

**CITY OF MENOMINEE, MICHIGAN
REGULAR COUNCIL PROCEEDINGS
JANUARY 17, 2011**

A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held Monday, January 17, 2011 at 6 p.m. in the Municipal Complex Council Chambers.

The Honorable George W. Krah called the meeting to order and led the pledge of allegiance to the flag.

PRESENT: Council Members Fernstrum, Hudon, Mick, Organ, Plemel, Pohlmann, Walker, and Williams; Mayor Krah

ABSENT: None

PRESENT: 9 ABSENT: 0

There being no additions or corrections to the minutes of the regular meeting of December 20, 2010, the minutes were approved as presented.

PUBLIC COMMENT:

Mayor Krah opened the public comment session.

Hugh Vary, 226 First Street, said he had lived there for more than 60 years, and the agreement with Marinette did not allow water treatment.

Carol Arsineau, 205 First Street, said she was opposed to the three story view blocker and was concerned about a possible explosion.

A motion was made by Council Member Plemel and seconded by Council Member Williams to close the public comment session. This motion was carried unanimously.

MISCELLANEOUS:

A motion was made by Council Member Hudon and seconded by Council Member Williams to deny the request from the Marinette Water Utility to install a carbon feed system at their water intake facility.

AYES: Hudon, Krah, Mick, Organ, Plemel, Pohlmann, Walker, Williams, and Fernstrum
NAYS:None

This motion was carried unanimously.

COMMITTEE REPORT:

The Judicial and Legislative/Personnel and Labor Committee reported that they had reviewed the proposed amendments to the job description for the Director of Public Works, as attached, and they recommended that the job description be approved as amended.

S/JUDICIAL & LEGISLATIVE/PERSONNEL & LABOR COMMITTEE

A motion was made by Council Member Fernstrum and seconded by Council Member Williams to adopt the foregoing report.

AYES: Krah, Mick, Organ, Plemel, Pohlmann, Walker, Williams, and Fernstrum
NAYS: Hudon

This motion was carried.

MOTIONS AND RESOLUTIONS:

A motion was made by Council Member Plemel and seconded by Council Member Williams to adopt the following resolution:

**RESOLUTION FOR CITY COUNCIL TO ASSERT POWER
TO APPROVE OR REJECT FINAL VERSION OF MASTER PLAN**

WHEREAS, the City of Menominee has undertaken the update of its Master Plan and Land Use Map pursuant to the Michigan Planning Enabling Act, PA 2008, No. 33, MCL 125.3801, et seq.; and

WHEREAS, the Michigan Planning Enabling Act, pursuant to MCL 125.3843(3), provides that the final step in approval of the Master Plan is performed by the Planning Commission unless the legislative body by resolution has asserted the right to approve or reject the master plan; and

WHEREAS, the Menominee City Council desires to review and consider the final version of the Master Plan before it is approved.

NOW THEREFORE, BE IT RESOLVED that the Menominee City Council hereby asserts the right of the City Council to approve or reject the final version of the City of Menominee Master Plan.

This motion was carried unanimously.

A motion was made by Council Member Mick and seconded by Council Member Plemel to adopt the following resolution:

**RESOLUTION TO ELIMINATE DEFICIT
IN THE BROWNFIELD TIF, FUND NUMBER 243**

WHEREAS, the bond and interest payments due during fiscal year ending June 30, 2010 exceeded available revenues by \$859; and

WHEREAS, to eliminate this deficit it is necessary to appropriate funds from the General Fund for transfer to the Brownfield TIF Fund;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Menominee does hereby amend the budget as follows:

General Fund	101-299-999 Transfer Out	\$1,000
Brownfield TIF Fund	248-0.0-699 Transfer In	\$1,000

effective this 17th day of January, 2011.

This motion was carried unanimously.

A motion was made by Council Member Organ and seconded by Council Member Hudon to adopt the following resolution:

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 17th day of January, 2011.

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
ACCOUNT TITLES:
Street Bond Construction

FIRST NATIONAL BANK & TRUST
CO. OF IRON MOUNTAIN
NUMBERS
644818537

Current Tax Fund	91504
Police/Fire Retirement	90860
City (Waterfront Festival)	1930006273
Section 125 Fund	1930014871
Pooled Cash Fund	500199353
Spies Field	100243495
Public Improvement Fund	100319730
ACH Trust Account	100419563

NAME:

George W. Krah
Thomas F. DeNike
Laura Copeland

TITLE:

Mayor
City Clerk/Treasurer
Head Cashier

whose signatures shall be duly certified to said bank, and that no 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 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 _____, 2011.

Thomas F. DeNike, City Clerk/Treasurer

This motion was carried unanimously.

A motion was made by Council Member Fernstrum and seconded by Council Member Williams to approve payment of the US-41 wastewater project invoices in the amount of \$12,593.74. This motion was carried unanimously.

A motion was made by Council Member Williams and seconded by Council Member Fernstrum to approve payment of the US-41 water project invoices in the amount of \$1,560.00. This motion was carried unanimously.

PUBLIC COMMENT:

Mayor Krah opened the public comment session.

Carol Arsineau thanked council for their action.

Hugh Vary also thanked council.

Tim Blunden, 809-12th Avenue, said he had lived there for years and just received a snow ban ticket and thought the amount of the fine should be reduced. He also complained about the junk in the yard across the street from him.

A motion was made by Council Member Plemel and seconded by Council Member Williams to close the public comment session. This motion was carried unanimously.

ADJOURN:

A motion was made by Council Member Plemel and seconded by Council Member Mick to adjourn the meeting. This motion was carried unanimously.



Thomas F. DeNike, City Clerk/Treasurer

/skj