

**AGENDA  
CITY OF NEGAUNEE REGULAR MEETING  
DECEMBER 14, 2023 @ 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. PUBLIC HEARING**
  - 6.1 CRD – 400 IRON STREET**
- 7. UNFINISHED BUSINESS**
  - 7.1 VACANT COUNCIL SEAT AND APPLICATIONS**
- 8. NEW BUSINESS**
  - 8.1 CITY ATTORNEY LEGAL AGREEMENT**
  - 8.2 BOARDS AND COMMISIONS**
  - 8.3 USDA DRAW #12 AND CHANGE ORDER – PHASE I WATER PROJECT**
  - 8.4 REZONING ORDINANCE AMENDMENT – 1<sup>ST</sup> READING**
  - 8.5 TRAILER BIDS**
- 9. CONSENT AGENDA**
  - 9.1 MINUTES – NOVEMBER 9, 2023 REGULAR MINUTES**
  - 9.2 CLAIMS AND ACCOUNTS**
  - 9.3 REVENUE/EXPENDITURE REPORTS -ESTIMATED TRIAL BALANCES**
  - 9.4 PA 152 RESOLUTION**
  - 9.5 DELINQUENT UTILITIES TO THE TAX ROLLS**
  - 9.6 SET MEETING DATES**
  - 9.7 FINANCIAL DEPOSITORIES**
  - 9.8 CIP RESOLUTION**
- 10. PUBLIC COMMENT (3 min. limit)**
- 11. COUNCIL MEMBERS**
  - CITY MANAGER**
  - CITY ATTORNEY**

**12. ADJOURNMENT**

6.1

**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

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

**To: Public Hearing – Commercial Rehabilitation District - 400 Iron Street**

**BACKGROUND:**

**Attached is a resolution for the Commercial Rehabilitation District for 400 Iron Street. The DDA recommended an abatement of 4 years.**

**RECOMMENATION:**

**Hold a Public Hearing to secure citizen input regarding this resolution and recommendation.**

**RESOLUTION TO APPROVE A COMMERCIAL REHABILITATION EXEMPTION  
CERTIFICATE APPLICATION, PA 210 OF 2005, AS AMENDED**

Minutes of a regular meeting of the City Council of the City of Negaunee, held on December 14, 2023, at the Negaunee Senior Center at 410 Jackson Street, at 6:30 PM (Tobin Street Entrance).

PRESENT:

ABSENT:

The following preamble and resolution were offered by \_\_\_\_\_, and supported by \_\_\_\_\_.

**Resolution (resolution number) Approving Commercial Rehabilitation Exemption  
Certificate Application for Strumer LTD LLC Located at 400 Iron Street**

WHEREAS, the City Council legally established the Commercial Rehabilitation District Negaunee's Commercial Rehabilitation District No. 1 on October 8, 2020, after a public hearing held on October 8, 2020; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property previously exempt and currently in force under Public Act 210 of 2005 **does not exceed 5%** of the total taxable value of the City of Negaunee; and

WHEREAS, exceeding 5% will not have the effect of substantially impeding the operation of the City of Negaunee or of impairing the financial soundness of an affected taxing unit; and

WHEREAS, a public hearing was held on the application as provided by section 4(2) of Public Act 210 of 2005 on December 14, 2023; and

WHEREAS, the Strumer LTD LLC is not delinquent in any taxes related to the facility; and

WHEREAS, the application was approved for less than 10 years and there is not applicable criteria or factors necessary for extending the exemption; and

WHEREAS, the application is for commercial property as defined in section 2(a) of Public Act 210 of 2005; and

WHEREAS, the applicant Strumer LTD LLC has provided answers to all required questions under the application instructions to the City of Negaunee; and

WHEREAS, the City of Negaunee requires that rehabilitation of the facility shall be completed by March 31, 2024; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur more than six months prior to the filing of the application for exemption; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005; and

WHEREAS, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, revitalize urban areas, and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(j) of Public Act 210 of 2005.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Negaunee be and hereby is granted a Commercial Rehabilitation Exemption for the real property, excluding land, located in Negaunee's Commercial Rehabilitation District No. 1, at 400 Iron Street for a period of **FOUR** years, beginning December 31, 2023, and ending December 31, 2027, pursuant to the provisions of PA 210 of 2005, as amended.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Negaunee, County of Marquette, Michigan at a regular meeting held on December 14, 2023).

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Judy Iwanski, Negaunee City Clerk



## DDA Notice to City Council

Date: November 27, 2023

Applicant Name: Strurmer LTD LLC

Applicant Address: 367 County RD, Negaunee, MI 49866

Applicant Project: Slapshot Sandwich Shop (400 Iron Street)

Dear Negaunee City Council,

The Downtown Development Authority has recently reviewed an application for Commercial Rehabilitation Exemption Certificate for Strurmer LTD LLC, located at 400 Iron Street. After careful review, we have attached to the application the ranking and scoring system used to determine how many abatement years should be granted for this project.

Please review our findings. Further action will need to be taken before the 60-day process period ends from when the application was received until it reached City Council. Please note a public hearing will also need to take place in order to grant an abatement for this project.

If you should have any questions concerning this letter, recommendations or the attached materials, please do not hesitate to contact my office at your earliest convenience.

Sincerely,

Negaunee DDA Chairperson

7.1

**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

Public Hearing       Agenda Items       Consent Agenda

**To: The Honorable Mayor and City Council**

**Re: Vacant Council Seat**

**BACKGROUND:**

**At the November Regular Meeting the Council voted to accept applications for the open Council Seat. The vacancy was advertised in the Mining Journal, on our TV Channel and the Website.**

**This appointment would be until the next regular election.**

**City Staff received four applications which are enclosed for the Council's review.**

**Council should allow the applicant to give a brief summary of why they are running and the Council would be allowed to question the applicants.**

**The appointed board member will take their seat at the January regular meeting.**

**RECOMMENDATION:**

**Make an appointment as the Council deems necessary.**

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

Name: Diana L. Menhennick Date: NOV 21, 2023

Address: 105 Houghton St, Negaunee Mi, 49866

Occupation: Tax Assistant

Telephone: Home: (906) 236-4567 Work: \_\_\_\_\_

Email: dianamenhennick@gmail.com

Board/Commission Applying for: Vacant Council Seat

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

1). \_\_\_\_\_ 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? Negaunee City Council 2009-2015. Negaunee Public Library 1994-1999

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No  Conflict

Why do you wish appointment to this Board/Commission? \_\_\_\_\_

SEE ATTACHED

What are your qualifications/credentials for appointment? \_\_\_\_\_

SEE ATTACHED

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

SEE ATTACHED

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

1. Jay Frusti 11 old county Rd 480, Negaunee Mi

2. Michael Haines 132 woodland Drive, Negaunee Mi

3. \_\_\_\_\_

Signature Diana L Menhennick



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

I wish to be appointed to the city council to serve my community.

What are your qualifications/credentials for appointment?

Thirty years of public sector, including 2 terms as a elected councilmember.

Knowledge of government working budgets and public policy.

A PhD in Public Policy and Administration.

What is your understanding of the mission of this Board or Commission?

The city council is the governing body of the city and is responsible for fiscal oversight and public policy which give direction to the city manager who in turn directs the staff toward the city's overall goals alongside inclusion of all stakeholders, partners and the community.

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

Name: Dean Maki Date: 11/9/23

Address: 207 W. Clark St.

Occupation: Retired

Telephone: Home: 906-475-5197 Work: \_\_\_\_\_

Email: deanomaki@aol.com

Board/Commission Applying for: City Council vacancy

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? \_\_\_\_\_

Would like to get involved with the  
operation of city government

What are your qualifications/credentials for appointment? \_\_\_\_\_

various leadership positions with the VFW

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

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

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Signature \_\_\_\_\_

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

Name: JON BECKER

Date: 12/5/2023

Address: 1101 OWAISSA ST

Occupation: NON PROFIT DIRECTOR & SMALL BUSINESS OWNER

Telephone: <sup>CELL</sup> ~~Home~~: 906.458.4221 Work: \_\_\_\_\_

Email: jon.andrus.becker@gmail.com

Board/Commission Applying for: CITY COUNCIL - LALOND VACANCY

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

1). \_\_\_\_\_ 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? PLANNING COMMISSION (10+ YEARS)  
CITY COUNCIL (1 YEAR) ECONOMIC IMPACT OF TRAILS COMMISSION

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? See cover letter

What are your qualifications/credentials for appointment? See cover letter

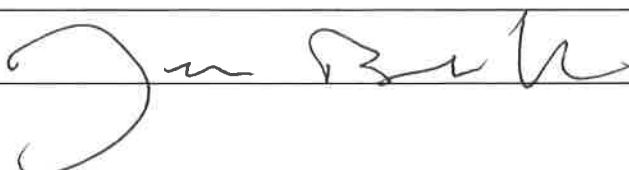
What is your understanding of the mission of this Board/Commission? see cover letter

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

1. DANA LALOND 906 236 2025

2. \_\_\_\_\_

3. \_\_\_\_\_

Signature 

**Jonathan Becker**

1101 Owaissa St. Negaunee, MI 49866  
jon.andrus.becker@gmail.com  
(906) 458-4221

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December 5, 2023

Negaunee City Council  
% Nate Heffron, City Manager  
319 W. Case St.  
Negaunee, MI 49866

Dear City Council:

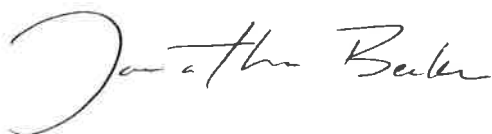
I am writing to express my interest in being appointed to the vacant position on the City Council.

I am passionate about community service and have a track record that demonstrates my commitment to bettering the region we live in. I have years of volunteer service under my belt including an interim seat on the Negaunee City Council and over a decade on the Negaunee Planning Commission. I am also co-owner of a commercial property in Negaunee which is home to Love & Bicycles as well as a couple short term rentals.

I understand the mission of the City Council to provide oversight of City services that improve quality of life and foster a sense of community. As the principal coordinator for the Ore to Shore Mountain Bike Epic, I work closely with municipalities, law enforcement and regulatory agencies to ensure the success of one of the largest annual events in the county which brings in millions of dollars in economic impact. My leadership of the fund raising for the Marquette Regional History Center is another prime example of how I have been successful in effectively collaborating with diverse stakeholders to achieve shared objectives. I have a keen understanding of financial resources, responsibilities, objectives and the know-how to balance program needs with budget concerns. I've been responsible for all manner of financial oversight including developing and managing budgets, annual audits, multi-million dollar federal loans, award compliance for grants & foundations.

The future of our community interests me greatly and I look forward to the opportunity to discuss it further. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jonathan Becker". The signature is written in black ink and is positioned above the printed name.

Jonathan Becker

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

Name: Traci Dietz Date: December 1, 2023

Address: 735 Everett St Negaunee, MI 49866

Occupation: Paralegal

Telephone: Home: 202-821-3388 Work: \_\_\_\_\_

Email: Tracilhdietz@gmail.com

Board/Commission Applying for: City Council

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

1). \_\_\_\_\_ 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? Planning Commission

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? To be more involved in the  
in the community and help make a difference in our city.

What are your qualifications/credentials for appointment? Understanding of city government  
and the duties required.

What is your understanding of the mission of this Board/Commission? Some responsibilities of a  
city council member are approving the city budget, ordinance changes, regulating land use by creating  
or modifying zoning laws...

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Signature 

### **SECTION 3.1 VACANCIES IN GENERAL.**

Every elective office shall become vacant on the happening of any of the following events before the expiration of the term of such office: the death of the incumbent, his or her resignation, his or her removal from office, his or her recall by the electorate, his or her ceasing to be an inhabitant of the City, his or her absence continuously from the City for more than sixty (60) days without the permission of the Council, his or her conviction of any offense in violation of his or her oath of office or his or her refusal or neglect to take his or her oath of office or to give or render any official bond.

## **SECTION 7.2 OATH OF OFFICE.**

Every officer, elected or appointed, to any City office, before entering upon the duties of his or her office, shall take the oath of office prescribed by the Constitution of the State and shall file the same with the City Clerk. In case of failure to comply with the provisions of this section within twenty (20) days from the date of his or her election or appointment, such officer shall be deemed to have declined the office and such office shall be declared vacant. It shall be the duty of the City Clerk to notify every officer elected or appointed to any City office of the requirements of this section. Such notice must be given within at least seven (7) days after such election or appointment, and must be served by a police officer, who shall take a receipt for the same, to be filed with the City Clerk.

8.1

**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

- Public Hearing       Agenda Items       Consent Agenda

**To: The Honorable Mayor and City Council**

**Re: City Attorney Agreement**

**BACKGROUND:**

**Enclosed is the Legal Services Agreement for the City Attorneys. This was briefly discussed at a recent budget session and approved in the 2024 Budget.**

**The previous agreement is attached for your review as well.**



# CITY OF NEGAUNEE

## LEGAL SERVICES AGREEMENT

This Agreement dated December \_\_\_\_\_, 2023, between the City of Negaunee, Michigan, located at City Hall Building, P.O. Box 70, Negaunee, Michigan 49866 (“City”) and O’Dea, Nordeen and Pickens, P.C., located at 122 W. Spring Street, Marquette, Michigan 49855 (“Attorney”). It is made in consideration of the following:

- A. Attorney has been appointed City Attorney by the City of Negaunee City Council.
- B. By this Agreement, and the provisions contained in the Negaunee City Charter Section 6.7 the parties set forth the terms and conditions of service as City Attorney.

NOW, THEREFORE, the City and Attorney agree as follows:

Scope of Services – Retainer Basis. Attorney will perform or be available to perform the following services and will be billed at the firm’s hourly rate of \$150.00 per hour for attorney services and \$100.00 per hour for paralegal services. Services will be billed in 1/10 increments of an hour. There will be no charge for travel costs/reimbursement for travel within Marquette County.

- a. Attendance at public meetings of the City Council, Planning Commission, or other public bodies, during a year.
- b. Provision of legal advice to the City Council, City Manager, Chief of Police and other City departments.
- c. Preparation or approval of contracts or other agreements, as required.
- d. Service as liaison between the City and attorneys appointed by the City’s liability insurer to represent the City in any litigation matters.
- e. Assistance to the City Charter Commission, and other City boards and commissions.
- f. Drafting, preparation and interpretation of ordinances, resolutions, agreements, contracts and charter amendments, and drafting of notice of public hearing as requested.
- g. Assistance in collection of delinquent personal property taxes, and sewer, water or other utility bills, or other obligations due the City.

- h. Assistance with labor negotiations, elections, audit review, and special assessments, as required.
- i. Monitoring and reporting on legislation, regulations, and court decisions affecting the City.
- j. Research and preparation of reports or opinion letters, as requested.
- k. Assistance in preparation of an annual budget for legal services.

The above services will be rendered upon request and assignment of the City Manager. Appearance on behalf of the City in State or Federal court, administrative proceedings or arbitration is not included within the scope of services on a retainer basis.

1. Scope of Services – Additional Services. At the request of the City Manager, the Attorney will provide additional services not included within the services provided above, including appearing on behalf of the City in litigation, prosecution of misdemeanor and civil infraction violations, and other services as requested. These services will be charged in accordance with paragraph Scope of Services – Retainer Basis above.

2. Expenses. In addition to the monthly retainer and hourly fee for additional services, Attorney will be reimbursed for actual costs incurred in representation of the City, including court filing fees, court reporter and transcript fees, expert and lay witness fees, and similar fees. Attorney shall in addition be entitled to reimbursement of her/his actual expenses for the following if directly related to services performed on behalf of the City: Postage, copies (for copies in excess of the Attorney’s own file copy) at a rate not to exceed 10 cents per page; mileage at the applicable IRS rate (outside of Marquette County); and fax charges (not to exceed \$1.00 per page);

3. Billing. On a monthly basis, the Attorney shall submit a statement for legal services rendered. The bill shall show the hours worked, and a brief description of the work performed for each matter or project. The bill shall also include an itemization of any reimbursable expenses permitted herein. Invoices shall be paid within 30 days after receipt.

4. Not Exclusive. The City reserves the right to retain separate legal counsel for specialized services, such as labor and employment, environmental matters, tax assessment disputes, or other matters in the discretion of the City.

5. Licensing. Attorney shall, at her/his expense, maintain licensing with the State Bar of Michigan in good standing.

6. Personal Services. All services rendered shall be rendered personally by Attorney. With prior approval of the City Manager, Attorney may utilize other associated attorneys or paralegals to perform services under this Agreement.

7. Availability. Attorney shall provide her/his services and advice in a prompt and timely manner, will make her/himself reasonably available during regular business hours by

telephone, cell phone and e-mail, and shall endeavor to return all messages promptly. Attorney shall make reasonable arrangements to allow contact by the City outside regular business hours, in case of emergency.

8. Conflict of Interest. Attorney shall endeavor to avoid the representation of other clients with whom it may be reasonably anticipated may at some point present a conflict of interest in Attorney's representation of the City. In the event a conflict of interest should arise, Attorney shall promptly inform the City Manager, and the requirements of the Michigan Rules of Professional Conduct as it relate to conflicts of interest shall apply. In consideration of the comprehensive role of the Attorney in providing legal counsel to the City, requests for waiver of conflict of interest by the City will be disfavored.

9. Liaison. Attorney shall perform services at the direction of the City Manager, as representative of the City Council. The City Manager shall assign work to the Attorney as required, and the Attorney shall report to the City Manager. Provided, however, by action of the City Council it may direct that Attorney report to the Council, the Mayor, or other official with respect to specific matters. Attorney shall provide copies of all written correspondence, memoranda, opinions, and other documents prepared under this Agreement to the City Manager.

10. Professional Liability Insurance. Attorney shall, at her/his expense, maintain comprehensive professional liability insurance with limits no less than \$500,000 aggregate, which shall cover errors and omissions in the professional services performed for the City. Attorney shall provide a certificate of such insurance upon execution of this Agreement, and thereafter upon request.

11. Nature of Relationship. Attorney is an independent contractor, and not an employee of the City. The City shall not be responsible for any withholding of income, social security tax or Medicare, nor for payment of any unemployment or workers' compensation premiums on behalf of Attorney. Attorney shall indemnify and hold the City harmless for any failure by Attorney to make any required state or federal income, social security, Medicare or similar payments. Attorney shall not be entitled to participate in any health or other insurance program, retirement benefit, or similar benefit provided to City employees.

12. Term and Termination. This Agreement will have an initial term of two (2) years from the reference date and will renew automatically for additional one (1) year periods, unless either party gives written notice to the other at least 30 days before the date of expiration of the current term. This Agreement may be terminated immediately by written notice by either party in case of material breach of this Agreement by the other. This Agreement may also be terminated by either party without cause upon 30 days' written notice to the other. Any fees earned to the time of the effective date of such termination (including a daily pro-rata portion of any retainer) shall be paid upon termination. Any termination by the City shall be authorized by the City Council.

13. Amendment. This Agreement may not be amended except in writing signed by both parties hereto.

14. Public Act 453. In accordance with Public Act 453 of 1976, Attorney shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Breach of this covenant shall be regarded as a material breach of this Agreement.

15. Effective Date. This Agreement shall take effect on January 1, 2024, or at such later time as the Agreement has been fully executed by all parties as evidenced by their signatures below.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Dave Kangas, Mayor

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judy Iwanski, City Clerk

Dated: \_\_\_\_\_

\_\_\_\_\_  
Raymond J. O'Dea  
Jeremy S. Pickens  
O'Dea, Nordeen and Pickens P.C.

# CITY OF NEGAUNEE

## LEGAL SERVICES AGREEMENT

This Agreement is dated for reference purposes as of August 2, 2017, between the City of Negaunee, Michigan, City Hall Building, P.O. Box 70, Negaunee, Michigan 49866 (“City”) and O’Dea, Nordeen, Burink and Pickens, P.C., attorneys’ at Law, 122 W. Spring Street, Marquette, MI. 49855 (“Attorney”). It is made in consideration of the following:

- A. Attorney has been appointed City Attorney by the City of Negaunee.
- B. By this Agreement, the parties set forth the terms and conditions of service as City Attorney.

NOW, THEREFORE, the City and Attorney agree as follows:

1. Scope of Services – Retainer Basis. Attorney will perform or be available to perform the following services, in return for payment of \$ 2,000 per month for 20 hours of service. There will be no charge for travel within Marquette County. Additional hours will be billed to the City on an hourly basis at the rate of \$125 per hour billed in 1/10 increments of an hour.

- a. Attendance at approximately 24 public meetings of the City Council, Planning Commission, or other public bodies, during a year.
- b. Provision of legal advice to the City Council, City Manager, Chief of Police and other City departments.
- c. Preparation or approval of contracts or other agreements, as required.
- d. Service as liaison between the City and attorneys appointed by the City’s liability insurer to represent the City in any litigation matters.
- e. Assistance to the City Charter Commission, and other City boards and commissions.
- f. Drafting, preparation and interpretation of ordinances, resolutions, agreements, contracts and charter amendments, and drafting of notice of public hearing as requested.
- g. Assistance in collection of delinquent personal property taxes, and sewer, water or other utility bills, or other obligations due the City.

- h. Assistance with labor negotiations, elections, audit review, and special assessments, as required.
- i. Monitoring and reporting on legislation, regulations, and court decisions affecting the City.
- j. Research and preparation of reports or opinion letters, as requested.
- k. Assistance in preparation of an annual budget for legal services.

The above services will be rendered upon request and assignment of the City Manager. Appearance on behalf of the City in State or Federal court, administrative proceedings or arbitration is not included within the scope of services on a retainer basis.

2. Scope of Services – Additional Services. At the request of the City Manager, Attorney will provide additional services not included within the services provided on a monthly retainer basis, including appearing on behalf of the City in litigation, prosecution of misdemeanor and civil infraction violations, and other services as requested. Additional services will be performed on an hourly basis at the rate of \$125 per hour, billed in increments of 1/10 of an hour.

3. Expenses. In addition to the monthly retainer and hourly fee for additional services, Attorney will be reimbursed for actual costs incurred in representation of the City, including court filing fees, court reporter and transcript fees, expert and lay witness fees, and similar fees. Attorney shall in addition be entitled to reimbursement of her actual expenses for the following if directly related to services performed on behalf of the City: Postage, copies (for copies in excess of the Attorney's own file copy) at a rate not to exceed 10 cents per page; mileage at the applicable IRS rate; and fax charges (not to exceed \$1.00 per page);

4. Billing. On a monthly basis, the Attorney shall submit a statement for legal services rendered. The bill shall show the hours worked on a daily basis, and a brief description of the work performed for each matter or project. Separate bills shall be submitted for work performed on a retainer basis, and for additional work. The bill shall also include an itemization of any reimbursable expenses permitted herein. Invoices shall be paid within 30 days after receipt.

5. Not Exclusive. The City reserves the right to retain separate legal counsel for specialized services, such as labor and employment, environmental matters, tax assessment disputes, or other matters in the discretion of the City.

6. Licensing. Attorney shall, at his/her expense, maintain licensing with the State Bar of Michigan in good standing.

7. Personal Services. All services rendered shall be rendered personally by Attorney. With prior approval of the City Manager, Attorney may utilize other associated attorneys or paralegals to perform services under this Agreement.

8. Availability. Attorney shall provide their services and advice in a prompt and timely manner, will make his/herself reasonably available during regular business hours by telephone, cell phone and e-mail, and shall endeavor to return all messages promptly. Attorney shall make reasonable arrangements to allow contact by the City outside regular business hours, in case of emergency.

9. Conflict of Interest. Attorney shall endeavor to avoid the representation of other clients with whom it may be reasonably anticipated may at some point present a conflict of interest in Attorney's representation of the City. In the event a conflict of interest should arise, Attorney shall promptly inform the City Manager, and the requirements of the Michigan Rules of Professional Conduct as it relate to conflicts of interest shall apply. In consideration of the comprehensive role of the Attorney in providing legal counsel to the City, requests for waiver of conflict of interest by the City will be disfavored.

10. Liaison. Attorney shall perform services at the direction of the City Manager, as representative of the City Council. The City Manager shall assign work to the Attorney as required, and the Attorney shall report to the City Manager. Provided, however, by action of the City Council it may direct that Attorney report to the Council, the Mayor, or other official with respect to specific matters. Attorney shall provide copies of all written correspondence, memoranda, opinions, and other documents prepared under this Agreement to the City Manager.

11. Professional Liability Insurance. Attorney shall, at her expense, maintain comprehensive professional liability insurance with limits no less than \$500,000 aggregate, which shall cover errors and omissions in the professional services performed for the City. Attorney shall provide a certificate of such insurance upon execution of this Agreement, and thereafter upon request.

12. Nature of Relationship. Attorney is an independent contractor, and not an employee of the City. The City shall not be responsible for any withholding of income, social security tax or Medicare, nor for payment of any unemployment or workers' compensation premiums on behalf of Attorney. Attorney shall indemnify and hold the City harmless for any failure by Attorney to make any required state or federal income, social security, Medicare or similar payments. Attorney shall not be entitled to participate in any health or other insurance program, retirement benefit, or similar benefit provided to City employees.

13. Term and Termination. This Agreement will have an initial term for one year from the reference date, and will renew automatically for additional one year periods, unless either party gives written notice to the other at least 30 days before the date of expiration of the current term. This Agreement may be terminated immediately by written notice by either party in case of material breach of this Agreement by the other. This Agreement may also be terminated by either party without cause upon 30 days' written notice to the other. Any fees earned to the time of the effective date of such termination (including a daily pro-rata portion of any retainer) shall be paid upon termination. Any termination by the City shall be authorized by the City Council.

14. Amendment. This Agreement may not be amended except in writing signed by both parties hereto.

15. Public Act 453. In accordance with Public Act 453 of 1976, Attorney shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Breach of this covenant shall be regarded as a material breach of this Agreement.

16. Effective Date. This Agreement shall take effect on 8-3-17, or at such later time as the Agreement has been fully executed by all parties as evidenced by their signatures below.

Dated: 8.3.17



Dated: 8-4-17



JAY FRUSTI

Dated: 8/4/2017





**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

8.2

Public Hearing       Agenda Items       Consent Agenda

**To: The Honorable Mayor and City Council**

**Re: Appointments to Boards and Commissions**

**BACKGROUND:**

**Several Boards and Commissions of the City have member terms expiring on them.**

**THE FOLLOWING ARE MAYORAL APPOINTMENTS WITH COUNCIL APPROVAL:**

**Planning Commission**

**Jeff Gardyko**

**Parks and Recreation Commission**

**John Thomas**

**Dale Rogers – Negaunee Township Rep**

**THE FOLLOWING BOARDS ARE APPOINTMENTS MADE BY THE COUNCIL:**

**DDA**

**Melissa Kuhlman**

**Commission on Aging**

**Larry Dillman**

**Allan Rautio**

**BOARD OF REVIEW**

**Josh Fruik**

**Terry Tincknell**

**These appointments will be until the next regular election**

**ZONING BOARD OF APPEALS**

**Dave Kangas**

**COUNTY BOARDS**

**There is a vacancy on the Central Dispatch Board.**

**NIWA**

**There is a vacancy on the NIWA Board.**

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

Name: Jeff Gardyko Date: 11-11-23

Address: 809 Prince Street

Occupation: Control Room Operator - Tilden Mine

Telephone: Home: (906) 475-5084 Work: (906) 475-3400

Email: gardykoj@gmail.com

Board/Commission Applying for: Planning Commission

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 Sometimes shift work.

Why do you wish appointment to this Board/Commission? To continue serving the citizens of Negaunee by making Negaunee a peaceful and prosperous community.

What are your qualifications/credentials for appointment? Been serving since 2008 on the Planning Commission.

What is your understanding of the mission of this Board/Commission? The mission of the Planning Commission is to help the City of Negaunee meet it's goals of the Master Plan in accordance of the City Charter.

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

1. Ned Cory 111 S. Teal Lake Avenue (906) 362-1772
2. Rich Uren 302 Rock Street (906) 458-0132
3. Tom Flannery 424 Croix Street (906) 458-4848

Signature Jeffery A Gardyko

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

Name: John M. Thomas Date: 11-1-2023

Address: 324 W. Peck St

Occupation: Union Rep / AFSCME

Telephone: Home: 906 869 0205 Work:                     

Email: ironrange17@aol.

Board/Commission Applying for: Parks/Rec Commission

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

1).                                      2).                                      3).                                     

What other Boards/Commissions have you served on? Parks/Rec, Zoning

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No  Conflict

Why do you wish appointment to this Board/Commission? To continue

Serving on the Commission so that we may continue to maintain and grow our parks and rec facilities.

What are your qualifications/credentials for appointment? I have been an

active member on this Commission for years.

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

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

1.                                     

2.                                     

\*Attach additional information if desired\*\*

CITY OF NEGAUNEE  
COUNCIL/BOARDS AND COMMISSIONS  
APPLICATION

Name: DALE ROGERS Date: 10-19-23

Address: 49 CARRIE ROAD

Occupation: RETIRED!

Telephone: Home: 906-869-6322 Work: N/A

Email: dale@rogers2@yahoo.com

Board/Commission Applying for: RECREATION BOARD (1 YR TERM)

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

1). \_\_\_\_\_ 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? CITY REC YEARS  
AGO!

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict NONE

Why do you wish appointment to this Board/Commission? AS A TOWNSHIP REC BOARD  
MEMBER, I WANT TO WORK TOGETHER TO IMPROVE REC.

What are your qualifications/credentials for appointment? SEVERAL YEARS OF  
EXPERIENCE!

What is your understanding of the mission of this Board/Commission? TO BE A  
ADVISORY BOARD TO THE CITY COUNCIL.

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

1. GARY WANNER - NEG. TWP. SUPERVISOR

2. NEIL LEACH - NEG. TWP. MANAGER

3. \_\_\_\_\_

Signature 

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

Name: Melissa Kuhlman Date: 11.7.23

Address: 306 Rock Street

Occupation: owner - Midtown Bakery & Cafe

Telephone: Home: 906 869 5000 Work: 906 475-0024

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? none, I have not had the time or availability to do so in the past

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? I love our downtown/city and want to be part of the growth - I hung up my corporate lifestyle to connect more with those around me -

What are your qualifications/credentials for appointment? unsure? I have been with major companies running them for the last years -

What is your understanding of the mission of this Board/Commission? to help our downtown continued growth and attract more to Negaunee -

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

shops, owners, tourists etc...

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Signature



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

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

Name: Larry Dillman Date: 10/18/23

Address: 137 Woodland Negaunee

Occupation: Retired Air Force

Telephone: Home: (906) 475-7209 Cell: (906) 360-9440  
Work: (906) 360-9440

Email: larrydillman9440@gmail.com

Board/Commission Applying for: Commission on Aging

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? Help senior citizens

What are your qualifications/credentials for appointment? Am a senior citizen. Have been chairman of Comm. on Aging

What is your understanding of the mission of this Board/Commission? Guide Senior Center on activities

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

1. Jason Wallner 1104 Oak - Negaunee 361-2581
2. Jeff Marshall 617 Cross Negaunee 869-7036
3. Mike Haines 132 Woodland Negaunee 475-5679

Signature Larry Dillman

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

Name: Josh Fruik Date: 11-27-23

Address: 638 County Road Negaunee MI 49866

Occupation: Marketing Representative Liuna Local 1329

Telephone: Home: (906) 235-7347 Work: \_\_\_\_\_

Email: jfruk@liuna-groc.com

Board/Commission Applying for: Board of Review

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

1). \_\_\_\_\_ 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? \_\_\_\_\_

Executive Board Latares Local 1329 (Recording Secretary)

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? To be more involved with the City I live in, and to help Negaunee keep growing in a positive manner

What are your qualifications/credentials for appointment? Previous Board experience Ten years in the Commercial/Industrial construction industry

What is your understanding of the mission of this Board/Commission? To listen to what the taxpayers of the city have to say

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

1. Dana LaLonde (906) 236-2025

2. Geno Alessandrini (906) 346-8022

\*Attach additional information if desired\*\*



CITY OF NEGAUNEE  
CITY BOARDS AND COMMISSIONS  
APPLICATION

Name: TERRY TINCKNELL Date: 11/10/23

Address: 244 WEST WATER

Occupation: ENVOY AIR

Telephone: Home: (906) 869 1672 Work: \_\_\_\_\_

Board/Commission Applying for: BOARD of Review / DOWNTOWN DEVELOPMENT AUTHORITY

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

- 1). BOARD of Review 2). DDA 3). \_\_\_\_\_

What other Boards/Commissions have you served on? Parks & Rec. Commission  
And BOARD of Review

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? I AM INTERESTED IN  
REPRESENTING NEGAUNEE AND MAKING IT THE BEST PLACE  
IT CAN BE FOR ITS RESIDENTS.

What are your qualifications/credentials for appointment? Prior BOARD EXPERIENCE  
VESTED INTEREST IN THE CITY OF NEGAUNEE

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

IS TO ENSURE THAT ALL PROPERTIES ARE VALUED PROPERLY / DDA  
IS TO DEVELOP  
DOWNTOWN PROPERTIES  
AND BUSINESSES.

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

1. JEREMY KING (906) 204 5510

2. \_\_\_\_\_

3. \_\_\_\_\_

Signature [Signature]

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

CITY OF NEGAUNEE  
COUNCIL/BOARDS AND COMMISSIONS  
APPLICATION

Name: David Kangas Date: 10/19/23  
Address: 112 W. Clark St, Negaunee, MI  
Occupation: Retired - State of Michigan, Current Security Officer  
Telephone: Home: 906-204-6950 Work: SEMC  
Email: cdkangas@yahoo.com  
Board/Commission Applying for: Zoning Board of Appeals

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

- 1). ZBA 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? Board of Review, City Council for 9 years (3+ years as mayor).

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? To continue serving the citizens of Negaunee.

What are your qualifications/credentials for appointment? I feel I can hear Peoples concerns in a fair and impartial way.

What is your understanding of the mission of this Board/Commission? This board is a way for residents to question decisions made by the city that may not favor them.

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

1. John Corrick Vanderbilt, MI 989-415-8534
2. Dona Lalonde Negaunee, MI 906-236-2025
3. Janet Spaidich Felkie, MI 906-395-7763

Signature [Signature]

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

Name: ALLAN E. RAUTIO Date: \_\_\_\_\_

Address: P.O. BOX 335-103 RICHMOND RD. - PALMER MI. 49871

Occupation: RETIRED - C.I.C.I.

Telephone: Home: 906-401-0206 CELL 906-475-4986  
Work: \_\_\_\_\_

Email: \_\_\_\_\_

Board/Commission Applying for: COMMISSION ON AGING

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

1). \_\_\_\_\_ 2). \_\_\_\_\_ 3). \_\_\_\_\_

What other Boards/Commissions have you served on? CHURCH COUNCIL

Could you regularly attend scheduled Board/Commission Meetings?

Yes  No \_\_\_\_\_ Conflict \_\_\_\_\_

Why do you wish appointment to this Board/Commission? REPRESENT THE SENIORS OF RICHMOND TOWNSHIP

What are your qualifications/credentials for appointment? EIGHT YEARS ON THE COMMISSION ON AGING.

What is your understanding of the mission of this Board/Commission? DO OUR BEST TO SEE THAT SENIORS GET WHAT THEY DESERVE.

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

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Signature Allan E. Rautio



## **COUNTY OF MARQUETTE**

*Office of the County Clerk  
234 W. Baraga Avenue  
Marquette, Michigan 49855*

*Phone 906/225-8330  
Fax 906/228-1572  
[www.co.marquette.mi.us](http://www.co.marquette.mi.us)*

*LINDA K. TALSMAN  
County Clerk*

*Cory Beth Grigg  
Deputy County Clerk*

**November 16, 2023**

**TO: Negaunee City Commission**

**FROM: Linda K. Talsma, Marquette County Clerk**

**RE: Boards and Commissions Nominations**

**Following is a list of vacancies on County Boards and Commissions for nomination by the Negaunee City Commission:**

- **Central Dispatch Policy Board – VACANT 3-year term ending 12/31/2026.**

**Please send your nominations to the County Clerk by December 1, 2023. The County Board will be making appointments at their Regular Meeting scheduled for December 19, 2023.**

**If you have any questions, please call. Thank You.**



# MARQUETTE COUNTY

## Application Marquette County Board of Commissioners

Marquette County Board  
of Commissioners  
234 W. Baraga Ave.  
Marquette, MI 49855  
906.225.8151  
<https://www.co.marquette.mi.us>

**Save Form**

Date:

Name:  First  M  Last

Address:

City or Township:  Zip:

Email:  @  Select  .com Other:

Occupation:  Age *voluntary answer*:

Telephone: Home:  Business:

Board/Commission Applying For:

Application Category *if applicable*:

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

1.  2.  3.

What other Boards/Commissions have you served?

Could you regularly attend scheduled Board/Commion Meeting?  Yes  No List Conflicts Below:  
Why do you wish appointment to this Board/Commission?

What are your qualifications/credentials for appointment?

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

References including name, addresses, and telephone numbers:

1.

2.

3.

Signature - Type Name

**\*Attach Additional Information If Desired\***

Mail To: Linda K. Talsma, Marquette County Clerk  
234 W. Baraga Ave.

Marquette, MI 49855 or Fax: 906.228.1572 or submit via Email

**Reset**

**Email**

**Print**

**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

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Public Hearing       Agenda Items       Consent Agenda

**To: The Honorable Mayor and City Council**

**Re: Equipment Trailer Bid**

**BACKGROUND:**

**The City of Negaunee Public Works Department is in need of an equipment trailer to be utilized for hauling equipment, tables, streetscape items throughout the City. The City received two bids for an equipment trailer, the bids are as follows:**

<u>Vendor</u>	<u>BID</u>
Midway Rentals	\$ 10,339.99
RMS	\$ 16,527.96

**There is \$8,000 budgeted in the Equipment Millage Fund. The balance of \$2,339.99 will need to be paid out of the streetscape fund.**

**RECOMMENDATION:**

**It is recommended from City Staff that the city accept Midway Rentals bid in the amount of \$ 10,339.99 for the purchase of a new equipment trailer with monies being paid out of the equipment millage fund and the balance being paid out of the streetscape fund.**

9.1  
**DRAFT**

**MINUTES  
CITY OF NEGAUNEE REGULAR MEETING  
NOVEMBER 9, 2023**

A regular meeting of the Negaunee City Council was held on Thursday November 9, 2023 at 6:30 p.m. in the Negaunee Senior Center.

Members Present: Mayor Kangas, Council Members Stagliano, Ilmonen, Smith and Howard

Members Absent: Council Member Karki

**APPROVAL OF AGENDA**

A motion was made by Council Member Smith, supported by Council Member Ilmonen, and unanimously carried to remove #9.6 delinquent utilities to the tax rolls due to the Treasurer being out of the office.

A motion was made by Council Member Smith, supported by Council Member Ilmonen, and unanimously carried to approve the agenda as amended.

**PUBLIC COMMENT**

No one from the public wished to comment.

**PUBLIC HEARING – TRAFFIC CONTROL ORDER**

Mayor Kangas opened the public hearing. No one from the public wished to comment. The public hearing was closed.

A motion was made by Council Member Ilmonen and supported by Council Member Smith to approve the second reading and adopt the Traffic Control Ordinance.

The following roll call vote was taken:

Ayes: Council Member Stagliano, Ilmonen, Smith, Mayor Kangas

Nays: Council Member Howard

The motion passed on a 4-1 vote.

**BUDGET RESOLUTION**

A motion was made by Council Member Smith and supported by Council Member Stagliano to change the date at the bottom of the resolution and to adopt it.

The following roll call vote was taken:

Ayes: Council Member Ilmonen, Smith, Stagliano and Mayor Kangas

Nays: Council Member Howard

The motion passed on a 4-1 vote.

### **CITY FINANCIALS**

A motion was made by Council Member Smith and supported by Council Member Stagliano to approve the financial policies as presented.

The following roll call vote was taken:

Ayes: Council Members Smith, Stagliano, Ilmonen, and Mayor Kangas

Nays: Council Member Howard

The motion passed on a 4-1 vote.

### **COUNCIL MEMBER RESIGNATION AND VACANT SEAT**

A motion was made by Council Member Smith, supported by Council Member Ilmonen, and unanimously carried to accept a resignation from Dana LaLonde.

A motion was made by Council Member Smith, supported by Council Member Ilmonen, and unanimously carried to accept applications for the vacant council seat until noon December 6, 2023.

### **LSCP ECONOMIC PLAN**

Christopher Germain, LSCP was present to go over the proposal for the next step in the RRC best practices as it pertains to an economic development plan.

A motion was made by Council Member Ilmonen, supported by Council Member Stagliano, and unanimously carried to allow the City Manager to enter into an agreement with LSCP for the next phase of the economic development plan in the amount of \$7661.

### **DDA PRESENTATION**

Gary Nelson, DDA Chair was present to give a brief update on the DDA.

### **CONSENT AGENDA**



A motion was made by Council Member Stagliano, supported by Council Member Smith, and unanimously carried to approve the consent agenda as follows: October 12<sup>th</sup> regular minutes, October 26<sup>th</sup> special minutes, Claims and Accounts in the amount of \$2,022,205.12 (#86171-86285), Revenue/Expenditure Trial balance reports, senior center grants, traffic control orders.

### **PUBLIC COMMENT**

Dana LaLonde thanked the Council regarding her time on the Council.

### **COUNCIL COMMENT**

Council Member Howard apologized if he was out of line at the last meeting. He is passionate about the city.

Council Member Stagliano stated that it was his final meeting and that it was an honor serving with this council.

Council Member Ilmonen stated it was a pleasure serving with the Council and thanked the voters for voting for him in the election.

Council Member Smith congratulate Craig and Kevin, thanked Dana, and congratulated her and thanked the attorney's for explaining the proper procedures for the vacant seat.

Mayor Kangas thanked Council Member Howard and that he respects his apology. He congratulated Craig and Kevin and Dana.

### **CITY MANAGER**

City Manager Heffron commented on the RRC trophy and that it was a 5-year endeavor. He commented on Tinseltown on December 9<sup>th</sup>.

### **ADJOURNMENT**

There being no further business to perform a motion was made by Council Member Stagliano, supported by Council Member Howard to adjourn the meeting at 7:35 p.m.

---

Ann Ducoli  
Deputy Clerk

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## RESOLUTION

### RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

**WHEREAS**, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

**WHEREAS**, the Act contains three options for complying with the requirements of the Act;

**WHEREAS**, the three options are as follows:

- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

**WHEREAS**, the City of Negaunee has decided to adopt the annual Exemption option as its choice of compliance under the Act;

**NOW, THEREFORE, BE IT RESOLVED** the City Council of the City of Negaunee elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year 2024

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Judith Iwanski  
City Clerk

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**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
November 9, 2023**

- Public Hearing       Agenda Items       Consent Agenda

**To: The Honorable Mayor and City Council**

**Re: Delinquent Utility Bill Payments**

**BACKGROUND:**

**The process for collection of delinquent utility payments is contained in the City Ordinance (50.48 Sewer, 51.22 Water, 52.21 Electric) and has been regularly administered in the manner prescribed by ordinance.**

**RECOMMENDATION:**

**It is recommended the City Council cause the delinquent utility bills to be spread upon the December Tax Roll for collection.**

**ALTERNATIVE:**

**None recommended, this process is prescribed by ordinance.**

## DELINQUENT UTILITY BILLS TO 2023 TAX ROLL

<u>PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>TOTAL</u>
52-53-010-118-00	445 Bay De Noc St	\$38.78
52-53-020-282-00	307 Brown Ave	\$833.03
52-53-010-024-00	401 Jackson St	\$1,166.18
52-53-020-193-00	128 E Main St	\$209.97
52-53-100-075-00	919 Oak St	\$833.03
52-53-020-022-00	325 W Peck St	\$1,016.96
52-53-020-025-00	328 W Peck St	\$888.00
52-53-230-008-00	709 Prince St	\$135.01
52-53-130-042-00	105 Queen St	\$617.54
52-53-130-045-00	117 Queen St	\$2,308.79
52-53-030-071-00	122 Rock St	\$833.03
52-53-020-318-00	113 Brown Ave	\$80.58
52-53-020-377-00	304 E Case St	\$766.25
52-53-280-022-00	505 County Rd	\$2,691.45
52-53-280-022-00	815 County Rd	\$432.99
52-53-704-031-00	127 Johnson Rd	\$135.45
52-53-020-360-00	321 E Lincoln St	\$145.89
52-53-020-075-00	225 N Pioneer Ave	\$224.47
52-53-130-026-00	108 Sterling St	\$2,968.80
		<hr/>
		<b>\$9,727.15</b>

**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

Public Hearing       Agenda Items       Consent Agenda

**To: Set Meeting Dates and Times**

**BACKGROUND:**

**Per Charter Section #5.2 attached is a list of the Regular Meetings for 2023.**

**Note: January and July's meetings have been moved to the third week due to the Christmas and New Year's Holiday and Pioneer Days.**

**January 18th  
February 8th  
March 14th  
April 11<sup>th</sup>  
May 9th  
June 13th  
July 18th  
August 8th  
September 12th  
October 10th  
November 14th  
December 12<sup>th</sup>**

9.7

**AGENDA SUPPLEMENT  
CITY OF NEGAUNEE REGULAR MEETING  
December 14, 2023**

Public Hearing       Agenda Items       Consent Agenda

**To: The Honorable Mayor and City Council**

**Re: City Depositories for 2024**

**BACKGROUND:**

**Per Charter Sec. 11.3 the City is required to designate financial depositories for the investment of City funds. Attached is a list prepared by City Staff with changes from last year.**

**ANALYSIS:**

**The financial depositories recommended for inclusion of City investments for 2024 contains local financial institutions and those institutions recommended by our financial advisors, which offer additional investment options.**

**RECOMMENDATION:**

**To Designate Depositories for investing City funds for 2024.**

# Memo

**To:** Nathan Heffron, City Manager  
**From:** Brian Downing, Treasurer  
**Date:** October 27, 2023  
**Re:** 2024 Recommended Financial Depositories for City Funds

---

Annually, the City is required to designate financial depositories for the investment of City funds. The following list includes my recommended financial depositories for 2024.

- Fifth Third Bank
- JP Morgan Chase Bank
- Range Bank
- Huntington National Bank
- Honor Credit Union
- Wells Fargo Bank
- IncredibleBank
- Nicolet Bank
- Tru North Federal Credit Union
- First Bank, Upper Michigan
- People's State Bank
- Embers Credit Union
- Marquette Community Federal Credit Union
- Michigan CLASS
- Flagstar Bank

PLANNING COMMISSION RESOLUTION TO ADOPT THE 2023 CAPITAL IMPROVEMENTS PLAN

WEREAS, the Michigan Planning Enabling Act (P.A. 33 of 2008) requires the Planning Commission to prepare a 6-year program of public structures and improvements unless exempted by resolution or other means; and

WEREAS, the Planning Commission has provided guidance and content for the development of a Capital Improvements Plan; and

WEREAS, the Capital Improvements Plan identifies public structures and improvements, in the general order of their priority, that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period; and

WEREAS, the Capital Improvements Plan is based upon the requirements of the City of Negaunee for all types of public structures and improvements; and

WEREAS, the public has participated in the development of the Capital Improvements Plan through the 2020 Master Plan Survey; and

WEREAS, the Planning Commission finds that proposed Capital Improvements Plan furthers the desirable future development as it relates to the Negaunee Master Plan;

THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1. Recommendation of adoption. The Planning Commission hereby recommends the City Council adopt the 2024 Capital Improvements Plan, including all of the sections, figures, tables contained therein.
2. Distribution to City Council. Pursuant to MCL 125.3865 the Capital Improvements Plan is subject to final approval by the legislative body, therefore the plan shall be forwarded to the City Council on December 14, 2023.
3. Effective Date. The Capital Improvements Plan shall be effective as of the date of the City Council's resolution of adoption.

The foregoing resolution was offered by Planning Commissioner\_\_\_\_\_. Second offered by Planning Commissioner\_\_\_\_\_.

Upon roll call vote, the following voted:

Aye:

Nay:

\_\_\_\_\_

Judith Iwanski, City Clerk