

**CITY OF MENOMINEE, MICHIGAN
REGULAR COUNCIL PROCEEDINGS
JANUARY 18, 2010**

A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held Monday, January 18, 2010 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: Councilmembers Fernstrum, Hudon, Mick, Organ, Plemel, Schloegel, Walker, and Williams; Mayor Krah

ABSENT: None

PRESENT: 9 ABSENT: 0

A motion was made by Councilmember Williams and seconded by Councilmember Organ to approve the agenda. This motion was carried unanimously.

There being no additions or corrections to either the minutes of the regular meeting of December 21, 2009, the minutes stood approved as presented.

A motion was made by Councilmember Williams and seconded by Councilmember Fernstrum to adopt the following resolution:

RESOLUTION

WHEREAS, Jeffrey Jones was employed by the City of Menominee for thirty-one years; and

WHEREAS, Jeffrey Jones retired from his position with the City of Menominee Police Department on November 30, 2009; and

WHEREAS, the City of Menominee wishes to recognize Jeffrey Jones for his service to the City and its residents;

NOW, THEREFORE, BE IT RESOLVED, that the City of Menominee, by its City Council on January 18, 2010, recognize and thank Jeffrey Jones for his service and extend best wishes to him on his retirement.

This motion was carried unanimously.

PUBLIC COMMENT:

Mayor Krah opened the public comment session that was called for the purpose of hearing citizen comments on old business items.

Comments were heard from the following:

Glen Lindstrom
Ed Smith

Mark Jasper
Dave Menor

Robert Chaltry
Leon Felch

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

A motion was made by Councilmember Williams and seconded by Councilmember Mick to approve the contract with Waste Management for trash collection service.

AYES: Krah, Mick, Schloegel, Walker, Williams, and Fernstrum

NAYS: Hudon, Organ, and Plemel

This motion was carried.

The following resolution was considered next:

Resolution 'Regarding Trash Collection Fees and Service
For Menominee Residents and Businesses

WHEREAS, the City of Menominee, MI desires to provide a reliable form of trash collection and disposal to its residents and small businesses; and

WHEREAS, a previously approved City ordinance (MOC 10:3) stipulates that the fees for said service will be, from time to time, established by resolution by the Menominee City Council; and

WHEREAS, the manner in which trash collection and disposal is done within the City is being reorganized at this time, thus requiring a new fee schedule;

THEREFORE, be it resolved that the following fees for the following trash collection and disposal services will be charged to City residents and small businesses:

Through June 30, 2010:

<u>Scope of Service</u>	<u>Fee Schedule</u>
Once per week collection of up to six 33 gallon trash bags. This service is provided to all single family	Paid for via a 3 mill tax levy, paid by all owners of property within the City.

residences, multi-family residences of four living units or less, and to small businesses who generate no more solid waste than six 33 gallon bags per week.

Disposal of grass clippings, leaves, brush, and other yard waste. Disposal site to be designated by City.

\$10.00 for one pick-up truck load or for a trailer load that approximates the same volume of a pick-up truck.

\$ 5.00 for a trailer load smaller than a pick-up truck.

No charge for up to three 39 gallon trash bags; \$1 per bag thereafter.

No dumping allowed by commercial businesses or "for hire" service providers.

Commencing July 1, 2010:

Scope of Service

Once per week collection of up to six 33 gallon trash bags. This service is provided to all single family residences, multi-family residences of four living units or less, and to small businesses who generate no more solid waste than six 33 gallon bags per week.

Fee Schedule

Paid for via a 1 mill tax levy, paid by all owners of property within the City, plus a \$9.50 per month residences, user fee charged to all residents and small businesses. This fee will be invoiced on quarterly water bills except where a building with more than one living unit has only one water meter. In those instances, the total fee for all living units will either be invoiced to owner of the property on one water bill or to individual households via a separate invoice. Based on changes to the Consumer Price Index / All Urban Consumer (Detroit) the fee will be

OLD BUSINESS
NEW BUSINESS
PUBLIC
RECOGNITION
CLERK/TREASURER

increased effective January 1, 2013 by 3.0% or the actual change to the index, whichever is greater.

Additional charges from the contracted trash collection / hauling firm for fuel costs may be incurred by the City. Said fuel costs are based on changes in the cost of diesel fuel when it rises above a base level of \$3.00 per gallon, as determined by the Energy Information Administration / Department of Energy weekly index or contractor's actual fuel costs at their Menominee County location, whichever is less. When diesel fuel does increase above \$3.00 per gallon, residents may be charged a fuel charge equal to 1.0% of the then current base monthly charge for every twenty-five cents of fuel cost increase. This fuel charge adjustment will be made monthly (for quarterly billing) and will not exist at all whenever diesel fuel costs, per the specified index, are below \$3.00 per gallon.

Disposal of grass clippings, leaves, waste. Disposal site to be designated by City for operation May through November.

\$10.00 for one pick-up brush, and other yard truck load or for a trailer that approximates the same volume of a pick-up truck. \$ 5.00 for a trailer load smaller than a pick-up truck.

No charge for up to three 39 gallon trash bags; \$1 per bag thereafter.

Disposal of electronic items
such as televisions, computers,
computers monitors, printers, etc.
(If this service is provided.)

No dumping allowed by
commercial firms or "for hire"
service providers.

A "per pound" or "per Item" fee
will be established by the City
Manager based on the City's cost
of disposal, labor, administrative
charges, etc. Should the service
not prove to be used significantly
by residents, it may be discon-
tinued by City Manager with
prior advisement to City Council.

This resolution is adopted this date by a majority vote of the Menominee City Council.

A motion was made by Councilmember Schloegel and seconded by Councilmember Fernstrum to amend the resolution so everyone would pay the monthly fee.

AYES: Schloegel

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

This motion was carried.

A motion was made by Councilmember Williams and seconded by Councilmember Walker to adopt the resolution as presented.

AYES: Mick, Schloegel, Walker, Williams, Fernstrum, and Krah

NAYS: Organ, Plemel, and Hudon

This motion was carried.

PUBLIC COMMENT:

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

No one was heard.

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

A motion was made by Councilmember Organ and seconded by Councilmember Hudon to confirm the appointment of Thomas Lesperance as Building Inspector. This motion was carried unanimously.

A motion was made by Councilmember Organ and seconded by Councilmember Hudon to confirm the appointment of Mark Petersen as Fire Chief. This motion was carried unanimously.

A motion was made by Councilmember Hudon and seconded by Councilmember Organ to confirm the appointment of Brett Botbyl as Chief of Police. This motion was carried unanimously.

A motion was made by Councilmember Hudon and seconded by Councilmember Organ to nominate and elect Councilmember Mick as Deputy Mayor. This motion was carried unanimously.

A motion was made by Councilmember Plemel and seconded by Councilmember Williams to approve the fee structure for parks, boat launches, and the campground for the 2010 season as presented. This motion was carried unanimously.

PUBLIC HEARING:

Mayor Krahe opened the public hearing called for the purpose of hearing citizen comments on the proposed CDBG Revolving Loan Fund loan for the Table Six Restaurant project.

No one was heard.

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

A motion was made by Councilmember Fernstrum and seconded by Councilmember Williams to approve the loan of \$170,000 to Arthur and Sandy Baron, and Vincent and Wendy Baron to support the Table Six Restaurant project at 525 First Street. This motion was carried unanimously.

PUBLIC HEARING:

Mayor Krahe opened the public hearing called for the purpose of hearing citizen comments on the proposed use of CDBG Revolving Loan Fund money for relighting on US-41 from 20th Avenue to 48th Avenue.

Comments were heard from Bob Duffrin.

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

A motion was made by Councilmember Fernstrum and seconded by Councilmember Williams to adopt the following resolution:

RESOLUTION REGARDING USE OF REVOLVING LOAN FUND MONIES
FOR LIGHTING UPGRADES ON 10TH STREET / HWY 41

Whereas, the City of Menominee, Michigan has a Revolving Loan Fund program that is funded through the Community Development Block Grant program; and

Whereas, the Re-Use Plan for the program, previously approved and amended by the Menominee City Council, allows program funds to be used for certain types of community projects; and

Whereas, the 10th Street / Hwy 41 corridor is the major traffic roadway of the city and is in need of upgrade to the lighting along the roadway; and

Whereas, 10th Street / Hwy 41 between 20th Avenue and 48th Avenue has substandard lighting which does not meet industry standards; and

Whereas, the City desires to execute said lighting upgrades in conjunction with major renovation of the roadway itself being done by Michigan Department of Transportation; and

Whereas, upgrades to the lighting of 10th Street / Hwy 41 will significantly improve public safety on a heavily traveled commercial roadway;

Whereas, the cost of said lighting upgrade is \$174,000 to \$191,000 which the city cannot pay except by use of Revolving Loan Fund monies;

Therefore, the City of Menominee, Michigan, by a majority vote of its City Council on January 18, 2010, does hereby resolve to use monies from the city's Revolving Loan Fund, in an amount not to exceed \$191,000, to pay for lighting upgrades along 10th Street / Hwy 41 between 20th Avenue and 48th Avenue, per plans developed by Wisconsin Public Service.

This motion was carried unanimously.

PUBLIC HEARING:

Mayor Krahn opened the public hearing called for the purpose of hearing citizen comments on the proposed use of CDBG Revolving Loan Fund money for the 14th Avenue rebuilding and upgrades to the intersection at 14th Avenue and 13th Street.

Comments were heard from Glen Lindstrom.

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

A motion was made by Councilmember Williams and seconded by Councilmember Fernstrum to adopt the following resolution:

RESOLUTION REGARDING USE OF REVOLVING LOAN FUND MONIES
FOR 14th AVENUE REBUILDING AND INTERSECTION IMPROVEMENTS
ON 13th STREET/14th AVENUE

Whereas, the City of Menominee, Michigan has a Revolving Loan Fund program that is funded through the Community Development Block Grant program; and

Whereas, the Re-Use Plan for the program, previously approved and amended by the Menominee City Council, allows program funds to be used for certain types of community projects; and

Whereas, the 13th Street / 14th Avenue intersection is located adjacent to a public school, handles significant traffic, and is in need of renovation and upgrade, including a new traffic signal system, as specified by Michigan Department of Transportation; and

Whereas, upgrades to the section of 14th Avenue adjacent to the school, renovation of the intersection, and modernization of the traffic signal system at the intersection will significantly improve public safety; and

Whereas, the city's local share of costs for said work is approximately \$75,000, which the city cannot pay except by use of Revolving Loan Fund monies;

Therefore, the City of Menominee, Michigan, by a majority vote of its City Council on January 18, 2010, does hereby resolve to use monies from the city's Revolving Loan Fund, in an amount not to exceed \$75,000, to pay for city's local share of costs for renovation of 14th Avenue adjacent to the school, renovation of the intersection at 13th Street and 14th Avenue, and installation of a new traffic signal system at the intersection.

This motion was carried unanimously.

Mayor Krah reported on the appointment of Councilmembers Mick, Plemel, and Walker to the Budget Task Force.

A motion was made by Councilmember Fernstrum and seconded by Councilmember Schloegel to approve collection of the Menominee Area Public Schools taxes on the summer taxes. This motion was carried unanimously.

A motion was made by Councilmember Organ and seconded by Councilmember Hudon to table amending the City Council Meeting / Business Policy. This motion was carried unanimously.

PUBLIC COMMENT:

Mayor Krahn opened the public comment session.

Comments were heard from Ed Smith, Arthur Baron, and Glen Lindstrom.

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

ADJOURN:

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



Thomas F. DeNike, City Clerk/Treasurer

/skj