

**CITY OF MENOMINEE, MICHIGAN
MENOMINEE CITY COUNCIL
AGENDA FOR JANUARY 16, 2012
HELD AT CITY HALL - 2511 10th STREET – 6 p.m.**

A) CALL THE MEETING TO ORDER.

B) PLEDGE OF ALLEGIANCE TO THE FLAG.

C) ROLL CALL.

D) APPROVAL OF MEETING AGENDA.

E) MINUTES OF PREVIOUS MEETINGS:

- 1) Regular meeting of December 19, 2011.

F) COMMUNICATIONS:

G) PUBLIC HEARINGS:

H) PUBLIC COMMENT:

- 1) Maximum 15-minute public comment session. Statements, not debate, limited to three minutes per person on agenda items only.

I) REPORTS OF OFFICERS:

- 1) City Manager's report.
- 2) Mayor Stegeman's appointment of standing committees.
- 3) Mayor Stegeman's appointment of Lee Bunting to the Planning Commission, replacing Mark Erickson, with his term to expire October 7, 2013.
- 4) Mayor Stegeman's reappointments as follows:
 - a) Bob Foley, Joe Fournier, and Jeff Jones to the Condemnation Board with their terms to expire September 20, 2014.
 - b) Lucy Pier, Marion Enstrom, and Cindy Walker to the Downtown Development Authority with their terms to expire January 25, 2016.
 - c) Mitch Hubert and Edgar Nelson to the Harbor Commission with their terms to expire December 21, 2016.
 - d) John Baker, Karen Kloida, and Linda Mentch to the Planning Commission with their terms to expire October 7, 2014.
 - e) John Baker, Jim Hoffman, Rob LeMay, and Jim Zobel to the Zoning Board of Appeals with their terms to expire October 15, 2014.

J) MISCELLANEOUS:

- 1) Election of Deputy Mayor.

K) REPORTS OF STANDING COMMITTEES:

L) MOTIONS AND RESOLUTIONS:

- 1) Engineering Amendments #3 to the agreement with Wilcox Professional Services for both the water and sewer construction on the US-41 project.
- 2) Resolution regarding accounts and signatures at various banks.
- 3) Resolution regarding the Presidential Primary Election on February 28, 2012.

M) PUBLIC COMMENT.

N) ADJOURN.

January 2012

MENOMINEE CITY COUNCIL
MAYOR-JEAN STEGEMAN

COUNCIL MEMBERS- FIRST WARD:

Donald Mick	863-4074	Hugh Vary	863-7358
1041 First Street		226 First Street	

COUNCIL MEMBERS- SECOND WARD:

Mark Erickson	863-5775	William Plemel	863-6032
1705-18th Avenue		2034 Tenth Avenue	

COUNCIL MEMBERS- THIRD WARD:

Leon Felch	863-6609	W. Allen Walker	863-2757
1715-26th Avenue		1726 First Street	

COUNCIL MEMBERS- FOURTH WARD:

Arnold Organ	863-3821	Frank Pohlmann	863-3154
4709-13th Street (P. O. Box 132)		4203 Michigan Shores Drive	

FINANCE COMMITTEE:

* Pohlmann, Organ, Plemel, and Stegeman

JUDICIAL AND LEGISLATIVE/PERSONNEL AND LABOR COMMITTEE:

* Plemel, Felch, Pohlmann, and Stegeman

PARKS AND RECREATION/BUILDINGS AND GROUNDS COMMITTEE:

* Mick, Erickson, and Vary

PUBLIC SAFETY/PUBLIC WORKS COMMITTEE:

* Organ, Felch, and Mick

SPECIAL PROJECTS/COMMUNITY RELATIONS COMMITTEE:

* Walker, Erickson, Vary, and Stegeman

* Chairperson



City of Menominee
City Council
Agenda Item

TITLE: Change Order # 3 Request for US-41 Water Improvement Project

Requesting Agency: City Manager	Meeting Date: September 19, 2011
Contact: Michael Cramer	Public Hearing: N/A
Phone: 863-1747	Advertising Date: N/A
	Council District: Citywide
Attachments: A: Change Order # 3 Water	

PURPOSE:

The City Manager requests that the City Council approval of the attached change order for additional project costs related to the US-41 Water Improvement Project.

BACKGROUND:

As part of the MDOT Roadway Reconstruction of US-41 from 20th Ave to 48th Ave the City of Menominee has participated with MDOT to upgrade the water and wastewater infrastructure. This is a unit price project. Each pay item begins with an estimated quantity based upon details on the plans. As the project progresses, field decisions are made to add or delete items of work, or field conditions dictate that additional quantities are needed for certain items of work. The attached Change Order # 3 for Wastewater Improvements indicates that additional engineering and project oversight was needed to complete the project on time and under budget.

BUDGET IMPACT:

The change order services described in the background section will increase the total US -41 Water Improvement Project by \$16,000.00. These funds are available in the current contract contingency line item and will leave \$88,904.91 remaining in water contingency.

COMMITTEE RECOMMENDATION / ACTION:

No Committee action is required.

STAFF RECOMMENDATION / ACTION REQUESTED:

The City Manager's Office requests and recommends that City Council approve the change order and authorize the city manager the sign and execute the change order.

Agenda Item: _____



City of Menominee
City Council
Agenda Item

TITLE: Change Order # 3 Request for US-41 Wastewater Improvement Project	
Requesting Agency: City Manager	Meeting Date: September 19, 2011
Contact: Michael Cramer	Public Hearing: N/A
Phone: 863-1747	Advertising Date: N/A
	Council District: Citywide
Attachments: A: Change Order # 3 Wastewater	

PURPOSE:

The City Manager requests that the City Council approval of the attached change order for additional project costs related to the US-41 Wastewater Improvement Project.

BACKGROUND:

As part of the MDOT Roadway Reconstruction of US-41 from 20th Ave to 48th Ave the City of Menominee has participated with MDOT to upgrade the water and wastewater infrastructure. This is a unit price project. Each pay item begins with an estimated quantity based upon details on the plans. As the project progresses, field decisions are made to add or delete items of work, or field conditions dictate that additional quantities are needed for certain items of work. The attached Change Order # 3 for Wastewater Improvements indicates that additional engineering and project oversight was needed to complete the project on time and under budget.

BUDGET IMPACT:

The change order services described in the background section will increase the total US -41 Wastewater Improvement Project by \$2,000.00. These funds are available in the current contract contingency line item and will leave \$29,309.95 remaining in wastewater contingency.

COMMITTEE RECOMMENDATION / ACTION:

No Committee action is required.

STAFF RECOMMENDATION / ACTION REQUESTED:

The City Manager's Office requests and recommends that City Council approve the change order and authorize the city manager the sign and execute the change order.

Agenda Item: _____

Wilcox



Escanaba Office
3500 Ludington St,
Suite 310
Escanaba, MI 49829
Phone: 906-789-7800
Fax: 906-789-0100

December 12, 2011

Mr. Michael Cramer, City Manager
City Hall
2511 10th Street
Menominee, Michigan 49858

**RE: USDA Funded 10th Street Utility Project
Engineering Amendment No. 3
Wilcox Contract 12018.00007**

Built on Quality -
continuously improving our
quality of service to meet
and exceed our
clients' expectations.

Dear Mr. Cramer:

As we discussed, enclosed are 4 copies of Engineering Amendment (EA) No. 3 which we are submitting for approval by the City of Menominee in order to adjust certain internal Wilcox budgets associated with work on the 10th Street Project.

In essence, we are requesting a \$18,000 increase (\$16,000 water and \$2,000 wastewater) in the overall Wilcox USDA Engineering Agreement associated with the changes requested in the amendment. Our General Engineering (GE) and Resident project Representative (RPR) efforts have exceeded the current budgeted amounts as summarized in the amendment and the accompanying spreadsheet.

Funds for the change in the engineering line items associated with the water main work (\$16,000) are available in the current contingency amount remaining in the water construction account of \$88,904.91 (Through Bacco Draft CO # 4).

Funds for the change in the engineering line items associated with the wastewater work (\$2,000) are available in the current contingency amount remaining in the wastewater construction account of \$29,309.95 (Through Bacco CO # 3).

We are hereby requesting consideration for approval of EA No. 3. Approval of the amendment requires official action by the City Council. If you concur, please return four signed copies to our office for subsequent submittal to USDA-RD and further processing.

Please contact me if you have any questions or require additional information.

Sincerely,
WILCOX PROFESSIONAL SERVICES, LLC

Marvin D. Winberg
Marvin D. Winberg, P.E., Project Coordinator

MDW/trb

Enclosures

AMENDMENT (NO. 3) TO OWNER-ENGINEER AGREEMENT

1. Background Data

- a. Effective Date of Owner-Engineer Agreement: October 19, 2008; Amendment No. 1: June 1, 2011. Amendment No. 2; July 26, 2011.
- b. Owner: City of Menominee, Michigan
- c. Engineer: Wilcox Professional Services, LLC
- d. Project: 10th Avenue (US-41) Water and Wastewater Improvements

2. Nature of Amendment

- Additional Services to be performed by Engineer
- Modifications to Services of Engineer
- Modifications to Responsibilities of Owner
- Modifications to Payment to Engineer
- Modifications to Time(s) for rendering Services
- Modifications to other terms and conditions of the Agreement

3. Modifications to Payment

Description of Service	Current Agreement including all Previous Amendments		Proposed Change		Amended Agreement	
	Water	Wastewater	Water	Wastewater	Water	Wastewater
Construction Engineering (as defined in Exhibit C) GE (.40, .41)	\$53,000	\$33,000	+\$1,000	+\$2,000	\$54,000	\$35,000
<u>Resident Project Representative (RPR)</u> (.50, .51)	\$116,000	\$75,000	+\$15,000		\$131,000	\$75,000
Total, CE & RPR	\$169,000	\$108,000	+\$16,000	+\$2,000	\$185,000	\$110,000

Modifications

1. Other portions of the Agreement (including previous amendments, if any) are as follows:

EXHIBIT C

Article 2 – Owner’s Responsibilities

Page 1 of 4

C.2.01.A – General. Change the following:

Change 2.a: Design and Construction Administrative Services; Change \$395,000 to read \$413,000 and \$427,000 to read \$445,000. (An increase of \$18,000 over the Agreement and Amendment No. 1 and 2).

Page 2 of 4

C.2.02.A – Resident Project Representative Services. Change the following:

Change 1: Resident Project Representative Services; \$206,000 (an increase of \$15,000 over the Agreement and Amendment No. 1 and 2).

Page 4 of 4

C.2.08 – Summary of Payments to the Engineer. Change the following:

C2.08.B.5.d:	<u>Water</u>	<u>Wastewater</u>
Construction Phase Periodic Payments	\$54,000 (+\$1,000)	\$35,000 (+\$2,000)
Design & Const. Administration Phase Total	\$132,000 (+\$1,000)	\$75,000 (+\$2,000)

C2.08.B.6.	<u>Water</u>	<u>Wastewater</u>
Resident Project Representative Services (RPR)	\$131,000 (+\$15,000)	na

ATTACHMENT 2 TO EXHIBIT C

Change the following:

Construction Phase	<u>Water</u>	<u>Wastewater</u>
General Engineering (GE)	\$55,000 (+\$1,000)	\$35,000 (+\$2,000)
Resident Project representative Services (RPR)	\$131,000 (+\$15,000)	na

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in the Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of the Amendment is _____.

OWNER: City of Menominee, Michigan

ENGINEER: Wilcox Professional Services, LLC

By: Michael Cramer

By: Dan Kibbe, P.S.

Title: City Manager

Title: Project Director

Date Signed: _____

Date Signed: _____

AGENCY CONCURRENCE

Agency: USDA Rural Development

By (Signature): _____

Typed Name: Andrew H. Granskog, PE

Title: Environmental Engineer

Date: _____



City of Menominee
City Council
Agenda Item

TITLE: Bank Resolution

Requesting Agency: Executive	Meeting Date: January 16, 2012
Contact: Michael Cramer	Public Hearing: NA
Phone: 863-1747	Advertising Date: NA
	Council District: Citywide
Attachments: A: Resolution	

PURPOSE:

Request that the City Council adopt a resolution authorizing the accounts and signatures for the City bank accounts at various financial institutions.

BACKGROUND:

The City has numerous accounts dispersed between four financial institutions. Due to the recent election of Jean Stegeman as Mayor new signatures cards are required, and the financial institutions require City Council to adopt the attached resolution authorizing such.

BUDGET IMPACT:

N/A

COMMITTEE RECOMMENDATION / ACTION:

N/A.

STAFF RECOMMENDATION / ACTION REQUESTED:

The City Manager recommends that the City Council approve the attached Resolution.

Agenda Item: _____

RESOLUTION

I HEREBY CERTIFY, that I am the duly sworn appointed City Clerk/Treasurer of the City of Menominee and keeper of the records and corporate seal of said city and that the following is a true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said city held in accordance with the City Charter of said city at its offices at City Hall on the ____ day of _____, 2012.

BE IT RESOLVED, that Thomas F. DeNike, City Clerk/Treasurer, be and is hereby designated a depository of this city and that funds so deposited may be withdrawn upon a check, draft, note or order of the city.

BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against said accounts be signed by two (2) of the following as specified:

TWO SIGNATURES REQUIRED

Bank: STEPHENSON NATIONAL BANK AND TRUST
Accounts: General Fund, City of Menominee Insurance Escrow, Medical Reimbursement

Bank: FIRST NATIONAL BANK & TRUST COMPANY OF IRON MOUNTAIN
Accounts: Street Bond Construction, Current Tax Fund, Police/Fire Retirement, City (Waterfront Festival), Section 125 Fund, Pooled Cash Fund, Spies Field, Public Improvement Fund, ACH Trust Account

Bank: NICOLET NATIONAL BANK
Accounts: City of Menominee Revolving Loan Fund

Bank: WELLS FARGO
Accounts: Cemetery Board of Trustees, Downtown Development Authority, Spies Public Library – City, City MSHDA Rehab, City County/County Invest, City Marina Management, City River Park Campground, City of Menominee General Fund, Spies Library Debt Reduction, Public Improvement Fund, River Park Fund, UTGO Series 2001 Debt, UTGO Series 2001 Construction, Spies Public Library, City Cemetery Perpetual Care, City Cemetery Flower Fund, City Marina Fund, Downtown Development Authority, Spies Library – Petty Cash, City of Menominee – Lloyd Mausoleum Fund, City of Menominee – Board of Cemetery Trustees, Water Receiving Fund, Water Treatment Utility Board, Wastewater Treatment Utility Board, Sewer Receiving Fund, Water Treatment Capital Equipment Replacement, Sewer Receiving Fund, Water Receiving Fund, Wastewater Capital Equipment Replacement, Utility Board Capital Replacement, Sewer Bond & Interest Redemption, Water Treatment Improvement Fund, Water Treatment Capital Improvement, Sewer Bond Redemption

Resolution
Page Two

NAME:

Jean Stegeman
Michael Cramer
Thomas F. DeNike
Laura Copeland

TITLE:

Mayor
City Manager
City Clerk/Treasurer
Head Cashier

whose signatures shall be duly certified to said bank, and that checks, notes or orders so drawn against said bank shall be void unless so signed.

BE IT FURTHER RESOLVED, that said bank is hereby directed and authorized to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders, or any of such person in their individual capacities or not, whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the City Clerk, accompanying a copy of this resolution when delivered to said bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said bank.

IN WITNESS WHEREOF, I have hereunto affixed my name as Thomas F. DeNike, City Clerk/Treasurer and have caused the corporate seal of said city to be hereunto affixed this _____ day of _____, 2012.

Thomas F. DeNike, City Clerk/Treasurer



City of Menominee
City Council
Agenda Item

TITLE: Election Location Resolution	
Requesting Agency: Thomas DeNike	Meeting Date: January 16, 2012
Contact: Michael Cramer	Public Hearing: N/A
Phone: 863-1747	Advertising Date: N/A
	Council Ward: City Wide
Attachments: Resolution	

PURPOSE:

Resolution that approves the polling location and pay and number of workers for the Presidential Primary Election on Tuesday, February 28, 2012.

BACKGROUND:

City Council adopts a resolution prior to each election that designates the High School Cafeteria as the polling place for all four (4) wards, hours that the polls are open, and rates of pay and number of workers.

BUDGET IMPACT:

General Fund account numbers 101-262-702/728/900 have monies budgeted for wages, supplies, and publications. The approximate cost of the election is \$5,000 with the State of Michigan reimbursing the majority of this expense.

COMMITTEE RECOMMENDATION / ACTION:

N/A

STAFF RECOMMENDATION / ACTION REQUESTED:

Staff recommends approval by City Council.

Agenda Item: _____

Election Location Resolution

RESOLVED, the following location is designated as the polling place for all of the four wards in the City of Menominee for the Presidential Primary Election to be held Tuesday, February 28, 2012:

Menominee High School Cafeteria
2101-18th Street

and that the Election Board consist of Chairperson and up to five (5) inspectors for each ward and that the rate of pay be \$9.50 per hour for Chairpersons and \$8.75 per hour for inspectors;

RESOLVED FURTHER, that all election personnel be paid \$20.00 for attending the Election School and \$10.00 for attending the Election Session for Chairpersons preceding the election;

RESOLVED FURTHER, that the polling place be open from 7 a.m. to 8 p.m., Local Time, on said day.

/skj