Glass Replacement Resolution

Moved by Commissioner Nettleton to approve the 2% fund request for the Alger Centennial Arena dasher board and glass replacement. Support by Commissioner Ballas.

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

RESOLUTION

BE IT RESOLVED that the City Commission of the City of Munising, is in support of the 2% funding request for the Alger Centennial Arena - Dasher Board & Glass Replacement.

Sue Roberts, City Clerk

The foregoing Resolution was adopted at a Regular meeting of the Munising City Commission held on April 3, 2019.

Sue Roberts, City Clerk

- 6. 2% Funding Request for Munising Mountain Bike Park Non-Motorized Trails Expansion Resolution

Moved by Commissioner Ballas to approve the 2% fund request for the Munising Mountain Bike Park Trails Expansion resolution. Support by Commissioner Nettleton.

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

RESOLUTION

BE IT RESOLVED that the City Commission of the City of Munising, is in support of the 2% funding request for the Munising Mountain Bike Park Non-Motorized Trails Expansion resolution.

Sue Roberts, City Clerk

APRIL 3, 2019

The foregoing Resolution was adopted at a Regular meeting of the Munising City Commission held on April 3, 2019.

Sue Roberts, City Clerk

- 7. City of Munising Resolution Addressing Cost Participation for the 2020 MDOT/City of Munising M-28 Project

Moved by Commissioner Nettleton to approve the resolution addressing the cost participation for the 2020 MDOT/City of Munising M-28 Project. Support by Commissioner Ballas.

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

**CITY OF MUNISING
RESOLUTION ADDRESSING COST PARTICIPATION
FOR
2020 MDOT/CITY OF MUNISING M-28 PROJECT**

WHEREAS, State Highway M-28 provides a heavy traffic volume through the City of Munising by providing an East to West trunk line through the corporate boundaries of the City of Munising, and

WHEREAS, the Michigan Department of Transportation will be performing a full reconstruction of the trunk line from Onota Street to Commercial Street, and

WHEREAS, the City of Munising wishes to perform a water main replacement project along the M-28 corridor in conjunction with the MDOT project, and

WHEREAS, the City shall be responsible for the design, preliminary, and construction engineering work and associated costs during all phases of the project, and

WHEREAS, MDOT will include the finished water main plans and specifications with the project bid documents in order to create a single bid package with a single prime contractor, and

WHEREAS, the City of Munising shall be responsible for the cost of the complete water system replacement project including the replacement of roadway infrastructure items within the confines of the trench, and

WHEREAS, the estimate cost of roadway infrastructure items shall be allocated on a unit price basis with an estimated cost of \$1.3 million.

THEREFORE, Now be it be resolved that the City Commission hereby directs the City Manager to forward this resolution in original form to the Manager of the MDOT Newberry TSC.

Motion made by _____ seconded by _____ to adopt the Resolution as stated above. Effective _____ 2019.

Upon roll call vote, the following voted:

YES:

NO:

Mayor Rod DesJardins declared the motion _____ on the _____, 2019

Sue Roberts, City Clerk

- 8. UPEA Engineers & Architects invoice \$12,400.00 - M-28 Water System Improvement Project

Moved by Commissioner Nettleton to pay UPEA \$12,400.00 for MDOT Water Program. Support by Commissioner Ballas.

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

- 9. Resolution in Support of an MDOT Category B Program Application

APRIL 3, 2019

Moved by Commissioner Ballas to approve the Resolution of support for the MDOT Category B Program. Support by Commissioner Nettleton.

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

**CITY OF MUNISING
RESOLUTION IN SUPPORT OF AN MDOT CATEGORY B PROGRAM
APPLICATION**

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR UPGRADING DRAINAGE FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

Minutes of a regular meeting of the Commission of the City of Munising, Alger County, Michigan, held in the Commission Chambers, 301 E. Superior St, City of Munising, on April 3rd, 2019 at 6:00 PM.

WHEREAS, the City is applying for \$55,000.00 in funding through MDOT from the TEDF Category B Program to construct drainage improvements on Washington Street and Sand Point Rd.

WHEREAS, MDOT required a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Devin Olson, City Manager, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$55,000.00 toward the construction costs of the project(s), and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

Motion made by _____ seconded by _____ to adopt the resolution as presented.

Upon roll call vote, the following voted:

YES:
NO:

Mayor Rod DesJardins declared the motion _____ on April 3rd, 2019

Sue Roberts, City Clerk

10. Resolution to Waive Penalties under MCL 211.27b

Moved by Commissioner Ballas to table this item until the April 15, 2019 meeting. Support by Commissioner Nettleton.

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

11. First Reading of Ordinance 2019-1 Amending the City of Munising Zoning Ordinance

Mayor DesJardins commended the Planning Commission for all their hard work.

12. Approve City Commission Meeting Minutes of 3-6-2019

Moved by Commissioner Nettleton to approve the City Commission Meeting Minutes of 3-6-19 as presented. Support by Commissioner Ballas.

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

13. Check Register/List of Bills

APRIL 3, 2019

Moved by Commissioner Nettleton to approve and pay the check register list of bill as presented. Support by Commissioner Ballas.

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

14. City Manager Report

City Manager Olson stated that the County-United States Forest Service land swap documents are being prepared. There may be some Commission action needed in the near future to satisfy the United States Forest Service process. Regarding the 2013 Energy Bond, he has been working with the PFM advisors on continuing disclosure documents: energy upgrades, blower and aeration upgrades from last fall and have reduced power bills at the WWTP by up to 50%. Operating the whole plant with a lower power demand than the original blower. Also, submitting an application for a grant for new diffusers in our old package plant. Last \$25,000.00 from the State of Michigan energy office. As for the H-58 Flap Phase II, MDOT has a bid opening this Friday. He should have a good cost idea by the middle of next week. Regarding the MDOT 2020 TAP Grant both grants were awarded. He is still working on the MDOT paperwork. Olson then stated that a joint MDOT-City meeting is being planned for the third week of May. As for the budget it is being prepared he is aiming for a May 20th submission to the Commission. Last, the 2016 DEQ National Pollutant Discharge Elimination System (NPDES) permit is out for public input. Currently DEQ is about three years behind. We will increase testing frequencies and lower discharge limits as compared to our 2013 permit.

E. CORRESPONDENCE

Correspondence included information from the Department of Licensing and Regulatory Affairs informing them of a transfer of ownership of an escrowed 2018 Class C and SDM licensed business for EH! Burger, LLC.

F. PUBLIC COMMENTS (non-agenda items)

Mayor DesJardins apologized to Commissioner Nettleton regarding how he handled an incident at the Alger Parks and Recreation Board. DesJardins stated that Commissioner Nettleton is one of the hardest working Commissioners. He also welcomed Commissioners Ballas and Bogater to the Commission.

G. ADJOURNMENT

Moved by Commissioner Nettleton to adjourn the Regular meeting of the City Commission. Support by Commissioner Ballas.

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

The Regular Meeting of the City Commission adjourned at 7:07 p.m.

Rod DesJardins, Mayor

Sue Roberts, City Clerk

LIST OF BILLS

| | | |
|--------|---------------------------------|---------|
| 33790) | UPPER PENINSULA POWER COMPANY | 5673.56 |
| 33791) | HIAWATHA TELPHONE COMPANY | 886.97 |
| 33792) | UP INTERNATIONAL TRUCK | 3277.26 |
| 33793) | PETERSON PUBLISHING INC. | 3438.40 |
| 33794) | LAMMI FIRE PROTECTION | 251.75 |
| 33795) | DSTECH | 64.41 |
| 33796) | ALGER COUNTY TREASURER | 1583.56 |
| 33797) | KENDRICKS, BORDEAU, KEEFE | 75.00 |
| 33798) | SHELL FLEET PLUS | 4997.05 |
| 33799) | UPPER PENINSULA RECREATION INC. | 1230.77 |
| 33800) | DESJARDINS CONSTRUCTION | 1800.00 |
| 33801) | MILLER BRADFORD & RISBERG | 1946.50 |
| 33802) | VANTAGE FLEX, LLC | 110.00 |
| 33803) | ROD DESJARDINS | 70.76 |
| 33804) | POMPS TIRE SERVICE, INC. | 3654.32 |

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|--------|---------------------------------------|----------|
| 33805) | US BANK | 24321.25 |
| 33806) | MACQUEEN EQUIPMENT INC. | 292.08 |
| 33807) | CITY OF MUNISING-WATER | 1427.63 |
| 33808) | MADIGAN'S HARDWARE | 366.82 |
| 33809) | UPPER MICHIGAN COMMUNITY CREDIT UNION | 2612.85 |
| 33810) | COLEMAN ENGINEERING COMPANY | 40.50 |
| 33811) | U.P. PROPANE | 279.37 |
| 33812) | US BANK EQUIPMENT FINANCE | 284.43 |
| 33813) | GOLDER ASSOCIATES, INC. | 13720.00 |
| 33814) | COMPUDYNE, INC. | 70.00 |
| 33815) | GREAT AMERICAN DISPOSAL COMPANY | 3845.05 |
| 33816) | NAPA AUTO PARTS | 664.04 |
| 33817) | AUTO-WARES GROUP | 982.03 |
| 33818) | RANDY JIRIKOVIC | 1140.00 |
| 33819) | HUNTINGTON BANK | 4840.02 |
| 33820) | DEB LINDEBLAD | 61.56 |
| 33821) | USA BLUE BOOK | 144.00 |
| 33822) | GRAINGER | 14.68 |
| 33823) | UPPER MICHIGAN COMMUNITY CREDIT UNION | 282.39 |
| 33824) | ANDERSON, TACKMAN & COMPANY | 500.00 |
| 33825) | UPPER PENINSULA RECREATION INC. | 1230.77 |
| 33826) | COMPASS MINERALS AMERICA INC. | 17219.68 |
| 33827) | DENMAN'S HARDWARE | 45.90 |
| 33828) | TRUCK EQUIPMENT, INC. | 89.94 |
| 33829) | NORTH CENTRAL LABORATORIES | 272.78 |
| 33830) | ERA | 315.40 |
| 33831) | OSHKOSH FIRE & POLICE EQUIPMENT | 860.72 |
| 33832) | LIFELOCK TECHNOLOGIES, INC. | 210.00 |
| 33833) | MICHIGAN STATE POLICE | 132.00 |
| 33834) | DELTA DENTAL | 1755.84 |
| 33835) | BLUE CROSS BLUE SHIELD OF MICHIGAN | 23471.42 |
| 33836) | QUILL CORPORATION | 183.92 |
| 33837) | POMASL FIRE EQUIPMENT | 44.69 |
| 33838) | POMASL FIRE EQUIPMENT | 322.19 |
| 33839) | UPPER PENINSULA POWER COMPANY | 15821.40 |
| 33840) | DTE ENERGY | 3414.58 |
| 33841) | STANDARD INSURANCE COMPANY | 434.41 |
| 33842) | STANDARD INSURANCE COMPANY | 284.64 |
| 33843) | HIAWATHA TELEPHONE COMPANY | 40.14 |
| 33844) | KATHY REYNOLDS | 50.00 |
| 33845) | PETERSON PUBLISHING INC. | 249.38 |
| 33846) | FOURTH OF JULY COMMITTEE | 1000.00 |
| 33847) | MUNISING HOCKEY ASSOCIATION | 500.00 |
| 33848) | GMBPCD | 500.00 |
| 33849) | POMASL FIRE EQUIPMENT | 489.69 |
| 33850) | LMAS DISTRICT HEALTH DEPARTMENT | 216.00 |
| 33851) | AN*SER SERVICES | 57.00 |