

November 12, 2013

MEETING CHANGE  
CITY COMMISSION OF THE CITY OF MUNISING  
AGENDA  
TUESDAY, NOVEMBER 12, 2013  
6:00 P.M.

- A. CALL TO ORDER OF REGULAR CITY COMMISSION MEETING, PLEDGE OF ALLEGIANCE, ROLL CALL
- B. PUBLIC COMMENT (non-agenda items)
- C. OLD CITY BUSINESS
  - 1. Treasurer's Report - No report did not have all the statements in
  - 2. Monthly Reports - Committee - Fire - Police - WWTP
  - 3. DDA - Partnership Updates - Kathy Reynolds
- D. NEW CITY BUSINESS
  - 1. Interim City Manager Agreement
  - 2. SAW Grant Resolution
  - 3. Request to have the US Attorney conduct an investigation of Officer Leo Cote
  - 4. U.P. Timber Tree Harvesting - Jasper Rd. and St. Martins - Scaled Sale
  - 5. Quote from El-Com Services, Inc. radio replacement Department of Public Works \$5,949.10
  - 6. D. Robb Ferguson Invoices from 2009
  - 7. Approve City Commission Meeting Minutes of 11-4-13
  - 8. Check Register/List of Bills
  - 9. Acting City Manager Report
- E. PUBLIC COMMENTS (non-agenda items)
- F. 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 Tuesday, **November 12, 2013**, in the City Commission Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

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

- B. PUBLIC COMMENT (non-agenda items)

There were none.

- C. OLD CITY BUSINESS
  - 1. Treasurer's Report - No report did not have all the statements in
  - 2. Monthly Reports - Committee - Fire - Police - WWTP

Commissioner Bornslaeger stated that Northern Michigan University will be sending him a resume to review. The Labor Committee will try to set up interviews for the first week of December.

- 3. DDA - Partnership Updates - Kathy Reynolds

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Kathy was not at the meeting.

D. NEW CITY BUSINESS

1. Interim City Manager Agreement

Moved by Commissioner Bornslaeger to approve and employ Judy Akkala as the Interim City Manager. Support by Commissioner Nettleton.

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

2. SAW Grant Resolution

Moved by Commissioner Bornslaeger to approve the Resolution Authorizing the SAW Grant Agreement for sanitary sewer, and storm sewer asset management plan. Support by Commissioner Nettleton.

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

City of Munising  
County of Alger

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the Council of the City of Munising, County of Alger, State of Michigan (the "Municipality") held on November 12, 2013.

PRESENT: Members: Bornslaeger, Nettleton and DesJardins  
ABSNET: Members: Daniels and Cotey

Member Bornslaeger offered and moved the adoption of the following resolution, seconded by Member Nettleton.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (select one of more) establish an asset management plan, establish a stormwater management plan, establish a plan for wastewater/stormwater, establish a design of wastewater/Stormwater, pursue innovative technology, or initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$535,000 ("Grant") be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Manager, a position currently held by Sue Roberts is designated as the Authorized Representative for purposes of the SAW Grant Agreement.

2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the

Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.

4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.

5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.

6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.

7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

Yeas: Members: Bornslaeger, Nettleton and 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 Council of the City of Munising, County of Alger, 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.

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City of Munising, Clerk Sue Roberts  
City of Munising, County of Alger

3. Request to have the US Attorney conduct an investigation of Officer Leo Cote

Moved by Commissioner Nettleton to authorize the Mayor and Chief of Police to contact the Assistant U.S. Attorney in Marquette to initiate an inquiry of a review of the twelve incidents regarding Leo Cote and the incidents occurring in the City. Support by Commissioner Bornslaeger.

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

4. U.P. Timber Tree Harvesting - Jasper Rd. and St. Martins - Scaled Sale

Moved by Commissioner Bornslaeger to table this item until the December 2, 2013 meeting. Support by Commissioner Nettleton.

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

5. Quote from El-Com Services, Inc. radio replacement Department of Public Works \$5,949.10

Moved by Commissioner Bornslaeger to reflect this is a sole source supplier and approve the quote from El-Com Services, Inc. for radio replacement in the Department of Public Works to meet government regulations in the amount of \$5,949.10. Support by Commissioner Nettleton.

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

6. D. Robb Ferguson Invoices from 2009

Moved by Commissioner Nettleton to approve and pay invoices from 2009 to D. Robb Ferguson as submitted. Support by Commissioner Bornslaeger.

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

7. Approve City Commission Meeting Minutes of 11-4-13

Moved by Commissioner Nettleton to approve the City Commission Meeting Minutes of 11-4-13 as submitted. Support by Commissioner Bornslaeger.

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

8. Check Register/List of Bills

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

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

9. Acting City Manager Report

Acting City Manager Roberts stated the Chief Nelson had received a resignation letter from Rob Freeborn creating an opening; also Wastewater Treatment Supervisor Kleiman had received a resignation letter from George Holzworth along with Mr. Niemi passing creates two openings at the plant.

E. PUBLIC COMMENTS (non-agenda items)

There were none.

F. ADJOURNMENT

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

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

The Regular Meeting of the City Commission adjourned at 6:55 p.m.

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Rod DesJardins, Mayor

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Sue Roberts, City Clerk

LIST OF BILLS

27141)	ALGER COUNTY REGISTER OF DEEDS	14.00
27142)	NANETTE CLOUSE AND RANDY WHITE	10000.00
27143)	COLLEGE LAUNDRY & RENTAL	256.20
27144)	DSTECH	112.50
27145)	MILLER, CANFIELD, PADDOCK	3500.00
27146)	MSU ANR EVENTS SERVICES	215.00
27147)	PEOPLES STATE BANK	4266.75
27148)	ALTRAN	8.00
27149)	RYAN ANDERSON	70.00
27150)	AUTO VALUE OF MUNISING	983.66
27151)	BOWMAN GAS COMPANY	96.00
27152)	JACK DOHENEY COMPANIES, INC.	146.20
27153)	EL-COM SERVICES, INC.	260.00
27154)	GEROU EXCAVATING, INC.	22.00
27155)	HIAWATHA TELEPHONE COMPANY	1209.42
27156)	STATE OF MICHIGAN DEQ	1990.54
27157)	MICHIGAN MUNICIPAL LEAGUE	700.00
27158)	MICHIGAN STATE FIREMEN'S ASSOCIATION	75.00
27159)	NAPA AUTO PARTS	93.97
27160)	PUTVIN DRUG STORE	12.99
27161)	SHELL FLEET PLUS	1962.79
27162)	TELNET WORLDWIDE, INC.	24.69
27163)	TURCK EQUIPMENT, INC.	82.18
27164)	UPPER PENINSULA RUBBER COMPANY	500.00
27165)	U.S. POSTMASTER	284.37

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27166)	US BANK EQUIPMENT FINANCE	330.32
27167)	UPPER PENINSULA RECREATION INC.	1230.77