

**CITY OF MENOMINEE, MICHIGAN  
REGULAR COUNCIL PROCEEDINGS  
FEBRUARY 16, 2009**

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A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held Monday, February 16, 2009 at 5 p.m. in the Municipal Complex Council Chambers.

The Honorable George W. Krahn 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; Mayor Krahn

ABSENT: None

PRESENT: 9

ABSENT: 0

A motion was made by Councilmember Williams and seconded by Councilmember Hudon to approve the agenda for the meeting dated February 11, 2009. This motion was carried unanimously.

There being no additions or corrections to either the minutes of the regular meeting of January 19, 2009 or the special meeting of January 26, 2009, the minutes of both meetings stood approved as presented.

**PUBLIC HEARING:**

Mayor Krahn opened the meeting that was called for the purpose of hearing citizen comments on the proposed "Tax Increment Financing and Development Plan for Menominee Downtown Development Area No. 2".

Joe Peacock, 1610-41<sup>st</sup> Avenue, read the following statement:

"With the help of Hyatt & Palma, we have formed a development vision for our Historic Waterfront Downtown.

This Tax Increment Finance Plan will allow us to fund the necessary improvements that will preserve and enhance our City infrastructure.

Some of the items that will benefit from the plan, but not limited to are:

- |                                       |                            |
|---------------------------------------|----------------------------|
| - Refurnish/repaint street lights-    | - Sidewalk repair          |
| - Tree planting/replacement           | - New sitting benches      |
| - Refurbish/replace waste receptacles | - Street signage           |
| - Street construction                 | - Seal coating to preserve |
| - Wayfinding system                   | - Land acquisition         |
| - Alley improvements and many more    |                            |

This Tax Increment Financing Plan is vital to sustain what we've accomplished since 1983 and to continue with further development plans as outlined by our Blueprint Plan, adopted by our city and City Council in 2005.

We thank the council and citizens for their considerations.

"This on behalf of the DDA & MDBA"

Mary Johns, Chamber of Commerce Executive Director, urged Council to do everything they could to support this.

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

#### PUBLIC COMMENT:

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

No one was heard.

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

#### COMMUNICATIONS:

Peg Bastien and Jill Schwanz gave a presentation on State Equalized and Taxable Values (SET/TV) from the State Department of Treasury. They would also like to add this to the City's website.

Linda Howlett updated Council on recent business development activities including the status of Lloyd/Flanders and the possibility of a room tax.

#### COMMITTEE REPORT:

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

General Fund in the amount of \$413,932.34  
River Park Fund in the amount of \$6,334.42

S/FINANCE COMMITTEE

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

COMMITTEE REPORT:

The Finance Committee reported that they had reviewed accepting credit card payments and they recommended accepting this type of payment for taxes and utility bills through the City's website/BS&A and an OPC hosted website or the OPC 800 phone line payment system, and they further recommended the purchase of the necessary equipment at the cost of \$475 to allow acceptance of credit cards at Riverside Cemetery.

S/FINANCE COMMITTEE

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

COMMITTEE REPORT:

The Finance Committee reported that they had reviewed the request to purchase two (2) new police cars (2009 Ford Crown Victorias) and they recommended that the City purchase one patrol vehicle through Signature Ford, drop shipped to The Motor Company, at the cost of \$20,857.00 and the bid process be waived because this was the State contract pricing.

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:

The Finance Committee reported that they had reviewed the City's health insurance administrative structure and they recommended that Deborah Gill of the Forest Insurance Center be designated as the agent of record.

S/FINANCE COMMITTEE

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

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

This motion was carried.

COMMITTEE REPORT:

The Judicial and Legislative Committee reported that they had reviewed the draft holiday display policy and they recommended adoption of the following:

RESOLUTION CONCERNING DISPLAYS  
OF HOLIDAY DECORATIONS ON CITY-OWNED PROPERTY

February \_\_\_\_, 2009

BY THE CITY COUNCIL OF THE CITY OF MENOMINEE:

WHEREAS, the City of Menominee commemorates legal holidays that are of cultural significance to our community; and

WHEREAS, the City of Menominee strives to embrace the traditions and cultures of its citizens through holiday displays, festivals, parades and other events; and

WHEREAS, the holidays of all cultures and religions are a time for people to celebrate, reminisce and learn from each other.

NOW, THEREFORE, BE IT RESOLVED that the City of Menominee does hereby rescind prior policies and create and establish the following policy for holiday displays on City-owned property:

1. City officials, on behalf of the City, may display secular holiday decorations to promote the culture, traditions and history of the City and its citizens on City-owned property; and

2. *Religious symbols may be included in such holiday displays by City officials when a passive religious symbol does not expressly endorse religion, when it is incorporated as part of a larger display containing secular symbols or words, and when it provides an acknowledgement or depiction of the historic origins of a government holiday.*

3. Displays shall be temporary in nature and remain in place for a reasonable period of time around the holiday being commemorated; and

4. Citizens of Menominee are encouraged to display secular and/or non-secular displays of their choice on their private property and/or in conjunction with places of worship to join in the celebration and commemoration of holidays, traditions and cultural events celebrated in this community.

S/JUDICIAL AND LEGISLATIVE COMMITTEE

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

COMMITTEE REPORT:

The Parks and Recreation/Buildings and Grounds Committee reported that they had reviewed the Henes Park caretaker's house and they recommended to City Council that the house be advertised for sale with the stipulation that it be moved from the property.

S/PARKS AND RECREATION/BUILDINGS AND GROUNDS COMMITTEE

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

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

This motion was carried.

**COMMITTEE REPORT:**

The Parks and Recreation/Buildings and Grounds Committee reported that they had reviewed the request from the Arctic Blast (a football team from Iron Mountain) to use Spies Field for a game in June and they recommended allowing the use for a \$500 charge, and they further recommended the user provide adequate insurance and accept responsibility for any damage.

S/PARKS AND RECREATION/BUILDINGS AND GROUNDS COMMITTEE

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

**COMMITTEE REPORT:**

The Parks and Recreation/Buildings and Grounds Committee reported that they had reviewed the placement of a Cellcom cellular communications tower at Spies Field and they recommended that the lease not be pursued due to state and federal restrictions on use of the park.

S/PARKS AND RECREATION/BUILDINGS AND GROUNDS COMMITTEE

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

**COMMITTEE REPORT:**

The Public Safety/Public Works Committee reported that they had reviewed Application for Payment #3 (final) in the amount of \$5,953.48 to Barley Excavating, Inc. for the 7<sup>th</sup> Avenue/2<sup>nd</sup> Street Parking Lot Project and they recommended that it be approved.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

COMMITTEE REPORT:

The Public Safety/Public Works Committee reported that they had reviewed improvements to the 7<sup>th</sup> Avenue alley as part of the 7<sup>th</sup> Avenue/2<sup>nd</sup> Street parking lot MSHDA project, and they recommended authorizing the City Manager and City Attorney to meet with the property owners concerning easements to determine the cost and the City's ability to fund.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

COMMITTEE REPORT:

The Public Safety/Public Works Committee reported that they had reviewed the recycling area next to City Hall and the pickup services provided by Waste Management, and they recommended accepting magazines and also to pay the \$190.00 charge to Waste Management each time they remove and replace a roll-off container.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

COMMITTEE REPORT:

The Public Safety/Public Works Committee reported that they had reviewed the Michigan Department of Transportation's 2010/2011 US-41 reconstruction project(s) and they recommended the following:

- 1) Accepting three lanes of traffic on US-41 North of its intersection with M-35; and
- 2) Requesting five foot wide, concrete sidewalk on both sides of the new road from 20<sup>th</sup> Avenue North; and
- 3) Accepting the detour(s) as proposed.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

The individual votes on each of the three items in the recommendation were recorded as follows:

Accepting three lanes of traffic on US-41 North of its intersection with M-35.

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

This motion was carried.

Requesting five foot wide, concrete sidewalk on both sides of the new road from 20<sup>th</sup> Avenue North; and

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

This motion was carried.

Accepting the detour(s) as proposed.

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

This motion was carried.

**COMMITTEE REPORT:**

The Special Projects/Community Relations Committee reported that they had discussed holding a Mayor's Exchange and they recommended that the exchange not be held in 2009, due to the budget situation.

S/SPECIAL PROJECTS/COMMUNITY RELATIONS COMMITTEE

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

**MOTIONS AND RESOLUTIONS:**

The following resolution was considered next:

**RESOLUTION  
TO SELECT STARTING DATE OF  
THE CITY OF MENOMINEE BOARD OF REVIEW**

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WHEREAS, Public Act 194 of 2003, effective November 10, 2003 allows the City Council by resolution to select an alternative starting date in March when the Board of Review shall initially meet, and

WHEREAS, MCL 211.30 provides the alternative starting date shall be the Tuesday or Wednesday following the second Monday of March.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Menominee City Council approves selection of the Tuesday following the second Monday of March as the starting date for the City of Menominee Board of Review.

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

**PUBLIC COMMENT:**

Mayor Krahn opened the public comment session.

Mary Johns, Executive Director of the Chamber of Commerce, said a meeting of the tourist group would be held on Tuesday, February 17<sup>th</sup> at the Chamber's Marinette Office.

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

**STATE OF THE CITY:**

Mayor Krahn presented his message for 2008 as follows:

**STATE OF THE CITY**

I begin this State of the City address with a brief look back on 2008. I say brief because I believe in acknowledging the past; learning from it, and not dwelling upon it. I have found it to be much more productive to move forward with optimism and face challenges as opportunities. Dredging up the past and obsessing over it with the gloom and despair of pessimism is counter productive.

A couple of examples that immediately come to mind are the hospital building and the old water plant. Naysayers obsess our "hospital" was given away and a merger never should have happened. Maybe so, maybe not, but it is in the past. The truth is that building has not been a "hospital" for many years and has cost hundredths of thousands of taxpayers' dollars to stand empty. It was never going to be a hospital again. Naysayers obsess over the boater's lounge. Again, a building that was never going to be a water plant again. A deteriorating building that remained empty. Both were "white elephants" that failed to provide anything to the community, both nothing more than a drain on taxpayers' wallets. Positive attitudes, optimism, vision and opportunity have created two wonderful additions to our community that will serve our residents and visitors now and into the future.

In 2008, it was said that "the City" was delaying development of some of the rehabilitation projects of buildings on 1<sup>st</sup> Street. I would like to clear up that misunderstanding. Both sides, the City and the

developers, were new in the development business and not quite suite of all of the state guidelines and procedures, so it was a learning process for both sides. I do still believe it is the right thing to be very cautious with projects that depend on taxpayer funding and make no apology to those folks who misinterpret caution as lack of cooperation. The City stands poised to assist developers within the scope of our abilities to do so.

Also the 2008-09 fiscal budget was a challenge to balance. Unfortunately that included some cuts in personnel. However, remaining employees have risen to the challenge to fill the voids and services have been virtually uninterrupted.

In December our city manager talked on projects the city is working on for 2009. They will not all have financial impact, but will make us a better community.

- He talked about the Marina contract which should come before Council in March and that it was up for negotiations. We can work together. We can forget about court rulings and dates of contracts. We can move forward. Whether you agree or not regarding the contract for the management of the marina, no one can argue that the Marina is one of our only community show pieces. We, as a community, should join the Marina Management Group and tour the Yacht Club and boater's lounge, walk the piers!! Menominee should be proud of what you have accomplished in this area and be grateful you have the dedicated people affiliated with this operation.
- The US 41 highway project is moving along, and it might not please the entire community. But it is a huge upgrade for our city that cannot be lost. Hopefully working together will make this a smooth transition.
- We have talked about automating our garbage collection. Of course there have been negative comments concerning this. There are also negatives with the existing system. We ask - be patient. The public works management team has said in public meetings that specific needs will be addressed. We will work together to make this a successful cost saving program for our citizenry.

The upcoming year we will have to continue to be pro-active and find better ways to keep budgets and expenses in line while continuing to provide essential services. In Governor Granholm's State of the State Address she said, and I quote, "The days when government could be all things to all people are behind us."

That statement embodies the essence of President Obama's message of change. We must be a changed government at all levels. Gone are the days of operations based on tradition rather than fiscal responsibility.

The restructuring of city departments is an avenue we should explore. Combining services with our county counterparts is a possibility. Consolidation in different areas would help alleviate costs to our

taxpayers. So we will continue to explore, research, investigate and implement to better serve you - the residents. I believe positive change is coming to your local government but it will take all of our efforts and your support.

But how we approach problems, challenges and needs of our residents will determine our quality of life here in Menominee. With attitudes of optimism and vision and a true sense of community where we reach out to each other and support each other during these hard times. We won't have the latest and greatest of everything but make no mistake; we will have an excellent quality of life as we become better neighbors and better citizens.

I believe that starts, not by looking at what we don't have, but by looking at what we do have. When you got up this morning and:

- went to get a glass of water - good, clean, safe water came out of the faucet.
- you placed your garbage curbside - it was collected.
- yes, it snowed during the night and yes you could get to work or to the store - because your streets were plowed.
- realize that you can no longer afford the internet or that favorite magazine - you still have those things for free at the library.
- looked out the window to see a patrol car go by - a sense of security prevails.
- realize that our community has some gorgeous parks under the snow waiting for families to recapture the simplicity of picnics and sand castles.
- experience an unexpected expense and know that you can make a partial tax payment in good faith to minimize any interest or penalties or use a credit card if necessary.
- readied your children for school - you're assured of a quality education and reliable transportation.
- realized you were not feeling up to par, quality care is close by.
- finally, realize the glass of water you drank when you awoke is ready to pass; you flushed your toilet and are assured the end product is treated and discharged safely into the river.

I think you get my point. These are all services funded by your tax dollars that are often unseen and taken for granted.

We have faced and will continue to face difficult challenges in our community, in our state, our country and even globally. In difficult times it is easy to fall prey to negativism. The theme throughout the presidential election was "CHANGE" and "YES WE CAN", not only at the federal level; not only the state level or the county level, but also our local level. It's no accident that the President was elected on that platform and only coincidence that he used a spin on my well-known "CAN DO" philosophy. It is what the people, you people, want. We will make changes to better serve you.

You cannot open a newspaper or turn on your television or radio without hearing about the struggling economy with companies closing and laying off workers. We all feel the pinch of the poor economy. According to our local paper, Menominee County is little better off than the state and the rest of the U.P.

This month the Governor was expecting \$3 billion in federal stimulus money for the fiscal year that starts October 1<sup>st</sup>. The Governor hopes to invest these dollars so we can create jobs and also relieve the stress on people's pocketbooks and avoid the kinds of cuts that could cause even further harm to our economy.

We will aggressively be trying to be heard in Lansing and our goal is to receive some of the stimulus package on this side of the Mackinaw Bridge. We cannot as a community put our heads in the sand and say the federal, the state, or the local government will get us through tough times.

While hoping we are successful in our attempts in obtaining a piece of the federal and state pie, we must be pro-active and adopt a stimulus package of our own so to speak. We don't have the dollars to throw out there but we do have a spirit and a desire to keep Menominee a great place to raise families comfortably. To maintain that we will need to get creative, "change" the way we do things. For example, we all know the story about deteriorated buildings in town and why doesn't the city do something. We are presently in the same financial condition as the rest of the country and have about \$10,000 in our demolition fund. But think about this - a joint effort of a local contractor and the city working together to take down a deteriorated structure. It might not be a financial gain for either party - but the job would be done and what a way to do something for the community. We all enjoy the benefit of that building being gone.

Then, perhaps the owner of that structure who was unable to manage the demolition, looks inside of himself and finds another project in the community that he can do for everyone's benefit. It is something every person living or working here can do. It's not just about money, many projects and problems can be addressed with time and talent alone. It's reaching out to a neighbor and helping with their yard or their garbage or their snow removal. Everyone contributes, everyone reaps the benefits. This is the type of thing that ground swells a true sense of community. It banishes the "us and them", "the givers and the takers" and "the city" and brings us together for the common good of everyone.

Our newly elected President said he screws up!! So do we sometimes as your representatives. We have the best interests of our community at heart and we all need to pull together to get through to better times for us, for our children and grandchildren.

The State of the City is as good as can be expected during these economic times!!

Let me leave you this thought!!

"Many times in order to survive; we have to start a change process. We something need to get rid of old memories, habits and other past traditions. Only free from past burdens, can we take advantage of the present."

Respectfully submitted,  
George W. Krah, Mayor

COUNCIL COMMENTS:

Mayor Krah opened the council comments portion of the meeting.

Councilmember Williams commented on the room tax.

Councilmember Organ asked what the status of the Waterfront Festival was.

A motion was made by Councilmember Mick and seconded by Councilmember Sorensen 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