

**CITY OF MENOMINEE, MICHIGAN  
SPECIAL COUNCIL PROCEEDINGS  
AUGUST 31, 2009**

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A special meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held Monday, August 31, 2009 at 5 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, Mick, Organ, Pintarelli, Schloegel, Sorensen;  
Mayor Krah

ABSENT: Councilmembers Hudon and Williams (both excused)

PRESENT: 7

ABSENT: 2

A motion was made by Councilmember Organ and seconded by Councilmember Mick to excuse Councilmembers Hudon and Williams from the meeting. This motion was carried unanimously.

Mayor Krah opened the special meeting that he called for the purpose of considering the following agenda:

- 1) Pledge of allegiance to the flag.
- 2) Public comment on agenda items only.
- 3) Set the public hearing date on the request from The Baron Restaurant Group to establish an OPRA District at 525 First Street.
- 4) The Public Safety/Public Works Committee on the 7<sup>th</sup> Avenue alley bid.
- 5) The Public Safety/Public Works Committee on the rubbish bins operation.
- 6) The Public Safety/Public Works Committee on the garbage collection truck.
- 7) The Public Safety/Public Works Committee on the request from Dexter's to close off a portion of 8<sup>th</sup> Street from 10<sup>th</sup> Avenue North on October 17<sup>th</sup>.
- 8) The Public Safety/Public Works Committee on the requested MDOT easement/Route-41 project.
- 9) The Public Safety/Public Works Committee on quit claiming vacated alley property to the adjacent property owners (Stephenson National Bank and Trust and First United Methodist Church).
- 10) Public comment.
- 11) Adjourn.

**PUBLIC COMMENT:**

Mayor Krah opened the public comment session.

Bob Duffrin, 1600-26<sup>th</sup> Avenue, spoke regarding the new garbage truck purchase and asked why it was not waiting to be done until after the new City Manager started.

Mark Erickson, 1705-18<sup>th</sup> Avenue, said the rubbish bins should be limited to city residents only and not be open on Saturdays.

Brian DeCamp, 1512-15<sup>th</sup> Avenue, was concerned about automated garbage pickup and the elderly. Old trucks should be repaired.

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

**THE BARON RESTAURANT GROUP OPRA DISTRICT AT 525 FIRST STREET.**

A motion was made by Councilmember Organ and seconded by Councilmember Sorensen to schedule a public hearing on the request for Monday, September 14, 2009 at 10:30 a.m. This motion was carried unanimously.

**COMMITTEE REPORT:**

The Public Safety/Works Committee reported that they had reviewed the bids received for the "Alley Reconstruction between 7<sup>th</sup> and 8<sup>th</sup> Avenues, Contract A-2009" and they recommended acceptance of the only bid submitted by Barley Excavating, Inc. in the amount of \$106,466.00 contingent upon the City obtaining the final easement needed to construct the project as originally planned, in case the final easement cannot be acquired, the award for that portion of the project for which easements have been obtained, in the event that it is the smaller project that is constructed, bid quantities shall be adjusted to reflect this reduced project scope, and proceeding with the work is contingent upon bid approval from the Michigan State Housing Development Authority (MSDHA).

S/PUBLIC SAFETY/WORKS COMMITTEE

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

**COMMITTEE REPORT:**

The Public Safety/Public Works Committee reported that they had reviewed the rubbish bins operation and they recommended that effective September 30<sup>th</sup> the only items acceptable at the rubbish bins would be brush and yard waste and they would be open Monday through Friday from 7 a.m. until 3 p.m. and an alternative dumping area would be the spoils area north of the City Garage on Saturday from 9 a.m. until 4:30 p.m.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

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

This motion failed to carry.

**COMMITTEE REPORT:**

The Public Safety/Public Works Committee reported that they had reviewed the need for a sanitation collection vehicle and they recommended to City Council that they approve waiving the bid process and connecting with the City of Escanaba to purchase a Heil Rapid Rail on an International Model 7400 chassis at the cost of \$180,150, which was their bid price, and they also recommend the necessary containers.

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

**COMMITTEE REPORT:**

The Public Safety/Public Works Committee reported that they had reviewed a request from T&N of Menominee, which was Dexter's at 736 Tenth Avenue, to close off 8<sup>th</sup> Street from 10<sup>th</sup> Avenue north approximately 84 feet allowing their establishment to temporarily have added space from 7 a.m. on Saturday, October 17<sup>th</sup> until 2 a.m. the following morning and they recommended that the request be approved.

S/PUBLIC SAFETY/PUBLIC WORKS 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 Public Safety/Public Works Committee reviewed the request from the Michigan Department of Transportation to acquire an easement for a right-of-way of approximately 179 square feet going to the bay that is just to the north of the Lloyd Flanders property for the sum of \$1,250.00 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 Mick and seconded by Councilmember Organ to adopt the foregoing report. This motion was carried unanimously.

**COMMITTEE REPORT:**

The Public Safety/Public Works Committee reported that they had reviewed the vacation of the following alley that was approved by the Menominee City Council on April 17, 2006:

“An alley that starts at Tenth Avenue and extends to the middle of the block, half way to Ninth Avenue, where it intersects the east/west alley and they recommend to city council that they vacate that portion of alley in block 13 North Ludington Company’s First Addition, lying west of lot 3.”

and they recommended quit claiming one-half (1/2) of the property to the adjacent property owners (Stephenson National Bank and Trust and the First United Methodist Church).

S/PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

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

**PUBLIC COMMENT:**

Mayor Krahn opened the public comment session.

Robert Chaltry, 1901-15<sup>th</sup> Street, said Madison WI had the garbage containers and they were all over the place.

Hugh Vary, 226 First Street, asked where residents would place the containers. He also commented on using the bins for non-garbage.

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

**ADJOURN:**

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

  
Thomas F. DeNike, City Clerk/Treasurer