

**CITY OF MENOMINEE, MICHIGAN
REGULAR COUNCIL PROCEEDINGS
MARCH 23, 2009**

A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held Monday, March 23, 2009 at 5 p.m. in the Municipal Complex Council Chambers.

Deputy Mayor Lisa A. Fernstrum called the meeting to order and led the pledge of allegiance to the flag.

PRESENT: Councilmembers Fernstrum, Hudon, Mick, Organ, Pintarelli, Schloegel, Sorensen, and Williams

ABSENT: Mayor Krah (excused)

PRESENT: 8 ABSENT: 1

A motion was made by Councilmember Organ and seconded by Councilmember Williams to excuse Mayor Krah from the meeting. This motion was carried unanimously.

A motion was made by Councilmember Williams and seconded by Councilmember Sorensen to add the Head Start proclamation to the agenda and to approve the amended agenda for the meeting dated March 16, 2009. This motion was carried unanimously.

There being no additions or corrections to the minutes of the regular meeting of February 16, 2009, the minutes stood approved as presented.

PUBLIC COMMENT:

Deputy Mayor Fernstrum opened the public comment session called for the purpose of hearing citizen comments on agenda items only.

Brian Helfert, 1116-17th Avenue, requested approval of the marina management agreement. He also said that the Sheriff has appointed a liaison with the City.

Allen Walker, 1726 First Street, asked for approval of the marina management agreement. He also commented on a bike path along US-41.

A motion was made by Councilmember Hudon and seconded by Councilmember Organ to close the public comment session. This motion was carried unanimously.

REPORTS OF OFFICERS:

Under reports of officers, Mayor Krah submitted the following reappointments for confirmation.

Judy Hass and Fran Mellinger to the Cemetery Board of Trustees with their terms to expire on May 2, 2012.

A motion was made by Councilmember Organ and seconded by Councilmember Williams to confirm the foregoing reappointments. This motion was carried unanimously.

Mark Erickson, Bob Foley, Don Nerat, and Bruce Ranzinger to the Construction Board of Appeals with their terms to expire on February 2, 2011.

A motion was made by Councilmember Organ and seconded by Councilmember Williams to confirm the foregoing reappointments. This motion was carried unanimously.

Sheila MacIntyre and Darrell Eland to the Downtown Development Authority with their terms to expire on January 25, 2013.

A motion was made by Councilmember Williams and seconded by Councilmember Organ to confirm the foregoing reappointments. This motion was carried unanimously.

Steve Albers, Sandy Kuber, and Richard Jones to the Historic District Commission with their terms to expire on May 11, 2012.

A motion was made by Councilmember Schloegel and seconded by Councilmember Williams to confirm the foregoing reappointments. This motion was carried unanimously.

John Henes to the Library Board of Trustees with his term to expire on May 1, 2014.

A motion was made by Councilmember Williams and seconded by Councilmember Mick to confirm the foregoing reappointment. This motion was carried unanimously.

Jim Callow to the Water and Wastewater Utility Board with his term to expire on May 1, 2014.

A motion was made by Councilmember Organ and seconded by Councilmember Williams to confirm the foregoing reappointment. This motion was carried unanimously.

COMMITTEE REPORT:

The Finance Committee reported that they reviewed the claims for February, 2009 and they recommended that checks be drawn on the treasurer in payment of the bills as follows:

General Fund in the amount of \$280,513.36
River Park Fund in the amount of \$6,716.26

S/FINANCE COMMITTEE

A motion was made by Councilmember Sorensen and seconded by Councilmember Williams to adopt the foregoing report. This motion was carried unanimously.

COMMITTEE REPORT:

At a March 9, 2009 meeting the Finance Committee reviewed the proposals received to provide audit services for the next three fiscal years and they recommended accepting the proposal from Campbell, Kusterer, and Company in the following amounts:

Fiscal Year Ended 6/30/09	\$18,000.00
Fiscal Year Ended 6/30/10	\$18,000.00
Fiscal Year Ended 6/30/11	\$18,000.00

S/FINANCE COMMITTEE

A motion was made by Councilmember Sorensen and seconded by Councilmember Organ to adopt the foregoing report. This motion was carried unanimously.

COMMITTEE REPORT:

At a March 9, 2009 meeting the Finance Committee again reviewed accepting credit card payments and they recommended to City Council to authorize the City Clerk/Treasurer to sign up with BS&A internet services for daily uploads to the City's website concerning taxes, utility, and miscellaneous billings to allow for online and 800 line credit card payments through OPC/BS&A web hosting.

S/FINANCE COMMITTEE

A motion was made by Councilmember Sorensen and seconded by Councilmember Organ to adopt the foregoing report. This motion was carried unanimously.

COMMITTEE REPORT:

The Judicial and Legislative Committee reported that they had reviewed the proposed marina operations/management agreement between the City and the M&M Yacht Club, Inc., through the Marina Management Group, a sub-committee of the M&M Yacht Club, Inc., to be effective from March 1, 2009 and ending the last day of February, 2016, and forwarded this to City Council without a recommendation.

S/JUDICIAL AND LEGISLATIVE COMMITTEE

A motion was made by Councilmember Mick and seconded by Councilmember Williams to approve the agreement as drafted.

AYES: Mick, Organ, Schloegel, Sorensen, Williams, and Fernstrum
NAYS: Hudon and Pintarelli

This motion was carried.

COMMITTEE REPORT:

At a March 13, 2009 meeting, the Judicial and Legislative Committee discussed the proposed Downtown TIF Plan ordinance and they recommended that a public hearing be scheduled on the proposed ordinance.

S/JUDICIAL & LEGISLATIVE COMMITTEE

A motion was made by Councilmember Williams and seconded by Councilmember Sorensen to adopt the foregoing report. This motion was carried unanimously.

COMMITTEE REPORT:

At a March 9, 2009 meeting, the Public Safety/Public Works Committee reviewed the request from the Michigan Department of Transportation to acquire two permits/temporary grading easements for the City Hall drive entrance and the small parking lot entrance at the southwest corner of Spies Field as part of the US-41 reconstruction project and they recommended that City officials be authorized to sign the documents as prepared by the State.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

A motion was made by Councilmember Williams and seconded by Councilmember Organ to adopt the foregoing report. This motion was carried unanimously.

The next report was as follows:

“Menominee Downtown Development
Citizens Advisory Council
737 First Street
Menominee, MI 49858

March 12, 2009

Menominee City Council
Municipal Complex
2511 10th Street
Menominee, MI 49858

Dear City Council Members,

It has been our pleasure to act as the liaison, open to all public comments, regarding the proposed Tax Incremental Financing Plan for our Historic Waterfront Downtown.

The first public hearing on the proposed plan, held February 16, resulted in positive comments on behalf of the Menominee Downtown Business Association and our Chamber of Commerce.

We held our second meeting to discuss any public input, to which there was more positive comments.

At our third meeting, with no additional public comments, the Citizens Advisory Council voted unanimously to recommend the full support of the City of Menominee and the Menominee City Council for the Tax Increment Financing Plan to help fund the Development Plan for the Historic Waterfront Downtown Menominee.

With due respect,
Citizens Advisory Council”

A motion was made by Councilmember Organ and seconded by Councilmember Williams to receive the report and place it on file. This motion was carried unanimously.

COMMITTEE REPORT:

The Menominee Industrial Development Corporation (MIDC) reported that they had reviewed the interest shown by the Michigan Department of Transportation to purchase lot #2 on 56th Avenue in the City's Industrial Park to build a salt/sand storage building and a "park and ride" and they recommended not pursuing the sale due to the fact it would not increase property values or create permanent, industrial jobs.

S/ M I D C

A motion was made by Councilmember Williams and seconded by Councilmember Mick to adopt the foregoing report.

AYES: Mick, Organ, Pintarelli, Schloegel, Sorensen, Williams, Fernstrum, and Hudon

NAYS: None

This motion was carried unanimously.

COMMITTEE REPORT:

The Planning Commission reviewed the proposed three (3) year capital improvement program and they recommended that the following list be approved:

YEAR 1
 2009-2010 FISCAL YEAR

		\$ AMOUNT	FUNDING SOURCE
(1)	Parcel mapping software and services (Assessing, Building Inspection, Engineering)	\$ 10,000.	General Fund
(2)	Replace BS&A financial software over three years (General, Water, Sewer Funds)	\$ 7,500.	Sewer Fund
(3)	Police patrol vehicles (2)	\$ 48,500.	General Fund
(4)	Fire engine/pumper replacement over three years	\$ 200,000.	General Fund, Grant
(5)	Ordinance codification (City Attorney)	\$ 6,000.	General Fund
(6)	Municipal Facilities Energy Improvements	\$ 900,000.	Debt Financing
(7)	Library roof replacement	\$ 60,000.	Library Fund, Building Maintenance Fund
(8)	DPW Garage Roof Repairs	\$ 25,000.	Federal Stimulus Funds
(9)	Street Mobile Fleet	\$ 50,000.	Street Millage
(10)	Garbage Truck replacement	\$ 47,500.	Garbage Millage
(11)	Garbage/trash containers	\$ 57,000.	Garbage Millage
(12)	Parks Riding Mower	\$ 18,000.	General Fund
(13)	Cemetery Sheet Piling Water Intake Area	\$ 85,000.	Federal Stimulus Funds
(14)	Cemetery Roadway Sealcoating	\$ 100,000.	Federal Stimulus Funds
(15)	Cemetery Expansion	\$ 15,000.	General Fund Transfer
(16)	Water Treatment Plant Chlorine Feed System	\$ 12,000.	Water Fund

(17)	Water Treatment Plant Streaming Potential Monitor	\$ 11,000.	Water Fund
(18)	Water Distribution Water Meters	\$ 20,000.	Water Fund
(19)	Water Distribution Main Replacement	\$ 65,000.	Water Fund
(20)	Water Distribution Backhoe Replacement	\$ 50,000.	Water Fund
(21)	Wastewater Plant Ultraviolet Disinfection	\$ 250,000.	Federal Stimulus Fund
(22)	Wastewater Maintenance Room Roof Repairs	\$ 8,500.	Wastewater Fund
(23)	Sanitary Sewer Lift Station Pump Replacement	\$ 10,000.	Wastewater Fund
(24)	Sewer Vactor Truck Replacement	\$ 80,000.	Sewer Fund
(25)	Mill and Pave Project 18 th Avenue/15 th -23 rd Streets 38 th Avenue/10 th -13 th Streets	\$ 525,000.	Federal Stimulus Funds
(26)	Mill and Pave Project 1 st Street/4 th -10 th Avenues	\$ 210,000.	Federal Stimulus Funds
(27)	Street Reconstruction Projects 8 th Avenue/7 th -9 th Streets 15 th Street/14 th -17 th Avenues 9 th Avenue/6 th -7 th Streets	\$ 309,300.	Bond Issue Funds
(28)	Alleyway Reconstruction Project 7 th -8 th Avenues	\$ 167,300.	MSHDA Grant/ General Fund
	Sub-Total	\$3,347,600.	

YEAR 2
 2010-2011 FISCAL YEAR

		\$ AMOUNT	FUNDING SOURCE
(1)	Replace BS&A financial software over three years (General, Water, Sewer Funds)	\$ 7,500.	Water Fund
(2)	Police patrol vehicles (2)	\$ 50,500.	General Fund
(3)	Police electrical current weapons (3)	\$ 4,200.	General Fund
(4)	Fire engine/pumper replacement over three years	\$ 200,000.	General Fund, Grant
(5)	Fire station kitchen upgrade	\$ 15,000.	General Fund
(6)	Ordinance codification (City Attorney)	\$ 6,000.	General Fund
(7)	Library window replacement	\$ 30,000.	Library Fund, Building Maintenance Fund
(8)	Library technology/computer upgrades	\$ 5,000.	Library Fund, Private Donations
(9)	DPW Garage exhaust ventilation system, electrical upgrade	\$ 50,000.	General Fund, Energy Savings Grant
(10)	Street Mobile Fleet	\$ 50,000.	Street Millage
(11)	Garbage Truck replacement	\$ 56,900.	Garbage Millage
(12)	Garbage/trash containers	\$ 68,200.	Garbage Millage
(13)	Parks baseball field all-purpose groomer	\$ 25,000.	General Fund
(14)	Parks field striper	\$ 6,000.	General Fund

(15)	Cemetery expansion	\$ 35,000.	General Fund Transfer
(16)	Cemetery maintenance garage ceiling insulation	\$ 3,000.	General Fund Transfer
(17)	Cemetery propane tanks	\$ 4,000.	General Fund Transfer
(18)	Recreation/resurface Water Tower Park tennis courts	\$ 30,000.	General Fund, Grant
(19)	Water Treatment Plant air conditioning	\$ 10,000.	Water Fund
(20)	Water Treatment Plant flocculation basin upgrade	\$ 60,000.	Water Fund
(21)	Water Distribution main replacement	\$ 45,000.	Water Fund
(22)	Water Distribution backhoe replacement	\$ 45,000.	Water Fund
(23)	Water Distribution water meters	\$ 20,000.	Water Fund
(24)	Wastewater Plant bypass valve	\$ 28,000.	Wastewater Fund
(25)	Sewer Vactor Truck Replacement	\$ 100,000.	Wastewater Fund
(26)	Sewer lift station pump replacement	\$ 10,000.	Wastewater Fund
(27)	Sewer lift station control panels upgrade	\$ 20,000.	Wastewater Fund
(28)	Sewer emergency portable generator	\$ 30,000.	Wastewater Fund
(29)	River Park Campground streets and pads resurfacing	\$ 95,000.	Federal Stimulus Funds, Campground Reserves
(30)	City Hall/Police-Fire Complex parking lot reconstruction	\$ 90,000.	Federal Stimulus Funds
(31)	Sidewalk replacement	\$1,000,000.	Federal Stimulus Funds
(32)	MDOT Route 41 reconstruction (20 th -38 th Avenues) utilities replacement	\$2,000,000.	Rural Development Debt Financing
(33)	30 th Avenue reconstruction project (15 th -23 rd Streets)	\$ 575,000.	Federal Stimulus Funds
(34)	14 th Avenue reconstruction project (1 st -13 th Streets)	\$ 675,000.	Federal Stimulus Funds
(35)	Marina dredging project	<u>\$1,725,000.</u>	Federal Stimulus Funds
	Sub-Total	\$7,174,300.	

YEAR 3
 2011-2012 FISCAL YEAR

		\$ AMOUNT	FUNDING SOURCE
(1)	Replace BS&A financial software over three years (General, Water, Sewer Funds)	\$ 10,000.	General Fund
(2)	Waterfront Redevelopment Study	\$ 40,000.	General Fund/ Possible Grant
(3)	Police Patrol Vehicles (2)	\$ 53,000.	General Fund
(4)	Police duty weapons replacement (16)	\$ 6,500.	General Fund
(5)	Fire engine/pumper replacement over three years	\$ 225,000.	General Fund, Grant
(6)	Fire thermal imaging camera	\$ 15,500.	General Fund
(7)	Fire overhead garage door openers replacement (4)	\$ 5,500.	General Fund

(8)	Ordinance codification (City Attorney)	\$ 6,000.	General Fund
(9)	Library front steps replacement	\$ 27,000.	Library Fund, Building Maintenance Fund
(10)	Library exterior signage	\$ 11,000.	Library Fund, Library Foundation, Friends, Private Donations
(11)	Library Periodical Shelving	\$ 6,000.	Library Fund, Private Donations
(12)	Street Mobile Fleet	\$ 50,000.	Street Millage
(13)	Garbage Truck Replacement	\$ 56,900.	Garbage Millage
(14)	Garbage/trash containers	\$ 68,200.	Garbage Millage
(15)	Parks athletic fields top dresser	\$ 12,000.	General Fund
(16)	Parks Restroom Refurbishing	\$ 25,000.	General Fund
(17)	Cemetery expansion	\$ 50,000.	General Fund Transfer
(18)	Cemetery chapel and Gate/tuckpointing and roof repairs	\$ 11,000.	General Fund Transfer
(19)	Cemetery records scanner/laminator	\$ 5,250.	General Fund Transfer
(20)	Water Treatment Plant soda ash bag loading system	\$ 40,000.	Water Fund
(21)	Water Distribution water meters	\$ 20,000.	Water Fund
(22)	Water Distribution Main Replacement	\$ 50,000.	Water Fund
(23)	Water Distribution Breaker for Backhoe	\$ 14,000.	Water Fund
(24)	Sewer Vactor Truck replacement	\$ 90,000.	Wastewater Fund
(25)	Sewer lift station pump replacement	\$ 10,000.	Wastewater Fund
(26)	Sewer pick-up truck	\$ 21,000.	Wastewater Fund
(27)	MDOT Route 41 reconstruction (38 th -48 th Avenues)/utilities replacement	\$ 1,600,000.	Rural Development Debt Financing
(28)	18 th Avenue reconstruction project (Memorial Drive-River Road)	\$ 300,000.	Federal Stimulus Funds
(29)	15 th Street reconstruction project (11 th -17 th Avenues)	<u>\$ 525,000.</u>	Federal Stimulus Funds
	Sub-Total	\$ 3,353,850.	
	GRAND TOTAL (3 years)	\$13,875,750.	

S/PLANNING COMMISSION

A motion was made by Councilmember Mick and seconded by Councilmember Williams to adopt the foregoing report. This motion was carried unanimously.

MOTIONS AND RESOLUTIONS:

The first item under motions and resolution was the following resolution:

RESOLUTION

WHEREAS, Richard "Red" Lacousiere has devoted over 60 years of community service through his volunteer activities with youth sports including the development of the American Legion Baseball program in 1949, in addition to the Pony League, Babe Ruth League, Little League, and Legion Jayvee Baseball programs; and

WHEREAS, Richard "Red" Lacousiere has donated his time and expertise over several decades, an accumulation of countless hours, in addition to equipment and hardware to maintain and upgrade Spies Field and many other facilities in the community; and

WHEREAS, Richard "Red" Lacousiere has passed along his knowledge and values to thousands of youth in the community having a positive impact on individuals who remember this for the rest of their lives;

NOW, THEREFORE, BE IT RESOLVED, by the Menominee City Council on this 23rd day of March, 2009, that Richard "Red" Lacousiere be awarded the City of Menominee Community Service Award for 2008 at the Chamber of Commerce Awards Ceremony.

A motion was made by Councilmember Organ and seconded by Councilmember Hudon to adopt the foregoing resolution.

AYES: Organ, Pintarelli, Sorensen, Williams, Fernstrum, Hudon, and Mick

NAYS: Schloegel

This motion was carried.

The following resolution was presented next:

RESOLUTION

WHEREAS, the Bay Area Medical Center Auxiliary is an organization that services both Menominee, Michigan and Marinette, Wisconsin; and

WHEREAS, the Bay Area Medical Center Auxiliary's purpose is "To advance and promote the welfare and image of the Bay Area Medical Center and its patients through the Auxiliary's volunteer services and fundraising activities; and

WHEREAS, the Bay Area Medical Center Auxiliary's three to four hundred members contribute thousands of hours to the hospital each month; and

WHEREAS, the Bay Area Medical Center Auxiliary provides funds through various fund raisers and their gift shop to help defray the cost of numerous health screening programs and special needs; and

WHEREAS, the Bay Area Medical Center Auxiliary awards eight scholarships to High school students entering the medical profession and six scholarships to continuing medical education per year;

NOW, THEREFORE, BE IT RESOLVED, by the Menominee City Council on this 23rd day of March, 2009, that the Bay Area Medical Center Auxiliary be awarded the City of Menominee Community Service Award for 2008 at the Chamber of Commerce Awards Ceremony.

A motion was made by Councilmember Organ and seconded by Councilmember Hudon to adopt the foregoing resolution.

AYES: Pintarelli, Schloegel, Sorensen, Williams, Fernstrum, Hudon, Mick, and Organ

NAYS: None

This motion was carried unanimously.

The final item under motions and resolutions was as follows:

**PROCLAMATION
HEAD START MONTH
April 2009**

WHEREAS, Head Start has been a high quality, comprehensive early childhood education, health and social services program operating locally since the mid 1960's; and

WHEREAS, Head Start emphasizes individualized services and the involvement and leadership of parents in setting goals designed to maximize the successful development of school readiness attributes in each child; and

WHEREAS, Head Start has earned an outstanding reputation as a most successful program that responds to educational and social challenges and has proven effective in reducing future grade retention, delinquency, school dropout, unemployment, and criminal activity; and

WHEREAS, Head Start provides GED and literacy tutoring and other services to support the self-sufficiency efforts of low income families; and

WHEREAS, Head Start provides parents with a wealth of information on child development, child guidance strategies and the importance of establishing and maintaining positive parent-child relationships; and

WHEREAS, Head Start is comprised of hundreds of young children and loving families, dedicated staff, outstanding community partners and volunteers; and

WHEREAS, The Head Start program, a positive environment where goals are identified and progress is recognized, has had a positive effect on the community through the positive impact on young children and their families;

NOW, THEREFORE, WE, the Menominee City Council do hereby proclaim April 2009 as "HEAD START MONTH" and urge all the citizens of the City of Menominee to support and reflect on the outstanding results of Head Start.

A motion was made by Councilmember Williams and seconded by Councilmember Mick to adopt the foregoing proclamation. This motion was carried unanimously.

PUBLIC COMMENT:

Deputy Mayor Fernstrum opened the public comment session.

No one was heard.

A motion was made by Councilmember Williams and seconded by Councilmember Mick to close the public comment session. This motion was carried unanimously.

COUNCIL COMMENTS:

Councilmember Williams asked what could be done to increase the taxable value. He also said the Harbors project was positive.

Councilmember Hudon said the marina agreement was poorly done.

Councilmember Organ commented on no road work for several years, and that many streets are in terrible shape.

Mr. Strahl said that most of the funds were spent on routine maintenance and other money is needed to add to projects.

Councilmember Schloegel spoke on federal stimulus funds, they seem high - can we use? He also said he feels there is a lack of communication to citizens - could the newsletter be revived? Proposed a "sweep our sidewalk day". He also commented on missing opportunity for bike path with two sidewalks on the new US-41.

Councilmember Mick said this was discussed in committee, and that sidewalk on one side only would be too close to the buildings.

A motion was made by Councilmember Mick and seconded by Councilmember Hudon to close the council comments portion of the meeting. This motion was carried unanimously.

ADJOURN:

A motion was made by Councilmember Mick and seconded by Councilmember Williams to adjourn the meeting. This motion was carried unanimously.



Thomas F. DeNike, City Clerk/Treasurer

/skj