

July 21, 2008

CITY COMMISSION OF THE CITY OF MUNISING  
AGENDA  
MONDAY, JULY 21, 2008  
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. Monthly Reports - Committee - D.P.W. - Harbor Master - Fire - Police - Treasurer - WWTP
- D. NEW CITY BUSINESS
  - 1. Recommend closing Ed Whites Hill Road - (behind Hillside Grocery)
  - 2. Bruce Hawkinson - Mead & Hunt - Projects Update
  - 3. Approve Payment Requests Water Project
  - 4. Approve Payment Requests Sewer Project
  - 5. Approve Payment Request Water-Sewer Ineligible Costs
  - 6. Approve Payment Request Water-Sewer Schedule "D"
  - 7. Approve Payment Request from O.S. Excavating for Tourist Park Project
  - 8. Approve Payment Request from Hall Contracting for Tourist Park
  - 9. Approve UPPCO Service Installation Contract for Tourist Park Project
  - 10. Brown's Addition Boat Launch Construction Agreement with Tri Media
  - 11. Approve Grant-in-Aid Agreement with the DNR - for Brown's Addition Boat Launch Project
  - 12. Approve Resolution Accepting the Grant-in-Aid Agreement with the DNR
  - 13. Tree Removal
  - 14. Building Inspection Report
  - 15. Accept \$5,000.00 offer from Bacco for Old Vactor Truck
  - 16. Bayshore Pavilion Signs
  - 17. Approve MML- Vote Authorization
  - 18. Approve City Commission Meeting Minutes of 7-2-08
  - 19. Check Register/List of Bills
  - 20. City Manager Report
- E. CORRESPONDENCE
- F. PUBLIC COMMENTS (non-agenda items)
- G. ADJOURNMENT

CITY COMMISSION

Official Proceedings

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

July 21, 2008

The Regular Meeting of the City Commission was duly called and held on Monday, **July 21, 2008**, in the City Commission Meeting Room of City Hall. Mayor DesJardins called the Regular Meeting to order at 6:00 p.m.

PRESENT: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
ABSENT: None

B. PUBLIC COMMENT (non-agenda items)

There were none.

Moved by Commissioner Bornslaeger to amend the agenda to include Sub Standard Housing Grant amounts under Old City Business #2. Supported by Commissioner Lovellette.

Unanimous Voice Vote:

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

C. OLD CITY BUSINESS

1. Monthly Reports - Committee - D.P.W. - Harbor Master - Fire - Police - Treasurer - WWTP

City Manager Bovin reminded the Commission of the upcoming Brownfield Training Session on Friday at 2:00 p.m. Commissioner Scholtz stated that this Wednesday the Planning Commission would be working on an Ordinance for renters and buildings being brought up to code. Commissioner Bornslaeger stated that the Zoning Board of Appeals has a request for a variance on Commercial St. alley to construct a garage. It was also asked if the Treasurer's report meant that the City is doing okay. Treasurer Johnson indicated that that was correct. City Manager Bovin stated that the Wastewater Treatment Plant report indicates the ratio of pumped to treated is coming down.

**AGENDA AMENDED:**

2. Sub Standard Housing Grant Amounts

Moved by Commissioner Beauprey to appoint Jay Oas as the Administrator of the City Grants from the Sub Standard Housing monies up to \$1,500.00 each. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

D. NEW CITY BUSINESS

1. Recommend closing Ed Whites Hill Road - (behind Hillside Grocery)

Mayor DesJardins explained his reason for placing this item on the agenda. Dave Schmidtman former owner of the Hillside Grocery gave the Commission an update on the hillside while he owned the store. It was advised that City Manager Bovin set up a meeting with the Engineers and Bacco and look at the hill. This meeting will take place on Thursday at 9:30 a.m. Scott Killips new owner of the Hillside Grocery and Dave Schmidtman will also attend the meeting.

2. Bruce Hawkinson - Mead & Hunt - Projects Update

Bruce Hawkinson of Mead & Hunt began by thanking the Community for all their patients and cooperation throughout this project. He gave the Commission a map indicating the completion and progress of the different areas being worked on.

3. Approve Payment Requests Water Project

Moved by Commissioner Lovellette to approve the Water Project Payment Request in the amount of \$328,469.55. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

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4. Approve Payment Requests Sewer Project

Moved by Commissioner Beauprey to approve the Sewer Project Payment Request in the amount of \$1,096,201.50. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

5. Approve Payment Request Water-Sewer Ineligible Costs

Moved by Commissioner Lovellette to approve the Water-Sewer Project Ineligible Costs payment request in the amount of \$2,762.84. Supported by Commissioner Scholtz.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

6. Approve Payment Request Water-Sewer Schedule "D"

Moved by Commissioner Bornslaeger to approve the Water-Sewer Project Schedule "D" payment request in the amount of \$9,500.00. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

7. Approve Payment Request from O.S. Excavating for Tourist Park Project

Moved by Commissioner Beauprey to approve the O.S. Excavating payment request for the Tourist Park project in the amount of \$15,793.75. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

8. Approve Payment Request from Hall Contracting for Tourist Park

Moved by Commissioner Scholtz to approve Hall Contracting pay request for the Tourist Park project in the amount of \$77,943.00. Supported by Commissioner Lovellette.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

9. Approve UPPCO Service Installation Contract for Tourist Park Project

Moved by Commissioner Lovellette to approve the UPPCO Service Installation Contract for the Tourist Project as submitted. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

10. Brown's Addition Boat Launch Construction Agreement with Tri Media

Moved by Commissioner Beauprey to approve the Construction Agreement with Tri Media for the Brown's Addition Boat Launch project, not to exceed \$2,000.00. Supported by Commissioner Lovellette.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

11. Approve Grant-in-Aid Agreement with the DNR - for Brown's Addition Boat Launch Project

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Moved by Commissioner Beauprey to approve the Grant-in-Aid Agreement with the DNR for the Brown's Addition Boat Launch Project. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

- 12. Approve Resolution Accepting the Grant-in-Aid Agreement with the DNR

Moved by Commissioner Beauprey to approve the Resolution accepting the Grant-in-Aid Agreement with the DNR. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey and Mayor DesJardins  
Nays: None

RESOLUTION

Upon motion made by Commissioner Beauprey, seconded by Commissioner Bornslaeger the following Resolution was adopted:

"RESOLVED, that the City of Munising, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources and that the City agrees, but not by way of limitation, as follows:

- 1. To appropriate the sum of Eighty-six Thousand Two Hundred Seventy-five dollars (\$86,275) to match the Eighty-six Thousand Two Hundred Seventy-five (\$86,275) State grant authorized by the Department.
- 2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.
- 3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.
- 4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.
- 5. To establish and appoint the City Manager or Designee to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.
- 6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.
- 7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this 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, Michigan, 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 was adopted by the City Board at a meeting held July 21, 2008.

Dated: July 22, 2008

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Sue Roberts, City Clerk

- 13. Tree Removal

City Manager Bovin explained the problem with the trees and sidewalks throughout the project. Change Orders will be coming in, but Bovin is not sure where to go from here, estimates are rough. Mayor DesJardins set up a Special Meeting for Monday, August 28, 2008 at 3:00 p.m. for the purpose of viewing trees and sidewalk problems within the project area.

14. Building Inspection Report

City Manager Bovin informed the Commission that two inspections were completed last week and a report will come to the Commission in August.

15. Accept \$5,000.00 offer from Bacco for Old Vactor Truck

Moved by Commissioner Lovellette to authorize the City Manager to accept the bid from Bacco of \$5,000.00 for the old vactor truck. Supported by Commissioner Scholtz.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey  
and Mayor DesJardins  
Nays: None

16. Bayshore Pavilion Signs

Moved by Commissioner Beauprey to have the City Manager, Mayor and City Clerk bring a recommendation back to the Commission for a banner/sign for the Bayshore Pavilion. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey  
and Mayor DesJardins  
Nays: None

17. Approve MML- Vote Authorization

Moved by Commissioner Beauprey to authorize and approve submitting candidate information for the MML voter authorization card. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey  
and Mayor DesJardins  
Nays: None

18. Approve City Commission Meeting Minutes of 7-2-08

Moved by Commissioner Beauprey to approve the City Commission Meeting Minutes of 7-2-08 as submitted. Supported by Commissioner Scholtz.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey  
and Mayor DesJardins  
Nays: None

19. Check Register/List of Bills

Moved by Commissioner Beauprey to approve and pay the check register/list of bills as submitted. Supported by Commissioner Bornslaeger.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey  
and Mayor DesJardins  
Nays: None

20. City Manager Report

City Manager Bovin stated that the new door is in at City Hall, the Flynn's, himself and Commissioner Lovellette will be taking a photo tomorrow at 9:00 a.m. Bovin then passed out a sheet on the bike path and the proposed phases, cost estimates he would like to move forward with this but it may not happen this year. Regarding the Elm Street enhancements, they may not happen until 2010. Bovin indicated that there are lots of things in the works, like a Bicycle Race in September they would like to bring the finish line into Munising. Bovin asked the Commission to let him know of any concerns they may have, more information will be brought back to the Commission. He gave the Commission a Mead & Hunt news letter and a copy of a 1987 visitor's Guide.

E. CORRESPONDENCE

Correspondence included a thank you from the Munising Bay Arts Association for sponsoring the annual Grandparents Day Dinner. Also included was a letter from the Sault Tribe regarding the Acknowledgement of Public Authority Responsibility agreement (designated City streets).

F. PUBLIC COMMENTS (non-agenda items)

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City Attorney Ferguson stated that regarding the Hillside Grocery City's liability, this would be a governmental immunity issue. Generally speaking the City would not be liable for anything and then the city is subject to exceptions. Arguable exceptions, mainly because the City cannot spend money to just benefit one property if the City continued to pursue this it would be inappropriate. A meeting can be held to analyze the situation on the hill but before any monies are seriously considered for commitment to this project Attorney Ferguson would like to look into it further.

G. ADJOURNMENT

Moved by Commissioner Lovellette to adjourn the Regular Meeting of the City Commission. Supported by Commissioner Beauprey.

Approved: Yeas: Commissioners: Lovellette, Scholtz, Bornslaeger, Beauprey  
and Mayor DesJardins  
Nays: None

The Regular Meeting of the City Commission adjourned at 8:15 p.m.

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Rod DesJardins, Mayor

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Sue Roberts, City Clerk

LIST OF BILLS

19328)U.S. POSTMASTER - MUNISING	472.34
19329)U.S. POSTMASTER - MUNISING	198.18
19330)MICHIGAN STATE POLICE	453.00
19331)DONNA R. GENNICK	140.00
19332)PETERSON PUBLISHING INC.	607.38
19333)A-1 WATER SYSTEMS, INC.	481.40
19334)ALGER COUNTY CHAMBER OF COMMERCE	815.00
19335)ALTRAN	10007.50
19336)AN*SER SERVICE & TEL/SEE	135.00
19337)BANC OF AMERICA LEASING	346.65
19338)BAY DE NOC COMMUNITY COLLEGE	581.51
19339)BDS INSTRUMENTATION	650.00
19340)BLUE CROSS BLUE SHIELD OF MICHIGAN	458.73
19341)BLUE CROSS BLUE SHIELD OF MICHIGAN	3491.98
19342)BLUE CROSS BLUE SHIELD OF MICHIGAN	16486.46
19343)BLUE CROSS BLUE SHIELD OF MICHIGAN	4511.20
19344)BLUE CROSS BLUE SHIELD OF MICHIGAN	3007.21
19345)DOUG BOVIN INC.	182.81
19346)CITY OF MUNISING - WATER DEPT.	2072.80
19347)CUPPAD REGIONAL COMMISSION	508.00
19348)DTE ENERGY	758.82
19349)D. ROBB FERGUSON	1666.66
19350)HEALTHY HOMES INC.	84.70
19351)HIAWATHA TELEPHONE COMPANY	1053.42
19352)HYDRITE CHEMICAL COMPANY	1636.03
19353)KELLEY MARKETING	150.00
19354)LUND'S SERVICE	78.00
19355)MANATRON INC.	1173.22
19356)METROPOLITAN UNIFORM	219.96
19357)MICHIGAN MUNICIPAL LEAGUE	69376.00
19358)MILLER BRADFORE & RISBERG	58920.00
19359)MINING JOURNAL	176.80
19360)NELSON OIL COMPANY	10.00
19361)NORTH CENTRAL LABORATORIES	289.15
19362)NORTHERN NURSERY INC.	3640.00
19363)NYE UNIFORM COMPANY	135.47
19364)THE SHIPPING SHOP	41.70
19365)STANDARD ELECTRIC COMPANY	2180.41
19366)STANDARD INSURANCE COMPANY	730.85
19367)STREICHER'S-MINNEAPOLIS	132.97
19368)TELNET WORLDWIDE, INC.	28.90
19369)U.S. BANK, N.A.	25725.00
19370)UPPER PENINSULA RECREATION	1230.77
19371)USA BLUE BOOK	200.77
19372)LAWYERS DIRECT	2304.00

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19373)ALGER COUNTY CLERK	150.00
19374)ALGER PARKS & RECREATION - PETTY CASH	86.25
19375)ROSS ALLURED	175.00
19376)ALTRAN	385.00
19377)TIM ANDERSON	20.00
19378)ARTISTS OF NOTE, INC.	600.00
19379)KYLE BARR	225.00
19380)WALLY BARR	35.00
19381)RYAN BARR	195.00
19382)JOHN EVANS	175.00
19383)EVERGREEN 7	600.00
19384)FULL CIRCLE	500.00
19385)JERRY GOSS	334.00
19386)HIAWATHA TELEPHONE COMPANY	141.29
19387)JAY KRUEGER	175.00
19388)MUNISING COMMUNITY CREDIT UNION-VISA	1122.63
19389)MUNSING PUBLIC SCHOOLS	357.50
19390)CARRIE NETTLETON	318.75
19391)NORTHERN SCREEN PRINTING & EMB	179.00
19392)PETERSON PUBLISHING INC.	55.00
19393)SECOND HARVEST GLEANERS FOOD	91.52
19394)SHIRT TAILS, INC.	1166.00
19395)DERRELL SYRIA	300.00
19396)41 LUMBER COMPANY	8139.35
19397)A-1 WATER SYSTEMS, INC.	83.95
19398)AIRGAS NORTH CENTRAL	108.59
19399)CITY OF MUNISING - PETTY CASH	27.54
19400)COCA-COLA ENT. LAKESHORE DIVISION	400.86
19401)COLLEGE LAUNDRY & RENTAL	196.00
19402)DENMAN'S HARDWARE	252.74
19403)JACK DOHENY SUPPLIES, INC.	124.60
19404)THE DRAIN DOCTOR	75.00
19405)DSTECH	4217.11
19406)DTE ENERGY	62.76
19407)GEROU EXCAVATING, INC.	760.78
19408)GREAT AMERICAN DISPOSAL COMPANY	277.18
19409)MADIGAN'S HARDWARE	1315.21
19410)MML-UNEMPLOYMENT COMP GROUP	192.65
19411)MICK'S PLUMBING & HEATING	529.00
19412)MINING JOURNAL	114.73
19413)MUNISING COMMUNITY CREDIT UNION-VISA	126.16
19414)MUNISING COMMUNITY CREDIT UNION-VISA	29.63
19415)MUNISING COMMUNITY CREDIT UNION-VISA	991.83
19416)MUNISING TOWNSHIP TREASURER	371.15
19417)MUNISING VOLUNTEER FIRE DEPARTMENT	3500.00
19418)NATIONAL ASOCIATION OF CHIEFS OF POLICE	50.00
19419)NORTH CENTRAL LABORATORIES	231.38
19420)OSHKOSH FIRE & POLICE EQUIPMENT	793.50
19421)OVERHEAD DOOR COMPANY OF MARQUETTE	850.00
19422)PETERSON PUBLISHING INC.	215.00
19423)PUTVIN DRUG STORE	59.99
19424)QUILL CORPORATION	125.25
19425)THE SHIPPING SHOP	34.16
19426)SPARTAN STORES, INC.	21.52
19427)U.P. POWER COMPANY	6669.11
19428)UPPER PENINSULA RECREATION INC.	7708.54
19429)ZEE MEDICAL INC.	153.50
19430)AIRGAS NORTH CENTRAL	66.49
19431)ALGER COUNTY ELECTRIC	206.50
19432)BLUE CROSS BLUE SHIELD OF MICHIGAN	458.73
19433)BLUE CROSS BLUE SHIELD OF MICHIGAN	16486.46
19434)BLUE CROSS BLUE SHIELD OF MICHIGAN	3007.21
19435)BLUE CROSS BLUE SHIELD OF MICHIGAN	3491.98
19436)BLUE CROSS BLUE SHIELD OF MICHIGAN	4511.20
19437)BOB'S IGA	11.56
19438)CERTIFIED LABORATORIES	161.60
19439)CITY OF MUNISING-PETTY CASH	38.60
19440)DSTECH	409.00
19441)GEROU EXCAVATING, INC.	64.52
19442)GREAT AMERICAN DISPOSAL COMPANY	8293.85
19443)JOHNSON BROTHERS RENTALS LLC	18.00
19444)LATHEM TIME CORPORATION	46.77
19445)OFFICEMAX #681	42.98
19446)SEMFUEL, LP	5519.38
19447)SHELL FLEET PLUS	3432.12
19448)STANDARD ELECTRIC COMPANY	276.84

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19449) STUDENT SERVICE CENTER	742.00
19450) SUPERIOR ICE	78.90
19451) SYNAGRO TECHNOLOGIES, INC.	12168.00
19452) TALSMA CONTROLS COMPANY	3476.48
19453) TRI-COUNTY SEPTIC	80.00
19454) U.P. POWER COMPANY	13116.69
19455) UPPER PENINSULA RECREATION INC.	2291.39
19456) ZEE MEDICAL, INC.	49.95