CITY COMMISSION
AGENDA
MONDAY, NOVEMBER 4, 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. OLD CITY BUSINESS
   1. Committee Reports – Updates

D. NEW CITY BUSINESS
   1. Kris Petosky Vintage Snow Mobile Race
   2. Budget Adjustment for Phil’s Tree Service final Invoice $31,560.00
   3. Budget Adjustment Duquaine Freon Purchase $4,295.50
   4. Possible Changes in the Honeywell Project
   5. Approve Agreement Addendum for Dredging Project (must be done to submit for reimbursement)
   6. Approve Resolution to Accept the Terms of the Agreement Addendum for the Dredging Project
   7. Approve Change Order No. 1 Dredging Project Elimination of Beach Nourishment
   8. Approve Change Order No. 2 Dredging Project Emergency Response re: Contamination
   9. Mead & Hunt Munising Phase 3 Sewer Project invoice $887.00
  10. Mead & Hunt Munising Phase 3 Water Project invoice $373.00
  11. MIOSHA Requirements
  12. U.P. Timber Tree Harvesting
  13. City Manager Position
  14. Change or Cancel the November 18, 2013 Commission Meeting
  15. Approve City Commission Meeting Minutes of 10-21-13
  16. Check Register – List of Bills
  17. Acting City Manager Report

E. CORRESPONDENCE

F. PUBLIC COMMENTS (non-agenda items)

G. ADJOURNMENT

CITY COMMISSION
Official Proceedings

The Regular Meeting of the City Commission was duly called and held on Monday, November 4, 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, Cotey, Bornslaeger, Nettleton and Mayor DesJardins

ABSENT: None

B. PUBLIC COMMENTS (non-agenda items)
There were none.

C. OLD CITY BUSINESS

1. Committee Reports – Updates

There were no updates or Committee reports.

Moved by Commissioner Cotey to amend the agenda to include 8A Marine Tech Pay Request and 14 A Chamber of Commerce Request for Street Closures for Rekindle the Spirit. Support by Commissioner Bornslaeger.

Unanimous Voice Vote:
Approved: Yeas: Commissioners: Daniels, Cotey, Bornslaeger, Nettleton and Mayor DesJardins
Nays: None

D. NEW CITY BUSINESS

1. Kris Petosky Vintage Snow Mobile Race

Kris Petosky told the Commission that he was trying to put together a Vintage Snowmobile race from Grand Marais to Munising and a modern race from Munising to Grand Marais back to Munising. They would take place January 25, 2014. He will come back to the Commission when he has more details.

2. Budget Adjustment for Phil’s Tree Service final Invoice $31,560.00

Moved by Commissioner Bornslaeger to make a budget adjustment for the $31,560.00 invoice to Phil’s Tree Service and to cover costs with timber sales. Support by Commissioner Cotey.

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

3. Budget Adjustment Duquaine Freon Purchase $4,295.50

Moved by Commissioner Nettleton to approve a budget adjustment in the amount of $4,295.50 for the purchase of freon for the arena from its fund balance. Support by Commissioner Daniels.

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

4. Possible Changes in the Honeywell Project

At this time a list was given to the Commission for possible changes in the Honeywell Project to cut costs; this will have to come back to the Commission when actual dollar amounts are known for a decision to be made.

5. Approve Agreement Addendum for Dredging Project (must be done to submit for reimbursement)

Moved by Commissioner Nettleton to approve the Agreement Addendum for the Dredging Project to reflect $274,750.00 as the grant total. Support by Commissioner Cotey.

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

**AGREEMENT ADDENDUM**

(Supplemental Funding, Scope of Work Change, or Time Extension)

**THIS AGREEMENT ADDENDUM, made this 4th day of November, 2013, by and between the CITY OF MUNISING, MICHIGAN, a municipal corporation, hereinafter referred to as the “City”, and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, an agency of the State of Michigan, hereinafter referred to as the “Department.”

WHEREAS, on November 4, 2013, an agreement was entered into between the Department and City, to assist the City in the Emergency Dredging at the City of Munising, Munising Bayshore Marina facility, under provisions of the State’s Waterways Grant-in-Aid Program.
NOW, THEREFORE, in consideration of the mutual promises and conditions contained herein, it is mutually agreed as follows:

1. The Department agrees:

   (a) To grant to the City funds for emergency dredging of Munising Bayshore Marina (the facilities). Said total of emergency dredging funds for the project shall not exceed Two Hundred Seventy-four Thousand Seven Hundred Fifty dollars ($274,750). These monies shall be used only for the project work outlined in the Agreement and this Addendum and related engineering costs.

   (b) To release State funds according to the following:

      Completion of Department approved plans and cost estimated by the community’s engineer.

      Twenty-five (25) percent of the total grant upon execution of this Agreement. These advance funds may be used toward the plans, specifications and permits acceptable to the Department and City. The State’s ability to advance funds will be dependent on approval of the Emergency Dredge Plan Supplemental, and approval from the Department of Treasury. If the plan is not acceptable to the regulatory agencies and permits are denied, remaining funds will be returned to the State of Michigan.

      The remaining seventy-five (75) percent shall be released as a reimbursement. The final ten (10) percent shall be paid upon completion of work and receipt of progress payment requests from the contractor that are approved for payment by the designated project manager. The final ten (10) percent of State funds shall be paid upon completion of the project and 60 days after receipt of project cost documentation to the Department by the City or completion of an audit of the expenditures for the facilities by the Department, whichever occurs first.

2. The City agrees:

   (a) Said total grant-in-aid for the project shall not exceed Two Hundred Seventy-four Thousand Seven Hundred Fifty dollars ($274,750). These monies shall be used for the project work outlined in the Agreement and this Addendum and related engineering costs. This sum represents 50 percent of the total cost of the project work. Any additional funds needed to complete the project work shall be provided by the City. The City must have the prior written approval of the Department for any change orders to the contract(s) in cost, plans or specifications.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seal the day and date first above written.

IN WITNESS WHEREOF, the parties execute this Agreement by the signatures of their duly authorized representatives.

WITNESSES:

CITY OF MUNISING

By: Sue Roberts
    Title: Acting City Manager

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

By: Ronald A. Olson, Chief
    Parks and Recreation Division

6. Approve Resolution to Accept the Terms of the Agreement Addendum for the Dredging Project

Moved by Commissioner Bornslaeger to approve the Resolution accepting the terms of the Agreement Addendum for the Dredging Project. Support by Commissioner Daniels.
RESOLUTION

Upon Motion Made by Commissioner Bornslaeger, seconded by Commissioner Daniels, the following Resolution was adopted:

"RESOLVED, that the City of Munising, ALGER County, Michigan does hereby accept the terms of the Agreement Addendum as received from the Michigan Department of Natural Resources, and the City does hereby specifically agree, but not by way of limitation, as follows:

1. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.

2. To dredge the facility and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement Addendum.

3. To comply with any and all terms of the said Agreement Addendum including all terms not specifically set forth in the foregoing portions of the Resolution."

The following aye votes were recorded: 5
The following nay votes were recorded: 0

STATE OF MICHIGAN
COUNTY OF ALGER

I, Sue Roberts, Clerk of the City of Munising, Alger County, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which Resolution was adopted by the City Council at a meeting held November 4, 2013.

Dated: ________________________

City Clerk

7. Approve Change Order No. 1 Dredging Project Elimination of Beach Nourishment

Moved by Commissioner Cotey to approve Change Order No. 1 Dredging Project Elimination of Beach Nourishment an increase of $4,005.00. Support by Commissioner Daniels.

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

8. Approve Change Order No. 2 Dredging Project Emergency Response re: Contamination

Moved by Commissioner Bornslaeger to approve Change Order No. 2 Dredging Project Emergency Response regarding contamination an increase of $23,063.99. Support by Commissioner Daniels.

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

8A. Marine Tech Pay Request

Moved by Commissioner Nettleton to approve the pay request from Marine Tech in the amount of $107,802.67. Support by Commissioner Daniels.

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

9. Mead & Hunt Munising Phase 3 Sewer Project invoice $887.00
Moved by Commissioner Daniels to approve and pay Mead & Hunt $887.00 for services rendered on the Munising Phase 3 Sewer Project. Support by Commissioner Bornslaeger.

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

10. Mead & Hunt Munising Phase 3 Water Project invoice $373.00

Moved by Commissioner Cotey to approve and pay Mead & Hunt $373.00 for services rendered on the Munising Phase 3 Water Project. Support by Commissioner Daniels.

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

11. MIOSHA Requirements

Moved by Commissioner Daniels to approve the required MIOSHA safety equipment in the amount of $1,847.12. Support by Commissioner Bornslaeger.

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

12. U.P. Timber Tree Harvesting

Moved by Commissioner Daniels to authorize the Acting City Manager to get the cost estimate on the timber sale regarding a scaled sale. Support by Commissioner Nettleton.

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

13. City Manager Position

Moved by Commissioner Daniels to have the Labor Committee invite five second tier candidates for interviews. Support by Commissioner Cotey.

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

Moved by Commissioner Cotey to authorize the Labor Committee to find an Interim City Manager offering $1,000.00 per week with a start date of November 18, 2013. Support by Commissioner Daniels.

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

14. Change or Cancel the November 18, 2013 Commission Meeting

Moved by Commissioner Cotey to change the November 18, 2013 meeting to Tuesday, November 12, 2013 at 6:00 p.m. Support by Commissioner Daniels.

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

14A. Chamber of Commerce Request for Street Closures for Rekindle the Spirit

Moved by Commissioner Nettleton to approve the request from the Chamber that on December 5th from 4:50 p.m. – 7:30 p.m. to close Superior Street from M-28 to Lynn Street for Rekindle the Spirit activities. Support by Commissioner Daniels.

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

15. Approve City Commission Meeting Minutes of 10-21-13
Moved by Commissioner Nettleton to approve the City Commission Meeting Minutes of 10-21-13 as submitted. Support by Commissioner Bornslaeger.

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

16. Check Register - List of Bills

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

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

17. Acting City Manager Report

Commissioner Nettleton asked Acting City Manager Roberts if anything had been decided about the dip in the newly finished H-58 project. Roberts indicated that the inspection had taken place and it was brought the Coleman Engineering’s attention she is waiting to hear what they plan to do.

E. CORRESPONDENCE

There was none.

F. PUBLIC COMMENTS (non-agenda items)

There were none.

G. ADJOURNMENT

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

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

The Regular Meeting of the City Commission adjourned at 7:00 p.m.

__________________________
Rod DesJardins, Mayor

__________________________
Sue Roberts, City Clerk

LIST OF BILLS

27089) SHAWN BOSLEY 57.63
27090) DENMAN’S HARDWARE 5.29
27091) GEROU EXCAVATING, INC. 1112.00
27092) TONY GRAHOVAC 53.41
27093) GREATER MUNISING BAY 50.00
27094) HIAWATHA TELEPHONE COMPANY 50.02
27095) HOOVER’S TREE SERVICE 2000.00
27096) MADIGAN’S HARDWARE 9.99
27097) PETERSON PUBLISHING INC. 96.35
27098) PUTVIN DRUG STORE 74.96
27099) U.P. ENGINEERS & ARCHITECTS 2550.61
27100) UPPER PENINSULA POWER COMPANY 19.18
27101) MENARDS 125.65
27102) AECOM TECHNICAL SERVICES 8290.00
27103) MAYOFARE MEDICAL CENTER 28.00
27104) COLEMAN ENGINEERING COMPANY 21307.75
27105) ETNA SUPPLY COMPANY 264.52
27106) MACQUEEN EQUIPMENT INC. 740.83
27107) MARINE TECH LLC 32665.92
27108) MICHIGAN MUNICIPAL LEAGUE 8072.93
27109) NORTH CENTRAL LABORATORIES 247.01
27110) OLSON TRAILER & BODY 148.76
27111) SUBURBAN PROPANE 1649.03
27112) UPPER PENINSULA POWER COMPANY 3206.10
27113) UPPER PENINSULA RECREATION INC. 1085.26
27114) USA BLUE BOOK 477.61
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