

AGENDA
CITY OF NEGAUNEE REGULAR MEETING
THURSDAY JULY 14 @ 7:00 P.M.
NEGAUNEE SENIOR CENTER, 410 JACKSON ST (TOBIN St. ENTRANCE)
THE PUBLIC MAY ATTEND THE MEETING IN PERSON (MASK REQUIRED) OR ACCESS THE
MEETING VIA TELECONFERENCE (INSTRUCTIONS FOLLOW AGENDA)

- 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 CITY ORDINANCE CODIFICATION – 2ND READING AND RESOLUTION ADOPTION**
- 7. UNFINISHED BUSINESS**
 - 7.1 CITY MANAGER EVALUATION**
 - 7.2 CITY LOGO**
 - 7.3 SCBA FIREHALL EQUIPMENT AND BUDGET ADJUSTMENT**
 - 7.4 USDA RD DRAW REQUEST – PHASE 1 WATER IMPROVEMENTS PROJECT**
- 8. NEW BUSINESS**
 - 8.1 CEMETERY FENCING**
 - 8.2 WATERWORKS BUILDING ROOFING BIDS**
 - 8.3 ALCOHOL PERMIT FEE FOR JIM THOMAS PAVILION– FEE SCHEDULE UPDATE**
 - 8.4 JACKSON MINE PLAYGROUND MNRTF GRANT AGREEMENT**
 - 8.5 PARKS AND RECREATION 5 YEAR PLAN**
- 9. CONSENT AGENDA**
 - 9.1 MINUTES – JUNE 9, 2022 REGULAR MINUTES, JUNE 28, 2022 SPECIAL MINUTES**
 - 9.2 CLAIMS AND ACCOUNTS**
 - 9.3 REVENUE/EXPENDITURE REPORTS -ESTIMATED TRIAL BALANCES**
 - 9.4 DISC GOLF RECREATION LAND AGREEMENT**
- 10. PUBLIC COMMENT (3 min. limit)**

- 11. **COUNCIL COMMITTEES**
COUNCIL MEMBERS
CITY MANAGER
CITY ATTORNEY

- 12. **ADJOURNMENT**

City of Negaunee
PUBLIC ACCESS

In accordance with actions taken by the Governor of the State of Michigan due to the COVID-19 pandemic, the City of Negaunee will be conducting future council meetings via teleconference/web broadcast.

How to access:

Dial-in: +1 312 626 6799
Meeting ID: 850 9990 0648
Passcode: 449505

Web: <https://us02web.zoom.us/j/85099900648?pwd=UkpJYWVW2cGpVbjNkdFpHcHVrL0Z6UT09>

Accessibility:

Those with accessibility requirements can dial Michigan Relay Service at 7-1-1. There will be a chance for anyone to speak during public comment, but we encourage any comments to be submitted in writing ahead of time and they will be read during the meeting. Email public comments to cmsecretary@cityofnegaunee.com, leave a comment in our utility payment drop box, or mail to: City of Negaunee, PO Box 70, Negaunee, MI 49866. Be patient during public comment as you may be muted by the moderator to make sure each commenter is heard.

Council meetings will be conducted in this manor until further notice. This is an evolving situation, so please have patience and feel free to submit any questions or concerns.

6.1

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

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

To: Public Hearing City Ordinance Codification

BACKGROUND:

Hold Public Hearing to secure citizen input regarding the codification of the City's ordinance.

The ordinance codification is on our website for your review. Hard copies will be made available once approved.

RECOMMENATION:

Approve the 2nd Reading of the Ordinance Codification and adopt the Codification Adopting Ordinance.

First Reading: June 9, 2022
Second Reading:
Publication:
Effective:

CODIFICATION ADOPTING ORDINANCE

The City of Negaunee, State of Michigan ORDAINS:

PURPOSE

The purpose of this Ordinance is to enact a code of ordinances for the City of Negaunee, State of Michigan, revising, amending, restating, codifying and compiling certain existing general and specific ordinances of the City of Negaunee dealing with subjects embraced in such Code of Ordinances and/or declaring of emergencies.

RECITALS

WHEREAS, the present general and permanent ordinances of the City of Negaunee are inadequately arranged and classified and are unsatisfactory in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Michigan empower and authorize the City of Negaunee to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Legislative Authority of the City of Negaunee has authorized a general compilation, revision and codification of the ordinances of a general and permanent nature and publication of such ordinance in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

Section 1. Code of Ordinances.

The general ordinances of the Political Subdivision as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the City of Negaunee, State of Michigan.

Section 2. Titles.

Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles with chapters, subchapters and sections:

- Title I: General Provisions;
 - Title II: Administration;
 - Title V: Public Works;
 - Title VII: Traffic Code;
 - Title IX: General Regulations;
 - Title XI: Business Regulations;
 - Title XIII: General Offenses;
 - Title XV: Land Usage; and
- Table of Special Ordinances.

Section 3. Repealer.

All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this Ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory,

Section 4. Effective Date.

This Ordinance shall take effect thirty (30) calendar days from publication.

Section 5. Enforcement.

Such Code shall be in full force and effect as provided in Section 4, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, chapters, subchapters, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Upon roll call, City of Negaunee Council Members:

Voting aye:

Voting nay:

Abstention:

Whereupon, this Codification Adopting Ordinance was declared passed and adopted this _____ day of _____, 2022.

CITY OF NEGAUNEE

Attest:

By: Dana LaLonde, Its Mayor

By: Judy Iwanski, Its Clerk

72

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

- Public Hearing Agenda Items Consent Agenda

To: Agenda Item- City Logo

BACKGROUND:

Presentation by Mona Lang.

RECOMMENATION:

To adopt one of the logos as the city logo,

ALTERNATIVE:

To reject all logos.

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

13

- Public Hearing Agenda Items Consent Agenda

To: Used SCBA for Fire Hall

BACKGROUND:

In November 2021 the firehall went out on bids for Used SCBA. One bid was received from Shawano Fire Dept in the amount of \$40,000. \$32,000 was budgeted at that time and the Council approved to accept the bid and draw down the fund balance of the equipment fund by \$8,000 to purchase the equipment. The budget adjustment and purchase did not happen as the fire dept did not receive the equipment in 2021.

The fire hall has just received the equipment but no money was put in the budget for 2022.

RECOMMENATION:

Approve the purchase of the SCBA from the Shawano Fire Dept and draw down the fund balance of the equipment millage by \$40,000 to make the purchase.

CITY OF SHAWANO
 127 S SAWYER STREET
 SHAWANO WI 54186
 Phone: 715-526-6138

INVOICE

Date	Number	Page
06/01/2022	535904	1

Bill To:
 CITY OF NEGAUNEE FIRE DEPT
 200 S PIONEER AVE
 NEGAUNEE MI 49866

Customer No. 40462
Contact
Terms: NET 30
Ticket #:

Qty	Description	Comment	Unit Price	Net Amount
1	Self-Contained Breathing Apparatus	See attached list of SCBA equipment included in sale.	40,000	40,000.00

Amount	40,000.00
Balance due	<u>40,000.00</u>

**Self-Contained Breathing Apparatus (SCBA) Equipment
sold to City of Negaunee:**

28 X# SCBA's with EBSS, PASS Alm, and quick connects

56 4500 psi Forth-Five (45) Minute Luxfer Carbon Cylinders (these are 15 year cylinders)

3 Scott AV 3000 HT Face Piece with TIC Attachments

30 Scott AV 3000 HT Face Piece (mostly medium in size)

20 Scott Epic 3 Voice Amps

RESOLUTION

WHEREAS, The City of Negaunee is the applicant for the USDA – Rural Development Grant and Loan Program consisting of a \$5,500,000 loan for the City of Negaunee PH 1 Water Improvements Project, and

WHEREAS, The City of Negaunee is the agency that will receive and disburse these funds, and

WHEREAS, invoices or appropriate documentation of delivery of services or goods have been received, reviewed and approved,

THEREFORE, the City of Negaunee hereby approves for payment the following amounts which are to be paid as cash is available:

Engineering (UPEA):	Basic	\$ 265,819.05
	Additional	\$ 7,474.60
	Resident Engineering	\$ -
	UPEA Total:	\$ 273,293.65
Legal/Administration:	Miller, Canfield, Paddock & Stone	\$ 37,500.00
	City of Negaunee - Administrative Expenses	\$ -
	Mining Journal	\$ 3,736.35
	Michigan Treasury	\$ 1,000.00
	City Attorney	\$ -
	Subtotal:	\$ 42,236.35
TOTAL:		\$ 315,530.00
Total RD Draw Requested:		\$ 315,530.00

Motion by _____ supported by _____ to approve Resolution for payment of funds for the City of Negaunee PH 1 Water Improvements project.

Roll Call Vote: Ayes: _____

Nays: _____

Absent: _____

Adopted this 14th day of July, 2022.

Judy Iwanski, Clerk

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

8.1

- Public Hearing Agenda Items Consent Agenda

To: Agenda Item- Cemetery Fencing

BACKGROUND: The current fence at the city cemetery is in a degrading condition. The fence has been neglected for quite some time (please see the attached photos). We are at the point where a decision needs to be made about the fence. There are three options below, of course, you could decide to choose none of these options as well.

Please note that I, (the City Manager) have instructed roughly 1700 feet of fence to be removed from the 492-corridor in order to properly remove dead and dying trees along the fence line. This project will take approximately 2-years to complete.

Upon review of the fence that was removed, approximately 75% of the fence is salvageable and could be reused. The fencing that was not reusable was sent to the recycling facility (see pictures).

RECOMMENATION:

Option #1: Do not remove any additional fencing, except those sections where necessary. Reinvest in the fence under the Negaunee Cemetery Fence Restoration Project as proposed.

Negaunee Cemetery Fence Restoration Project

Over the next three-six years, rehabilitation of the fence will take place. This includes reinstalling the fence that was taken down and supplemented with other sections of fence from the current fencing that is inaccessible to the public in areas of the cemetery that will not likely be used.

The reinstalling of the fence includes two options: (a) reinstall the fence and invite the public to scrape, prime, and paint the fencing or, (b) have the fencing professionally sandblasted, primed, and painted.

Simultaneously, while the sections of the fencing are reinstalled over the next several years. Other sections of fencing will be cleared of smaller trees and brush that have grown around or near the fencing (both sides). This will allow access to the public for scraping, priming, and painting under an established volunteer program. In some cases, a professional firm may need to be called in to remove trees and brush.

Where necessary, sections of fence will be removed and replaced. While some sections may be relocated to avoid snow loads that have severely damaged sections of fencing along Forge Road and Sandy Drive.

Overall cost for proper restoration:

(Fence Removed) ESTIMATED

300 (Posts needed) \$23/post	\$6,900
Brackets (1200) \$20/per	\$24,000
320 hrs Labor \$24/hr	\$7,600
450 (Post Concrete) \$7/bag	\$3,150
300 (1/4 Inch, 6ft support arms) \$6.50	\$1,950
Sanding/prime/Paint (1700 ft) \$20/Ft	<u>\$34,000</u>
	\$77,600

(Options)

Variance cost 40% (with Sanding/prime/Paint) **+\$31,040**

Variance cost 40% (without Sanding/prime/Paint) **-\$34,000** but **+\$17,440**

Public painting **+\$3,000 to \$28,000**

(Remaining, Accessible Fence 3,300 ft.) ESTIMATED

Public painting	\$18,500 to \$41,600,000
Tree Removal	\$59,400
160 hrs Bad Fence Removal \$24/hr (825 ft)	\$7,600 (projected with 25% bad fence)
160 hrs Fence Reinstall \$24/hr (825 ft)	\$7,600 (projected with 25% bad fence)
85 (Posts needed) \$23/post	\$1,900 (projected with 25% bad fence)
170 (Post Concrete) \$7/bag	\$1,190 (projected with 25% bad fence)
85 (1/4 Inch, 6ft support arms) \$6.50	<u>\$552.00</u> (projected with 25% bad fence)
	\$96,742-\$119,842

Variance cost 40% **+\$38,696-\$47,936**

ALTERNATIVE:

Option #2 Continue to remove the cemetery fence where necessary, replace with new fencing.

Option #3: Continue to remove the cemetery fence, not to be replaced at this time.

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**



- Public Hearing Agenda Items Consent Agenda

To: Agenda Item- Water Works Building Roof Repair Bids

BACKGROUND:

The city has been working to rehabilitate the old water works building located on Teal Lake. If rehabilitated, the building would need to be used for recreational purposes only. A committee has been convened for this purpose and will have a report later this fall for city council to review. However, in order to preserve this building until a project can be realized, its recommended that the shingles be replaced. The building has also been reviewed for structural integrity and has been found to be sound.

Please note that the water works building is still an asset under the water department.

No money is budgeted this year for this project.

Several Bids have been received:

Premeau Construction	\$44,900
Stonehouse	\$37,360
Northern Awning and Window	\$34,500
Timber Ridge Construction	\$24,980

RECOMMENATION:

To award the bid to Timber Ridge Construction in the amount of \$24,980, to be paid from a drawdown in the fund balance of the water department fund.

ALTERNATIVE:

To reject all bids. Budget for next year and go out for bid on the project at that time.

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

8.3

- Public Hearing Agenda Items Consent Agenda

To: Alcohol Permit Application Fee – Jim Thomas Pavilion

BACKGROUND:

Attached is an application for an Alcohol Permit for the Jim Thomas Pavilion that has been reviewed by our Parks and Recreation Department and City Attorney's.

RECOMMENATION:

Approve a fee schedule change and add the \$50 permit fee.

Alcohol Permit Application for Jim Thomas Pavilion

City of Negaunee
Parks and Recreation Department
PO Box 70
Negaunee, MI 49866
(906) 475-7900

Applicant's Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Email Address: _____ Phone: _____

Type of Event: _____

Date of Event: _____ Expected Number of Event Attendees: _____

Start Time: _____ End Time: _____

The consumption of alcohol is limited to the Pavilion itself, the canopy, and a designated green space east of the Pavilion. The designated green space will be properly marked by City staff, and any alcohol consumption beyond the said boundaries within Jackson Mine Park may result in citations being issued to those consuming and those permitting such consumption, including the applicant referenced herein. It is the applicant's responsibility to monitor and control the conduct, age, and level of intoxication of the attendees, as well as post a copy of the Alcohol Permit in a conspicuous location at the Pavilion. Please refer to City of Negaunee Ordinance #604.01, available at the Negaunee City Hall, or on City's website at www.cityofnegaunee.com.

#130.02

A non-refundable application fee of \$50.00 is required to be submitted with this Application to the address referenced above at least ten (10) days prior to planned event. The City reserves the right to deny the application for an Alcohol Permit for good cause, such as a reasonable health, safety, or welfare concern, prior violations of the applicant, or other legitimate reason.

CERTIFICATION

I hereby certify, subject to the penalties for perjury, that the above referenced information is accurate and complete, and hereby agree to assume the defense of and indemnify and hold harmless the City of Negaunee, and its employees and agents, from all suits and claims arising out of, or related to, the consumption of alcohol at the above referenced event.

Signature: _____ Date: _____

§ 130.02 ALCOHOLIC BEVERAGES.

No person shall consume alcoholic beverages or possess open containers of alcoholic beverages on or in any public place, provided that this section shall not be construed to prohibit the consumption of alcoholic beverages or the possession of open containers of alcoholic beverages within those public places licensed by the state's Liquor Control Commission to allow the consumption of alcoholic beverages on premises.

(Prior Code, § 604.01) Penalty, see § 10.99



8.4

Michigan Natural Resources Trust Fund Development Project Agreement

This information is required by authority of Part 5 of Act 451, P.A. 1994 as amended, to receive funds.

This Agreement is between City of Negaunee in the county of Marquette County, hereinafter referred to as the "GRANTEE," and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, an agency of the State of Michigan, hereinafter referred to as the "DEPARTMENT." The DEPARTMENT has authority to issue grants to local units of government for the development of public outdoor recreation facilities under Part 19 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended and under Article IX, Section 35 of the Michigan Constitution. The GRANTEE has been approved by the Michigan Natural Resources Trust Fund (MNRTF) Board of Trustees (BOARD) to receive a grant. In Public Act 9 of 2021, the Legislature appropriated funds from the MNRTF to the DEPARTMENT for a grant-in-aid to the GRANTEE.

The purpose of this Agreement is to provide funding in exchange for completion of the project named below. This Agreement is subject to the terms and conditions specified herein.

Project Title: Jackson Mine Park Playground Development Project #: TF20-0194
Grant Amount: \$125,700.00 75% PROJECT TOTAL: \$167,600.00
Match Amount: \$41,900.00 25%
Start Date: Date of Execution by DEPARTMENT End Date: 05/31/2023

As a precondition to the effectiveness of the Agreement, the GRANTEE is required to sign the Agreement and return it to the DEPARTMENT with the required attachments by 07/06/2021 or the Agreement may be cancelled by the DEPARTMENT. This Agreement is not effective until the GRANTEE has signed it, returned it, and the DEPARTMENT has signed it. The Agreement is considered executed when signed by the DEPARTMENT.

The individuals signing below certify by their signatures that they are authorized to sign this Agreement on behalf of their agencies, and that the parties will fulfill the terms of this Agreement, including any attached appendices, as set forth herein.

GRANTEE

SIGNED
By [Print Name]:
Title:
Organization:

DUNS Number

SIGMA Vendor Number SIGMA Address ID

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

SIGNED
By:
Grants Section Manager

Date of Execution by DEPARTMENT

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

85

- Public Hearing Agenda Items Consent Agenda

To: Parks and Recreation 5 year plan

BACKGROUND:

Attached is the draft Parks and Recreation Plan.

RECOMMENATION:

Approve the Parks and Recreation Plan 2022 – 2027.

City of Negaunee Resolution of Adoption

For the City of Negaunee
Marquette County
June 14th, 2022

WHEREAS, the City Council is made up of representatives from the City of Negaunee, and

WHEREAS, the City of Negaunee’s Recreation Commission began the process of developing a community recreation and natural resource conservation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the City of Negaunee were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, After the 30-day public review and comment period, the City of Negaunee’s Recreation Commission reviewed the final draft of the recreation plan and approved the plan for final adoption by the City Council, and

WHEREAS, a public hearing was held on June 8th, 2022 at the Negaunee Ice Arena, 141 Rail Street, Negaunee by the Negaunee Recreation Commission to provide an opportunity for all residents of the planning area to express opinions, ask questions and discuss all aspects of the City of Negaunee’s Parks and Recreation Plan, and

WHEREAS, after the public hearing, the Negaunee City Council voted to adopt said City of Negaunee Parks and Recreation Plan for 2022 through 2027.

NOW, THEREFORE BE IT RESOLVED the Negaunee City Council hereby adopts the City of Negaunee Parks and Recreation Plan.

Upon a roll call the vote was as follows:

Yeas: Nays: Absent:

I, the undersigned, being duly qualified and acting City Clerk of the City of Negaunee, do hereby certify the foregoing constitutes a true and complete copy of a resolution adopted by the Negaunee City Council and the City of Negaunee, County of Marquette, Michigan at a regular City Council Meeting held on Thursday, July 14, 2022, and that said meeting was conducted and public notice was given pursuant to and in full compliance with the Open Meetings Act, Act 267, Public Acts of Michigan, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

**AGENDA SUPPLEMENT
CITY OF NEGAUNEE REGULAR MEETING
July 14, 2022**

94

- Public Hearing Agenda Items Consent Agenda

To: Recreation Land Use Agreement Renewal – Negaunee Disc Golf

BACKGROUND:

Renew the attached agreement for another 5 years.