

March 6, 2013

CITY COMMISSION
AGENDA
WEDNESDAY, MARCH 6, 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. Lease Agreement with ALTRAN-DDA-City "Pocket Park" tabled from 2-18-13
 - 2. Approve Resolution Establishing Development Area Citizens Council tabled from 2-18-13 meeting
 - 3. Committee Reports - Updates
- D. NEW CITY BUSINESS
 - 1. Approve Seasonal and Transient Fees for Dockage at Bayshore Marina
 - 2. Approve Notice of Intent to Issue Bonds (Honeywell project)
 - 3. Approve City Commission Meeting Minutes of 2-18-13
 - 4. Check Register - List of Bills
 - 5. City Manager's Contract
 - 6. City Manager Report
- E. CORRESPONDENCE
- F. PUBLIC COMMENTS (non-agenda items)
- G. CLOSED SESSION
 - 1. For the purpose of discussing Union Negotiation Strategies
- H. 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, **March 6, 2013**, in the City Commission Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

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

- B. PUBLIC COMMENTS (non-agenda items)

There were none.

- C. OLD CITY BUSINESS

- 1. Lease Agreement with ALTRAN-DDA-City "Pocket Park" tabled from 2-18-13

The Commission removed this from the agenda ALTRAN will have to contact us when they are ready to have it placed on the agenda.

- 2. Approve Resolution Establishing Development Area Citizens Council tabled from 2-18-13 meeting

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Moved by Commissioner Bornslaeger to approve the Resolution Establishing Development Area Citizens Council for the Downtown Development Authority. Support by Commissioner Cotey.

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

RESOLUTION ESTABLISHING DEVELOPMENT AREA CITIZENS COUNCIL

City of Munising
County of Alger, Michigan

Minutes of a regular meeting of the City Commission of the City of Munising, County of Alger, Michigan, held on the 6th day of March, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Members: Cotey, Bornslaeger, Nettleton and DesJardins
ABSENT: Members: Dolaskie

The following preamble and resolution was offered by Member Bornslaeger and supported by Member Cotey:

WHEREAS, pursuant to the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), the City Commission of the City of Munising (the "City") duly established the City of Munising Downtown Development Authority (the "Authority"); and

WHEREAS, the City has previously adopted a Development and Tax Increment Financing Plan (as amended, the "Plan") for the Downtown District; and

WHEREAS, the Authority and the City now desire to amend the Plan; and

WHEREAS, there are now more than 100 residents in the development area set forth in the Plan;

And

WHEREAS, it is therefore necessary for the City to establish a Development Area Citizens Council for the development area designated in the Plan and consult with the Commission during the development of the amendment to the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A Development Area Citizens Council (the "DACC") is hereby established for the development area designated in the Plan pursuant to Section 21 of Act 197. The DACC shall consist of nine members, any five of whom shall constitute a quorum.

2. The City Commission hereby appoints each of the persons listed below as members of the DACC effective on the date hereof, each of whom satisfies the requirements of Section 21 of Act 197 as to membership qualifications:

- a. George Sharkey
- b. Herbert Beich
- c. Emily Cummings
- d. Dale Cummings
- e. Deb Fulcher
- f. Thomas Baugnet
- g. Jill Baugnet
- h. Joan Vinette
- i. Julie Johnson

3. The DACC shall conduct its meetings in accordance with Section 24 of Act 197. The Clerk of the City, or his or her designee, shall act as secretary to the DACC and shall keep minutes of the meetings of the DACC.

4. The DACC shall discharge the functions required by law.

5. The City Commission hereby calls the first meeting of the DACC, to be a public meeting held on March 13, 2013 at 5:00 p.m. at City Hall.

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6. 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: Cotey, Bornslaeger, Nettleton and DesJardins

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

Sue Roberts, City Clerk

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 March 6, 2013, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that minutes of the meeting were kept and will be or have been made available as required by said Act.

Sue Roberts, City Clerk

3. Committee Reports - Updates

Commissioner Cotey stated that there will be a Work Bee this Saturday at 9:00 a.m. at the Central School, Alger Parks and Recreation Inc. are shooting for an April 1st opening. They will have a fitness center; cardio room and weight room. Things are moving along nicely. As for the tenants, they are on hold at this time.

D. NEW CITY BUSINESS

1. Approve Seasonal and Transient Fees for Dockage at Bayshore Marina

Moved by Commissioner Cotey to approve Michigan Waterways Rate 9 for Seasonal dockage and Schedule C for transient dockage. Support by Commissioner Bornslaeger.

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

2. Approve Notice of Intent to Issue Bonds (Honeywell project)

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

Approved: Yeas: Commissioners: Cotey, 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 (the "City"), held on the 6th day of March 2013, at 6:00 o'clock p.m. Eastern Standard Time.

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

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

WHEREAS, the City intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in one or more series, in an aggregate amount not to exceed One

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Million Five Hundred Thousand Dollars (\$1,500,000.00) for the purpose of paying the costs of acquiring and constructing 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, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 517 of Act 34, Public Acts of Michigan, 2001, as amended; 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 for the Project prior to issuance of the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Clerk of the City 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.

2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

NOTICE TO ELECTORS OF THE CITY OF MUNISING
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING
POWER OF THE CITY AND THE RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Commission of the City of Munising, County of Alger, State of Michigan, intends to issue and sell general obligation capital improvements bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in one or more series, in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) for the purpose of paying the costs of acquiring and constructing 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.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed twenty (20) in number, with interest at the rate or rates to be determined at a public or private sale but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid. The Bonds may be issued in one or more series as determined by the City Commission.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE CITY IS FILED WITH THE CITY CLERK OF THE CITY, 301 E. SUPERIOR ST., MUNISING, MI 49862, WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED AND THE ELECTORS OF THE CITY VOTING THEREON APPROVE THE ISSUANCE OF THE BONDS, THEN THE BONDS MAY BE PAYABLE FROM AD VOLOREM TAXES THAT MAY BE LEVIED ON ALL TAXABLE PROPERTY IN THE CITY WITHOUT LIMITATION AS TO RATE OR AMOUNT.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001 as amended.

Sue Roberts, City Clerk
City of Munising

3. The City Commission does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is

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the method best calculated to give notice to the City's taxpayers and electors of this Commission's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. 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 itself with the proceeds of the Bonds for costs of acquiring the Project that were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds of the City.
- (b) The maximum principal amount of the Bonds expected to be issued for the acquisition of the Project, including issuance costs, is \$1,500,000.00.
- (c) The expenditures described above are "capital expenditures" as defined in Treasury Regulation § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

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

AYES: Commissioners: Cotey, Bornslaeger, Nettleton and Mayor DesJardins
NAYS: None

RESOLUTION DECLARED ADOPTED.

Sue Roberts, City Clerk

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 March 6, 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, being 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

3. Approve City Commission Meeting Minutes of 2-18-13

Moved by Commissioner Cotey to approve the City Commission Meeting Minutes of 2-18-13 as submitted. Support by Commissioner Nettleton.

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

4. Check Register - List of Bills

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

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

5. City Manager's Contract

City Manager Bovin reminded the Commission that his contract has expired and they need to decide what they want to do. He suggested that they start looking for a new Manager and that he would like the transition to be a smooth one. The Commission may form a Committee to put the wheels in motion regarding finding a new City Manager. Bovin also stated that he would like

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to go back to a regular employee by the first of May and possibly go to part time.

6. City Manager Report

City Manager Bovin stated that there will be about forty trees coming the Alger Conservation District is working on trying to get more trees. Regarding the dredging; we will have to have soil sampling done so we will know where the material can be removed to. As for the ADA report, Bovin has a rough estimate of what it will cost; Duane Reid with Rural Development wants the corrections done before the Cox Addition project gets underway. Last, the City had a major water main break on the west end of town; our crew was able to fix the break and clean up the area.

E. CORRESPONDENCE

Correspondence included a letter from TriMedia regarding the "Lust" site project; Notice of Completion. City Manager Bovin gave the Commission another letter from Mylan Koski asking that he please disregard the previous letter. Bovin made is clear that the project is still in the works and not completed at this time.

F. PUBLIC COMMENTS (non-agenda items)

There were none.

G. CLOSED SESSION

1. For the purpose of discussing Union Negotiation Strategies

Moved by Commissioner Cotey to enter into Closed Session for the purpose of discussing Union Negotiation Strategies. Support by Commissioner Nettleton.

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

The Commission entered Closed Session at 6:59 p.m.

The Commission reentered the Regular Meeting at 7:13 p.m.

H. ADJOURNMENT

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

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

The Regular Meeting of the City Commission adjourned at 7:14 p.m.

Rod DesJardins, Mayor

Sue Roberts, City Clerk

LIST OF BILLS

26148)	CHARTER COMMUNICATIONS	71.62
26149)	CITY OF MUNISING-PETTY CASH	63.47
26150)	COLEMAN ENGINEERING COMPANY	6301.00
26151)	MAZZALI AGENCY	931.00
26152)	MILLER BRADFORD & RISBERG	330.21
26153)	QUILL CORPORATION	319.90
26154)	STANDARD INSURANCE COMPANY	638.66
26155)	TELNET WORLDWIDE, INC.	25.68
26156)	DESJARDINS CONSTRUCTION	900.00
26157)	UPPER PENINSULA RECREATION INC.	1230.77
26158)	U.S. POSTMASTER-MUNISING	68.56
26159)	ALGER COUNTY TREASURER	2.38
26160)	DSTECH	25.93
26161)	D. ROBB FERGUSON	1666.66

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26162)	GALL'S INC.	62.23
26163)	HILLSIDE PARTY STORE	54.35
26164)	HI-WHITE ELECTRIC, INC.	276.00
26165)	HOLIDAY COMPANIES	7594.93
26166)	MANATRON INC.	500.71
26167)	MML - WORKERS COMP	3674.00
26168)	MICHIGAN RURAL WATER ASSOC.	125.00
26169)	STATE OF MICHIGAN MDOT	58616.00
26170)	MILLER BRADFORD & RISBERG	2535.25
26171)	NAVITABS	98.00
26172)	NORTHWOODS PRINTING	43.50
26173)	PAYNE & DOLAN, INC.	1233.93
26174)	POMASL FIRE EQUIPMENT	279.30
26175)	STATE OF MICHIGAN DEPT. OF ENVIRON.	70.00
26176)	U.S. POSTMASTER-MUNISING	563.77
26177)	MARQUETTE CARTRIDGES & MORE	173.43
26178)	MIDNIGHT RUN RACE/U.P. 200	500.00
26179)	MUNISING FARMERS MARKET	500.00
26180)	PUTVIN DRUG STORE	39.99
26181)	AT&T MOBILITY	72.49
26182)	DOUG BOVIN INC.	9074.92
26183)	COLEMAN ENGINEERING COMPANY	225.00
26184)	DRESSELER MECHANICAL INC.	3211.00
26185)	HIAWATHA TELEPHONE COMPANY	1138.55
26186)	SKIP'S AUTO REPAIR LLC	454.83
26187)	SUPERIOR WALK IN CENTER	60.00