

AGENDA
CITY OF NEGAUNEE REGULAR MEETING
APRIL 11, 2024 @ 6:30 P.M.
NEGAUNEE SENIOR CENTER, 410 JACKSON ST (TOBIN St. ENTRANCE)

- 1. CALL TO ORDER**
- 2. PLEDGE TO FLAG**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. PUBLIC COMMENT (3 min. limit)**
- 6. UNFINISHED BUSINESS**
- 7. NEW BUSINESS**
 - 7.1 BALLOT LANGUAGE – REZONING OF OLD TOWNE 5 ACRES**
 - 7.2 ORDINANCE AMENDMENTS #156.046, #156.047, #156.201 – 1ST READING – ACCESSORY DWELLING UNITS IN ALL RESIDENTIAL ZONES**
 - 7.3 MAIN STREET PAVING BIDS**
 - 7.4 LACOMBE FENCING BIDS**
 - 7.5 CITY HALL BOILER BIDS**
 - 7.6 LACOMBE FIELD DUGOUT BIDS – REJECT BIDS**
 - 7.7 COMPRESSOR PROPOSAL – ICE ARENA BUDGET ADJUSTMENT**
 - 7.8 RESOLUTION – COMBINING VOTING PRECINCT POLLING LOCATIONS**
- 8. CONSENT AGENDA**
 - 8.1 MINUTES – MARCH 14, 2024 REGULAR MINUTES**
 - 8.2 CLAIMS AND ACCOUNTS**
 - 8.3 REVENUE/EXPENDITURE REPORTS -ESTIMATED TRIAL BALANCES**
 - 8.4 WPPI ENERGY INNOVATIONS COLLABORATIVE AGREEMENT**
 - 8.5 SURPLUS PROPERTY**
 - 8.6 BOARDS AND COMMISSION APPOINTMENTS**
- 9. PUBLIC COMMENT (3 min. limit)**
- 10. COUNCIL MEMBERS**
 - CITY MANAGER**
 - CITY ATTORNEY**
- 11. ADJOURNMENT**

7/1

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing Agenda Items Consent Agenda

To: Ballot Language for August 6, 2024 Election – Rezoning of 5 acre parcel in the Old Towne Area

BACKGROUND:

At the March Regular Meeting the Council voted to submit the petition regarding the rezoning of a 5 acre parcel of land in Old Town and place it on the ballot.

The City Clerk and City Attorney have drafted language to be placed on the ballot of the August 6, 2024 Election below.

“The Negaunee City Council voted to amend the City of Negaunee’s Codified Zoning Ordinance (Ord. No.: 156.031) to rezone an approximate five (5) acre parcel of City owned property, which is part of Old Town, from a Public Area (PA) Zoning District to a Residential (R2) Zoning District. Should the amendment to the Zoning Ordinance be repealed, reverting the subject parcel back to a Public Area (PA) Zoning District.”

RECOMMENDATION:

Approve the language to be placed on the ballot of the August 6, 2024 Election.

72

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing **Agenda Items** **Consent Agenda**

To: Ordinance Amendments #156.046, #156.047 #156.201 – 1st reading – Accessory Dwelling Units (ADU's) in all residential zones

BACKGROUND:

The proposed ordinance amendments would allow Accessory Dwelling Units(ADU's) in all residential zones. Currently the City allows them in the R-1 zone, these changes would allow them in all residential zones. This proposed amendment will also include requiring one parking spot per ADU in all zones.

RECOMMENDATION:

Approve the 1st reading and set a public hearing for the May 9th regular meeting.

First Reading:

Second Reading:

Publication:

Effective Date:

AMENDMENT TO CODIFIED ORDINANCES OF THE CITY OF NEGAUNEE

CHAPTER 156.046 MULTI-FAMILY RESIDENTIAL DISTRICT (R-2)

CHAPTER 156.047 RURAL RESIDENTIAL DISTRICT (RR)

CHAPTER 156.201 OFF-STREET PARKING REQUIREMENTS

The City of Negaunee ORDAINS:

That Chapter 156.046, 156.047, 156.201 of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to read as follows:

REPEALER

Chapter 156.046, 156.047, 156.201 of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of these Amendments are, to the extent of such conflict, hereby repealed. This repeal shall be effective as of the effective date of the following Amendments

AMENDMENTS

Chapter 156.046(B) "Permitted Principal Uses" shall be amended to include the term "Accessory Dwelling Units."

Chapter 156.047(B) "Permitted Principal Uses" shall be amended to include the term "Accessory Dwelling Units"

Chapter 156.047(D (1)) shall be amended to "No more than three accessory buildings shall be permitted on the lots served by the principal building, two of these buildings may be Accessory Dwelling Units"

Chapter 156.047 (D (5)) Prior to zoning approval for an ADU, property owner must provide approval for Well and Septic from the Marquette County Health Department

Chapter 156.201 (A (1)) Add to List "Accessory Dwelling Unit – 1 space per ADU"

Upon roll call, City of Negaunee Council Members:

Voting aye:

Voting nay:

Whereupon, this Ordinance was declared passed and adopted this __ day of __, 2024.

This Amendment shall be published as required by law, and shall be effective on the ____ day of __, 2024.

CITY OF NEGAUNEE Attest:

73

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing Agenda Items Consent Agenda

To: The Honorable Mayor and City Council

Re: Main Street Paving Project

BACKGROUND:

The City of Negaunee's issued bids for milling and paving of Main Street from Teal Lake Ave to Healy Ave. Request for Bids were sent out on February 26, 2024 and 2 total bids were received and opened on March 13, 2024. The paving project is tentatively planned to take place early summer 2024.

ANALYSIS: Two bids were received

<u>Contractor</u>	<u>Total BID</u>
Bacco Construction Company	\$ 109,877.00
Payne & Dolan, Inc.	\$ 147,745.50

RECOMMENDATION:

It is recommended from the Public Works Department that the city accept the low bidder Bacco Construction Company in the amount of \$109,877.00. Also, to allow an additional project contingency for unforeseen issues / quantity overruns in the amount \$10,123 for a total project cost of \$120,000.00.

FISCAL EFFECTS:

For 2024, there is \$120,000 budgeted for the Main Street Paving Project.

ALTERNATIVE:

To not award this project

7.4

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

- Public Hearing Agenda Items Consent Agenda

To: LaCombe Field Fence Bids

BACKGROUND:

The City of Negaunee issued an RFP for replacing the removed fence sections at LaCombe Field to ensure the field will be usable for the user groups while the dugouts get re-bid and constructed in the near future.

The City received two proposals:

**Century Fence: \$7,290
Marquette Fence \$14,500**

\$23,425 is currently budgeted for LaCombe

Recommendation:

City Staff recommends accepting the proposal from Century Fence @ \$7,290 with money being paid from the General Fund LaCombe Field Project.

75

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing Agenda Items Consent Agenda

To: The Honorable Mayor and City Council

Re: City Hall Boiler Repairs Bids

BACKGROUND:

The City Hall steam boiler is in need of repairs to continue operating. The repairs include the installation of a Water Softener, Chemical Treatment System, and Heat Timer Controller. City staff issued bids and received two bids as follows:

<u>Vendor</u>	<u>QUOTE</u>
United Contractors	\$ 29,340.00
J Goods	\$ 34,500.00

RECOMMENDATION:

It is recommended from City Staff that the city accept the low bid from United Contractors in the amount of \$ 29,340.00 for the installation of a Water Softener, Chemical Treatment System, and Heat Timer Controller on City Hall's boiler. With monies being paid from the draw down of the City Improvement Fund.

FISCAL EFFECTS:

This is an unbudgeted expense for 2024 and the City Improvement Fund fund balance will need to be drawn down if repairs are made.

ALTERNATIVE:

None recommended.

7.6

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

- Public Hearing Agenda Items Consent Agenda

To: LaCombe Field Dugout Bids

BACKGROUND:

City staff advertised bids for the LaCombe Dugouts. 4 bids were received.

A & F	\$88,195
Closner	\$88,270
Northern Awning	\$70,150
Premeau	\$58,675

\$23,425 is budgeted in the 2024 budget for this project.

RECOMMENDATION

City Staff's recommendation is to reject all of the bids. There is not enough money budgeted for this project at this time. Other resources are being explored to complete this project.

7.7

**CAGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing Agenda Items Consent Agenda

To: The Honorable Mayor and City Council

Re: Ice Arena Compressor

BACKGROUND:

The City of Negaunee Ice Arena cooling system operates utilizing multiple components See attached. One of the components, compressor B2 has failed and in need of immediate replacement.

Johnson Controls has provided a quote of \$22,069.64 to replace the failed compressor. Replacing this compressor will cause a delay in the 2024 ice rink season by approximately one month.

RECOMMENDATION:

City staff recommends Johnson Controls to replace the compressor (B2) in the amount of \$22,069.64. City is requesting an additional amount up to \$17,000 to purchase a spare compressor.

ALTERNATIVE:

To have Johnson Controls replace the failed compressor only and not purchase the spare compressor.

FISCAL EFFECTS:

The \$22,064.64 is not budgeted and will require a drawdown of the fund balance in the City Improvement Fund.

Negaunee Ice Arena Compressor System

Condition of Components

updated: April 3, 2024

Component	Description	Condition	Comments
Pump and Pipes	Send glycol in floor	Good	Could use 2 nd pump
Evaporator	Heat Transfer glycol/refrigerant	Good	None
Refrigerant with Expansion Valves and Electronic Control Board	Controls amount of refrigerant sent to Evaporator	Original – could fail at any time	Outdated electronics & unavailable replacement parts
4 Compressors	Send refrigerant from Condenser to Evaporator	1 new (2023), 1 failed, 2 original that can fail at any time	Immediate replacement of failed compressor, and obtain a spare
6 Condensers	Heat Transfer of Refrigerant	Outdated	None
10 Fans	Keeps the Condensers Cool	4 relatively new, 6 original	None



Replace compressor
Quote Prepared by Marvin McCorkle
03/22/2024



PROPOSAL

Account Information

Bill To:	CITY OF NEGAUNEE PO BOX 70 NEGAUNEE MI USA 49866
Quote Reference Number:	1-1OU1N4UY
Project Name:	Replace compressor
Site:	CITY OF NEGAUNEE - ICE RINK 141 RAIL ST NEGAUNEE MI 49866-1875
Branch Info:	JOHNSON CONTROLS APPLETON WI CB - 0N07
Attn:	Derek Dushane

Customer Information

Name: Derek Dushane

This proposal is hereby accepted and Johnson Controls is authorized to proceed with the work, subject to credit approval By Johnson Controls, Inc. Milwaukee, WI.

We propose to furnish the materials and/or perform the work below for the net price of: \$22,069.64

This proposal is valid through: 04/20/2024

CITY OF NEGAUNEE

Johnson Controls Inc.

Signature: _____
 Name: _____
 Title: _____
 Date: _____
 PO: _____


Signature: _____
 Name: _____
 Title: _____
 Date: _____

Proposal Overview

Benefits/Scope of Work: Provide and replace 1 compressor on Carrier chiller. Does not include any refrigerant if system is low. Does not include shipping or freight

Exclusions:

- 1.Labor or material not specifically described above is excluded from this proposal.
- 2.Unless otherwise stated, any and all overtime labor is excluded from this proposal.
- 3.Applicable taxes or special freight charges are excluded from this proposal



**Resolution Consolidating Election Precincts
and
Approving Election Precinct Polling Location**

WHEREAS, MCL 168.661 allows for up to 4,999 registered voters to reside in a single precinct;
and

WHEREAS, MCL 168.661 provides for the City Election Commission to establish precinct boundaries by resolution; and

WHEREAS, one election precinct (Precinct 1) in the City of Negaunee will reduce election day staffing needs, reduce election equipment needed, reduce the number of polling locations and reduce other associated election costs;

WHEREAS, staff estimates this shift will result in a need for one Election Day polling location, rather than the two previously used; and

WHEREAS, a review of voter registration data, local voter habits and past practice regarding polling locations, resulted in a determination that the City would be able to provide the most accessible and equitable experience to City voters by establishing the one polling location at the Negaunee Middle School gymnasium (Precinct 1); and

WHEREAS, MCL 168.662(1) states, “*The legislative body in each city and township shall designate and prescribe the place or places of holding an election for a city, village, or township election*”;

NOW THEREFORE BE IT RESOLVED, by the City Council for the City of Negaunee that the following consolidation and polling location be adopted for all elections in the City of Negaunee, until further modified:

- Precinct 1: Negaunee Middle School (new gymnasium), 102 W Case Street

This resolution will take effect immediately.

Duly adopted by the Negaunee City Council on Thursday, April 11, 2024

David Kangas, Mayor

Judith K Iwanski, City Clerk

AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024

8.4

- Public Hearing Agenda Items Consent Agenda

To: Energy Innovations Collaborative Service agreement with WPPI renewal

BACKGROUND:

Attached for review and approval is an updated Energy Innovations Collaborative Service letter agreement between WPPI Energy and the City of Negaunee. If approved, the agreement would become effective May 1, 2024.

In 2022, WPPI Energy entered into a two-year agreement with MEO to design and administer a portfolio of energy efficiency, renewable energy, and electrification programs for six of its Upper Michigan members and Ontonagon County REA. At the same time, these utilities entered into an agreement with WPPI to participate in the program collectively referred to as the Energy Innovations Collaborative. This provided utility customers continued access to energy efficiency programs following the enactment of a statutory exemption for municipal and cooperative utilities from the requirements of MCL §460.1071 et seq. to participate in the state's energy waste reduction (EWR) program.

WPPI's original scope of work with MEO will end April 30, 2024. With this impending expiration, in addition to new EWR compliance requirements imposed on municipal and cooperative utilities starting January 1, 2026 under Michigan's 2023 climate legislation (Public Act 229), WPPI has renegotiated a 20-month extension that extends the customer program offerings through the end of 2025 (i.e., expiring just before the new EWR compliance requirements become effective). The new contract includes a new administrative cost structure and establishes a cap on incentive budgets. The updated contract provides the same customer program offerings at a 45-percent cost savings in MEO administrative expenses for all utilities participating in the program. Related changes in the program term and costs, which continue to result in administrative expenses related to WPPI's time and support being covered by the participating members, are reflected in the proposed letter agreement.



1425 Corporate Center Drive Sun Prairie, WI 53590-9109 608.834.4500 wppienergy.org

March  2024

Mr. Nate Heffron, City Manager
City of Negaunee
100 Silver St.
Negaunee, MI 49866

Re: Energy Innovations Collaborative Service

Dear Nate:

As you know, recent laws passed in Michigan will reinstate energy waste reduction ("EWR") program requirements applicable to Michigan municipal utilities effective as of January 1, 2026. WPPI has determined that it will continue to provide its Energy Innovations Collaborative Service (the "Service") before the start of the state-mandated EWR requirements, subject to certain changes that will become effective as of May 1, 2024. The intent of this letter agreement ("Letter Agreement") is to set forth, and expressly confirm the agreement of WPPI and the City of Negaunee ("Member") by the signatures below with respect to, such changes.

To the extent that anything in this Agreement conflicts with that certain *Supplement No. 2 to Master Agreement for Participation in WPPI Member Services Programs to Incorporate Energy Innovations Collaborative Service* dated April 28, 2022 ("Supplement 2") and/or the OSD for the Service, this Letter Agreement is intended to supersede, take precedence, and control with respect to any and all such conflicts. All capitalized terms used but not otherwise defined herein shall have the meanings ascribed thereto in Supplement 2.

Upon expiration of the Contract Year ending April 30, 2024, Member will participate in the Service for an additional 20-month period, beginning May 1, 2024, and ending December 31, 2025 (the "Gap Term"). WPPI will evaluate and determine whether the Service will continue (and, if so, on what terms) after the Gap Term, based on Member needs and statutory/regulatory requirements, among other factors. If it is determined that WPPI will offer and Member will participate in the Service after the Gap Term, the terms of Member's participation will be accordingly formalized in writing (e.g., by amending this Letter Agreement, amending Supplement 2 and/or the OSD, executing a new letter agreement, or as otherwise mutually agreeable and appropriate).

Unless otherwise approved by Member, Member Costs during the Gap Term shall not exceed \$76,430.00.

In addition to reimbursement of Member Costs, Member shall pay additional amounts on a monthly basis ("Administrative Cost Payments") as compensation for the internal administrative and similar costs incurred by WPPI in connection with performing the Service. During the Gap Term, the Administrative Cost Payments will be \$366.00 per month. Upon mutual agreement of



1425 Corporate Center Drive Sun Prairie, WI 53590-9109 608.834.4500 wppienergy.org

the parties, Member shall have the option to request additional marketing services for an additional cost.

If any Expected Incentive Costs remain unused at the end of the Gap Term, WPPI shall return to Member any such excess Expected Incentive Costs actually received by WPPI from the Program Administrator within thirty (30) days after WPPI's receipt thereof, or, if the Service (and Member's participation therein) shall continue, and upon mutual agreement of the Parties, such excess Expected Incentive Costs may be netted against Member Costs relating to incentives for the next applicable Service term.

Except to the extent modified by this Letter Agreement, all other terms of Supplement 2 and the OSD shall remain unchanged and applicable to the Service during the Gap Term.

Please indicate the City of Negaunee's acceptance of and agreement to the terms of this Letter Agreement by signing where indicated below.

Sincerely,

Jake Oelke
Vice President, Energy Services

Accepted on behalf of the City of Negaunee:

By: _____
Name: Nate Heffron
Title: City Manager
Date: _____

85

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing

Agenda Items

Consent Agenda

To: Surplus Property

BACKGROUND:

See attached spreadsheet and declare surplus.

REQUEST TO DISPOSE OF ASSETS

Requesting Department: _____ DPW Director _____

Items to be deemed surplus:

	Original purchase price (if available)	Today's estimated Market Value
2004 GMC Cemetery Truck _____	\$ 28,700	\$ 100
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

Justification for disposal: In 2023, we purchased a new 2023 truck for the Cemetery. The old cemetery truck no longer is useful.

Recommended form of Disposal: Auction Open Market Waste / Salvage (if for salvage, potential scrap value?) \$ _____

Rational: The old cemetery truck will never be used again. If it is of no value on bidding, it will be brought to the junkyard for scrap value.

I have read and understand and will abide by the city's Disposal of Assets Policy.

Department Head: Mark Daavetila, DPW Director

Approved By Council

Date: 03/19/2024

Date _____

I concur with the Department Head,

City Manager: _____

Date: _____

Copy to the Treasurer to ensure that the Balance Sheet and Inventory in the City's Fiscal Reporting system must reflect removal of a real asset.

8.6

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
April 11, 2024**

Public Hearing Agenda Items Consent Agenda

To: Boards and Commission Appointments

BACKGROUND:

Appoint Miles Stearn to the 1/26 vacancy on the DDA Board.

Appoint Russell Williams to 1/26 vacancy on the Commission on Aging

CITY OF NEGAUNEE
COUNCIL/BOARDS AND COMMISSIONS
APPLICATION

Name: MILES STEARN Date: February 20th 2024

Address: 208 DIVISION ST. NEGAUNEE, MI 49806

Occupation: Artist - CERAMICS

Telephone: Home: 248 345 7169 Work: _____

Email: MILOSTEARN@HOTMAIL.COM

Board/Commission Applying for: DDA

If applying for more than one Board/Commission list order of preference:

- 1). _____ 2). _____ 3). _____

What other Boards/Commissions have you served on? N/A

Could you regularly attend scheduled Board/Commission Meetings?

Yes No _____ Conflict Unless out of town on business

Why do you wish appointment to this Board/Commission? _____

To learn more about our community & to get more involved in making Negaunee a great place to come, play, eat, shop, hang out. REVITALIZE THE DOWNTOWN.

What are your qualifications/credentials for appointment? _____

I'm a business owner and I care.

What is your understanding of the mission of this Board/Commission? I don't really know but willing to learn. It helps the downtown, in all the ways!

References (list names, addresses, and telephone numbers) (Optional) RACHEL & NICK - Jim Jitzy.

1. BLAKE BECKER - Love and Bicycles JIM - U.P. Brewery

2. Ivy - AT - JACKSONS PIT Nate - City Manager

3. SHAILA - SAMARA Florist Connor Ryan - Unity

Signature Miles Stearn 02-20-2024

**CITY OF NEGAUNEE
CITY BOARDS AND COMMISSIONS
APPLICATION**

Name: Russell Williams Date: March 28th 2024

Address: 170 M-35 Negaunee MI, 49866

Occupation: Retired

Telephone: Home: 906-362-9518 Work: N/A

Board/Commission Applying for: Senior Center Advisory Board

If applying for more than one Board/Commission list order of preference:

1). _____ 2). _____ 3). _____

What other Boards/Commissions have you served on? None

Could you regularly attend scheduled Board/Commission Meetings?

Yes No _____ Conflict _____

Why do you wish appointment to this Board/Commission? Negaunee Township
Position is currently open. My wife and I use
the Senior Center on a Regular Basis

What are your qualifications/credentials for appointment? I am a Senior
Citizen.

What is your understanding of the mission of this Board/Commission? _____

Provide Advice & direction For Senior Center

References (list names, addresses, and telephone numbers) (Optional)

1. Kathy Carlson Forge Rd. Neg. 906-361-4240
2. Nick Leach 906-250-2016
3. Kevin Flohe 361 Cr. Neg MI 906-360-1183

Signature Russell L. Williams

****Attach additional information if desired****