

June 5, 2013

CITY COMMISSION
AGENDA
WEDNESDAY, JUNE 5, 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 - AMENDMENT TO THE DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF THE CITY OF MUNISING DOWNTOWN DEVELOPMENT AUTHORITY
- D. OLD CITY BUSINESS
 - 1. Second Reading/Adoption of Ordinance No. 2013-1 an Ordinance to Amend Ordinance No. 2006-1, Blight Control Ordinance
 - 2. Second Reading/Adoption of Ordinance No. 2013-2 an Ordinance to Adopt by Reference the Uniform Traffic Code and to Repeal Ordinance #20 and Ordinance #1985-1
 - 3. Committee Reports - Updates
- E. NEW CITY BUSINESS
 - 1. Approve Resolution Authorizing Notice of Intent to Issue Bonds and Declaration of Intent to Reimburse from Bond Proceeds (DDA Honeywell Project)
 - 2. AECOM invoice in the amount of \$3,107.56 regarding the City of Munising Marina Dredging Project
 - 3. Approve Resolution Naming Official Authorized to sign Contracts regarding the Safe Routes to School Contract with The Department of Transportation
 - 4. Coleman Engineering Company invoice for H-58 Rural Task Force Roadway Project in the amount of \$2,387.00
 - 5. 2013-2014 Proposed Budget - Set Special Meeting for Budget Public Hearing
 - 6. Set up meeting with MML Alan Bakalarski RE: Hiring City Manager
 - 7. Temporary Use of the Old State Police Building
 - 8. Approve City Commission Meeting Minutes of 5-20-13
 - 9. Check Register - List of Bills
 - 10. City Manager Report
- F. CORRESPONDENCE
- G. PUBLIC COMMENTS (non-agenda items)
- H. CLOSED SESSION
 - 1. For the purpose of discussing Union negotiation strategies
 - 2. Adjourn Closed Session - Reenter Regular Meeting
- I. ADJOURNMENT

CITY COMMISSION

Official Proceedings

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

June 5, 2013

The Regular Meeting of the City Commission was duly called and held on Wednesday, **June 5, 2013**, in the City Commission Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

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

B. PUBLIC COMMENTS (non-agenda items)

There were none.

Moved by Commissioner Daniels to amend the agenda to include H1. (For the purpose of discussing Union negotiation strategies) adding, and review Labor Attorney's opinion. Support by Commissioner Bornslaeger.

Unanimous Voice Vote:

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

C. PUBLIC HEARING

1. DDA - AMENDMENT TO THE DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF THE CITY OF MUNISING DOWNTOWN DEVELOPMENT AUTHORITY

Dean Seaberg - Munising Flower Shop- asked about the Fineman building and the proposed amount to spend; Dale Immel explained that the cost estimates are very broad and that the Fineman building was an existing project from the first Downtown Development Authority; Dale went onto explain the budget. John Madigan stated that the Downtown Development Authority is doing good things with all the facade projects Munising is looking good. Commissioner Daniels asked about the \$1,975,000.00 figure for salaries; it was explained that this figure covers the next twenty years and a projection had to be part of the whole plan. Dale Immel stated that the four top projects are the LED lighting project, aggregate replacement, the Cox building and the Fineman building. Jerry Doucette stated that he had had some questions and the staff at City Hall was very helpful, and he felt that there was a good working relationship with the City and County offices. He also felt that it was good to keep the lines of communication between the two offices open. Annetta VanLandschoot of VanLandschoot & Sons in Brown's Addition stated that the commercial people in Brown's Addition are developing a plan to enhance their business', she questioned Brown's Addition becoming part of the DDA. Jerry Doucette answered that he was quite positive that the County would opt out if approached by the City to enlarge the DDA district. Mayor DesJardins stated that the City would not even entertain the idea.

Moved by Commissioner Bornslaeger to adjourn the Public Hearing portion of the meeting and enter the Regular Meeting. Support by Commissioner Daniels.

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

D. OLD CITY BUSINESS

1. Second Reading/Adoption of Ordinance No. 2013-1 an Ordinance to Amend Ordinance No. 2006-1, Blight Control Ordinance

Moved by Commissioner Bornslaeger to approve and adopt Ordinance No. 2013-1 to Amend Ordinance No. 2006-1, Blight Control Ordinance as presented. Support by Commissioner Nettleton.

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

2. Second Reading/Adoption of Ordinance No. 2013-2 an Ordinance to Adopt by Reference the Uniform Traffic Code and to Repeal Ordinance #20 and Ordinance #1985-1

Moved by Commissioner Daniels to approve and adopt Ordinance NO. 2013-2 an Ordinance to Adopt by Reference the Uniform Traffic Code and to Repeal Ordinance #20 and Ordinance #1985-1. Support by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Daniels, Bornslaeger, Nettleton and Mayor

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DesJardins
Nays: None

3. Committee Reports - Updates

There were none.

E. NEW CITY BUSINESS

1. Approve Resolution Authorizing Notice of Intent to Issue Bonds and Declaration of Intent to Reimburse from Bond Proceeds (DDA Honeywell Project)

Moved by Commissioner Bornslaeger to approve the Resolution Authorizing the Notice of Intent to Issue Bonds and Declaration of Intent to Reimburse from Bond Proceeds for the DDA Honeywell Project. Support by Commissioner Daniels.

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

RESOLUTION AUTHORIZING NOTICE OF INTENT TO ISSUE BONDS AND
DECLARATION OF INTENT TO REIMBURSE FROM BOND PROCEEDS

City of Munising
County of Alger, State of Michigan

Minutes of a regular meeting of the City Commission of the City of Munising, County of Alger, State of Michigan held on the 5th day of June, 2013, at 6:00 o'clock p.m. prevailing Eastern Time.

PRESENT: Commissioners: Daniels, Bornslaeger, Nettleton and Mayor DesJardins

ABSENT: Commissioner: Cotey

The following preamble and resolution were offered by Commissioner Bornslaeger and supported by Commissioner Daniels:

WHEREAS, the City of Munising, County of Alger, State of Michigan (the "City") has previously established the City of Munising Downtown Development Authority (the "DDA") pursuant to Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"); and

WHEREAS, the City intends to authorize the issuance and sale of limited tax general obligation bonds pursuant to Act 197 to pay a portion of the cost to acquire and construct 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 amount of bonds to be issued pursuant to Act 197 to finance the portion of the Project within the Development Area of the DDA shall not exceed Three Hundred Fifty Thousand Dollars (\$350,000); and

WHEREAS, a notice of intent to issue bonds must be published at least forty-five (45) days before the issuance of the bonds in order to comply with the requirements of Section 5(g) of the Home Rule City Act; and

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City of the DDA for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue Bonds in The Munising News, a newspaper of general circulation in the City, as a quarter-page display advertisement in substantially the form attached to this resolution as Exhibit A.

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2. The City Commission does hereby determine that the form of notice of intent to issue bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue Bonds, the purpose of the bond issue, the security for the Bonds and the right of referendum of the electors with respect thereto.

3. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse the City or the DDA for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$350,000.

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

AYES: MEMBERS: Daniels, Bornslaeger, Nettleton and Mayor DesJardins

NAYS: MEMBERS: None

RESOLUTION DECLARED ADOPTED.

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 June 5, 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 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

EXHIBIT A
NOTICE TO ELECTORS OF THE CITY OF MUNISING
OF INTENT TO ISSUE GENERAL OBLIGATION BONDS
PAYABLE FROM TAX INCREMENT REVENUES OF THE
CITY OF MUNISING DOWNTOWN DEVELOPMENT AUTHORITY
AND OF RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Commission of the City of Munising, County of Alger, State of Michigan (the "City"), intends to authorize the issuance and sale of general obligation bonds pursuant to Act 197, Public Acts of Michigan, 1975, as amended, in the principal amount of not to exceed Three Hundred Fifty Thousand Dollars (\$350,000), for the purpose of paying a portion of the cost to acquire and construct 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, and making related site improvements within the Development Area of the City of Munising Downtown Development Authority (the "DDA"), as set forth in the DDA's proposed Development Plan and Tax Increment Financing Plan on file with the City.

The bonds will be issued in one series and will mature in annual installments not to exceed twenty (20) in number, with interest rates to be determined upon sale thereof, but in no event to exceed the maximum rate permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

SOURCE OF PAYMENT OF BONDS

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THE PRINCIPAL OF AND INTEREST ON SAID GENERAL OBLIGATION BONDS shall be payable primarily from the tax increment revenues derived from the Development Area of the DDA and received by the City from the DDA.

IN ADDITION, THE FULL FAITH, CREDIT AND RESOURCES OF THE CITY SHALL BE IRREVOCABLY PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS, AND IN CASE OF INSUFFICIENCY OF THE TAX INCREMENT REVENUE PAYMENTS FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS, THE CITY SHALL BE OBLIGATED TO PAY THE SAME AS A FIRST BUDGET OBLIGATION FROM ITS GENERAL FUNDS OR FROM ANY TAXES WHICH IT MAY LEVY WITHIN APPLICABLE CONSTITUTIONAL, STATUTORY, AND CHARTER TAX RATE LIMITATIONS.

RIGHT OF REFERENDUM

THE GENERAL OBLIGATION BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING AN ELECTION ON THE QUESTION OF ISSUING THE BONDS, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY, IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. If such a petition is filed, the bonds cannot be issued unless approved by a majority vote of the electors of the City voting on the question of their issuance.

THIS NOTICE is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended.

ADDITIONAL INFORMATION will be furnished at the office of the City Clerk upon request.

Sue Roberts, City Clerk

2. AECOM invoice in the amount of \$3,107.56 regarding the City of Munising Marina Dredging Project

Moved by Commissioner Bornslaeger to approve the invoice from AECOM in the amount of \$3,107.56 regarding the Marina Dredging Project. Support by Commissioner Daniels.

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

3. Approve Resolution Naming Official Authorized to sign Contracts regarding the Safe Routes to School Contract with The Department of Transportation

Moved by Commissioner Daniels to authorize the City Manager to sign contracts/documentation regarding the Safe Routes to School Contract with the Department of Transportation. Support by Commissioner Nettleton.

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

4. Coleman Engineering Company invoice for H-58 Rural Task Force Roadway Project in the amount of \$2,387.00

Moved by Commissioner Bornslaeger to approve the invoice for Coleman Engineering Company in the amount of \$2,387.00 for the H-58 Rural Task Force Roadway Project. Support by Commissioner Daniels.

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

5. 2013-2014 Proposed Budget - Set Special Meeting for Budget Public Hearing

Mayor DesJardins called a Special Meeting for June 26, 2013 at 6:00 p.m. for the 2013-2014 Proposed Budget Public Hearing and Adoption of the budget.

6. Set up meeting with MML Alan Bakalarski RE: Hiring City Manager

Mayor DesJardins called a Special Meeting for June 12, 2013 at 6:00 p.m. with Alan Bakalarski with MML regarding hiring a new City Manager.

7. Temporary Use of the Old State Police Building

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Moved by Commissioner Nettleton to authorize the City Manager to decide the best use of the old State Police building property. Support by Commissioner Bornslaeger.

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

8. Approve City Commission Meeting Minutes of 5-20-13

Moved by Commissioner Nettleton to approve the City Commission Meeting Minutes of 5-20-13 as presented. Support by Commissioner Daniels.

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

9. Check Register - List of Bills

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

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

10. City Manager Report

City Manager Bovin stated that we are somewhat behind on the budget because of the insurance issue but are getting close. Next, Bovin stated that a bid from K & M had come in regarding the WWTP pump request at the last meeting, the bid was higher than both the others received. Leif Street and Jamadots will be having the Marty's Golden Airs group here this summer up to the 4th of July, they will play a couple of places around town.

F. CORRESPONDENCE

There was none.

G. PUBLIC COMMENTS (non-agenda items)

There were none.

H. CLOSED SESSION

Moved by Commissioner Bornslaeger to move into Closed Session for the purpose of discussing Union negotiation strategies and to review the Labor Attorney's opinion. Support by Commissioner Daniels.

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

The Commission moved into Closed Session at 7:05 p.m.

Agenda Amended:

1. For the purpose of discussing Union negotiation strategies **and review Labor Attorney's opinion**
2. Adjourn Closed Session - Reenter Regular Meeting

The Commission reentered the Regular Meeting at 7:40 p.m.

Moved by Commissioner Bornslaeger to comply with the recommendation of the City's Labor Attorney. Support by Commissioner Daniels.

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

I. ADJOURNMENT

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

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

The Regular Meeting of the City Commission adjourned at 7:43 p.m.

Rod DesJardins, Mayor

Sue Roberts, City Clerk

LIST OF BILLS

26454)	DISPLAY SALES	2221.00
26455)	HIAWATHA TELEPHONE COMPANY	50.84
26456)	MUNISING BAY ART ASSOCIATION	500.00
26457)	MUNISING COMMUNITY CREDIT UNION -VISA	46.06
26458)	PUTVIN DRUG STORE	58.43
26459)	U.P. ENGINEERS & ARCHITECTS	1091.55
26460)	U.P. POWER COMPANY	18.61
26461)	ALGER COUNTY ELECTRIC	1687.00
26462)	CHARTER COMMUNICATIONS	71.62
26463)	CROSSROADS TRUCK REPAIR	44.44
26464)	DENMAN'S HARDWARE	273.95
26465)	DTE ENERGY	360.17
26466)	GBS, INC.	280.00
26467)	PUTVIN DRUG STORE	12.99
26468)	U.P. POWER COMPANY	13307.00
26469)	UPPER PENINSULA RECREATION INC.	1230.77
26470)	U.S. POSTMASTER-MUNISING	65.47
26471)	ALGER COUNTY ELECTRIC	1094.00
26472)	AMERICAN NAMEPLATE	6.60
26473)	AT&T MOBILITY	73.07
26474)	AUTO VALUE OF MUNISING-OK AUTO	231.21
26475)	MATTHEW BEAUPIED	58.03
26476)	COOPER OFFICE EQUIPMENT	657.11
26477)	GALL'S INC.	56.79
26478)	GREAT LAKES WOOD PRODUCTS	78.66
26479)	HOLIDAY COMPANIES	2578.47
26480)	MICHAEL RICHARD WASTEWATER MIC	350.00
26481)	STATE OF MICHIGAN - DEPT. OF MGMT. BUD.	1050.00
26482)	NORTH CENTRAL LABORATORIES	61.98
26483)	QUILL CORPORATION	101.85
26484)	RON'S BODY SHOP	460.19
26485)	STANDARD INSURANCE COMPANY	638.66
26486)	TRI-COUNTY SEPTIC	80.00
26487)	U.P. POWER COMPANY	2488.91
26488)	ULTRAMAX	302.00
26489)	WEST PAYMENT CENTER	804.25
26490)	ZARNOTH BRUSH WORKS, INC.	494.50
26491)	MILES ANDERSON IAAO CLASSES	75.00
26492)	AECOM TECHNICAL SERVICES	2497.50
26493)	AN*SER SERVICES	50.00
26494)	DOUG BOVIN	640.71
26495)	COLEMAN ENGINEERING COMPANY	15678.25
26496)	DSTECH	25.93
26497)	FAR PRODUCTS, CIN.	98.00
26498)	D. ROBB FERGUSON	1666.66
26499)	HILLSIDE PARTY STORE	10.50
26500)	LAGASCO PROPANE MUNISING	866.19
26501)	MANISTIQUE OIL CO. INC.	2154.02
26502)	STATE OF MICHIGAN - DEPT. OF MGM. & BUD.	175.00
26503)	NORTH CENTRAL LABORATORIES	737.23
26504)	SEW FOR YOU	28.00
26505)	TRUDELL PLUMBING & HEATING	344.00
26506)	UPCAP SERVICES., INC.	16.70
26507)	UPPER PENINSULA RECREATON INC.	2534.05
26508)	USA BLUE BOOK	527.48
26509)	VERIZON WIRELESS	50.08