

**CITY OF MENOMINEE, MICHIGAN  
MENOMINEE CITY COUNCIL  
AGENDA FOR MAY 16, 2022  
HELD AT CITY HALL - 2511 10<sup>th</sup> STREET – 6 p.m.**

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**A) CALL THE MEETING TO ORDER.**

**B) PLEDGE OF ALLEGIANCE TO THE FLAG.**

**C) ROLL CALL.**

**D) APPROVAL OF MEETING AGENDA.**

**E) MINUTES OF PREVIOUS MEETINGS.**

- 1) Regular meeting of April 18, 2022.
- 2) Special meeting of May 9, 2022.

**F) COMMUNICATIONS.**

**G) PUBLIC HEARINGS.**

- 1) Proposed 2022-2023 Operating Budget.
- 2) Ordinance 2022-001 – Adopting the Annual Appropriations Bill for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

**H) PUBLIC COMMENT.**

- 1) This public comment session is intended for statements, not debate, limited to three minutes per person *on agenda items only*. Please be prepared to state your name and address before speaking.

**I) REPORTS OF OFFICERS.**

- 1) Mayor's appointment of Kristen Ferguson to the Board of Review replacing Donna Marineau with her term to expire December 31, 2022.
- 2) City Manager's report.

**J) REPORTS OF BOARDS, COMMISSIONS, AND STANDING COMMITTEES.**

- 1) The Election Commission on the August 2<sup>nd</sup> Primary Election.
- 2) The Library Board on awarding the contract for HVAC replacement.
- 3) The Planning Commission on the 6-Year Capital Improvement Program.
- 4) The Water and Wastewater Utility Board on Change Order #3 to the utilities project contract with Barley Trucking and Excavating, Inc.
- 5) The Public Safety/Public Works Committee on accepting a bid for brush grinding services.
- 6) The Public Safety/Public Works Committee on a permit for the July 4<sup>th</sup> fireworks display.
- 7) The Public Safety/Public Works Committee on temporarily closing a portion of 8<sup>th</sup> Street.

**K) MISCELLANEOUS.**

**L) MOTIONS AND RESOLUTIONS.**

- 1) Ordinance 2022-001 – Adopting the Annual Appropriations Bill for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

**M) PUBLIC COMMENT.**

- 1) This public comment session is *not limited to agenda items*. It is intended for statements, not debate, limited to three minutes per person. Please be prepared to state your name and address before speaking.

**N) ADJOURN.**

Requests from individuals with disabilities who need special accommodations to participate in this meeting or hearing should be made to the City Clerk's Office at 1-906-863-2656 with as much advanced notice prior to the meeting as possible.
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**CITY OF MENOMINEE, MICHIGAN  
REGULAR COUNCIL PROCEEDINGS  
APRIL 18, 2022**

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A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held on Monday, April 18, 2022 in the Municipal Complex Council Chambers.

The Honorable Jean Stegeman called the meeting to order at 6:00 p.m. and led the pledge of allegiance to the flag.

PRESENT: Council Members Baron, DeDamos, Jones, Klitzke, Marineau, Nutter  
Mayor Stegeman

ABSENT: Council Members Plemel and Pohlmann (both excused)

PRESENT: 7                      ABSENT: 2

A motion was made by Council Member Jones and seconded by Council Member Klitzke to excuse Council Members Plemel and Pohlmann from the meeting. This motion was carried unanimously.

A motion was made by Council Member Jones and seconded by Council Member Klitzke to approve the agenda for the meeting dated April 14, 2022. This motion was carried unanimously.

A motion was made by Council Member Jones and seconded by Council Member Nutter to approve the minutes of the regular meeting of March 21, 2022 as presented. This motion was carried unanimously.

**PUBLIC HEARING:**

Mayor Stegeman opened the public hearing called for the purpose of hearing citizen comments on proposed USDA grants to replace Department of Public Works equipment.

No one was heard.

A motion was made by Council Member Jones and seconded by Council Member Nutter to close the public hearing. This motion was carried unanimously.

**PUBLIC COMMENT:**

Mayor Stegeman opened the public comment session that was called for the purpose of hearing citizen comments on agenda items only.

No one was heard.

A motion was made by Council Member Jones and seconded by Council Member Marineau to close public comment. This motion was carried unanimously.

**REPORTS OF OFFICERS:**

Under reports of officers, Mayor Stegeman submitted the following appointments for confirmation:

- Rachel Greenwood to the Cemetery Board of Trustees, replacing Leonard Reid who resigned, with her term to expire May 1, 2026; and
- Casey Hoffman to the Library Board of Trustees, replacing Jan Shetter who resigned, with his term to expire May 1, 2025.

A motion was made by Council Member Jones and seconded by Council Member Klitzke to confirm the appointments. This motion was carried unanimously.

Mayor Stegeman also submitted for confirmation the reappointment of James Anderson and Douglas Schoen to the Library Board of Trustees with their terms to expire May 1, 2027 and May 1, 2026 respectively.

A motion was made by Council Member Jones and seconded by Council Member Klitzke to confirm the reappointments. This motion was carried unanimously.

A report was heard from City Manager Botbyl.

**BOARD REPORT:**

At an April 14, 2022 meeting, the Water and Wastewater Utility Board discussed equipment needs at the Wastewater Treatment Plant, and they recommended to City Council that Council waive the bid process and approve the award of the primary sludge pump contract which includes purchase of the pump and spare lobes to Mulcahy Shaw Water in the amount of \$9,214.45 with the funds being allocated from the wastewater capital outlay line item.

**WATER AND WASTEWATER UTILITY BOARD**

A motion was made by Council Member Jones and seconded by Council Member Nutter to adopt the recommendation. This motion was carried unanimously.

**COMMITTEE REPORT:**

At an April 14, 2022 meeting the Judicial and Legislative/Personnel and Labor Committee discussed the recruitment of police officers and they recommended to City Council that Council approve the Letter of Understanding (regarding wages and vacation benefits) with the General Teamsters Local Union No. 406 and/or the Police Department Union and to authorize the City Manager to execute the necessary documents.

**JUDICIAL AND LEGISLATIVE/PERSONNEL AND LABOR COMMITTEE**

A motion was made by Council Member Jones and seconded by Council Member Klitzke to adopt the recommendation. This motion was carried unanimously.

**COMMITTEE REPORT:**

At an April 14, 2022 meeting the Judicial and Legislative/Personnel and Labor Committee discussed the request from the Menominee Housing Commission to close the current Municipal Employees' Retirement System of Michigan ("MERS") Defined Benefit plan and create a new Defined Contribution plan for new employees hired after January 1, 2022 and they recommended to City Council that Council adopt the following resolution approving the new plan:

**RESOLUTION ADOPTING THE  
MERS DEFINED CONTRIBUTION PLAN**

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

WHEREAS, the participating entity desires to adopt the MERS Defined Contribution Plan for its designated employees;

WHEREAS, the participating entity has furnished MERS with required data regarding each eligible employee and retiree;

WHEREAS, as a condition of MERS membership, and pursuant to the MERS Retirement Board's power as plan administrator and trustee under Plan Document Section 71 and MCL 38.1536, as each may be amended, it is appropriate and necessary to enter into a binding agreement providing for the administration of the Defined Contribution Plan, the reporting of wages, and the payment of the required contributions of a participating entity and withholding of employee contributions; now, therefore,

IT IS HEREBY RESOLVED: On behalf of the participating entity, the governing body of City of Menominee Housing Commission adopts the MERS Defined Contribution Plan in accordance with Plan Section 4 for its eligible employees as described in the MERS Defined Contribution Adoption Agreement, subject to the MERS Plan Document and as authorized by 1996 PA 220, as both may be amended.

**JUDICIAL AND LEGISLATIVE/PERSONNEL AND LABOR COMMITTEE**

A motion was made by Council Member Jones and seconded by Council Member Baron to adopt the recommendation. This motion was carried unanimously.

**COMMITTEE REPORT:**

At an April 14, 2022 meeting, the Judicial and Legislative/Personnel and Labor Committee discussed staffing needs, and they recommended to City Council that Council approve proceeding with reinstatement of the Director of Public Works position.

**JUDICIAL AND LEGISLATIVE/PERSONNEL AND LABOR COMMITTEE**

A motion was made by Council Member Jones and seconded by Council Member Nutter to adopt the recommendation. This motion was carried unanimously.

**COMMITTEE REPORT:**

At an April 14, 2022 meeting the Judicial and Legislative/Personnel and Labor Committee discussed the request from Trimedia Environmental and Engineering to perform soil borings and place monitoring wells and they recommended to City Council that Council approve the proposed Site Access Agreement with Trimedia Environmental & Engineering for Spies Athletic Field located on 10<sup>th</sup> Street and to authorize the City Manager to execute the necessary documents.

**JUDICIAL AND LEGISLATIVE/PERSONNEL AND LABOR COMMITTEE**

A motion was made by Council Member Jones and seconded by Council Member Klitzke to adopt the recommendation. This motion was carried unanimously.

**MOTIONS AND RESOLUTIONS:**

The only item under motions and resolution was the following resolution:

**RESOLUTION**

WHEREAS, the Menominee High School Boys Varsity Basketball Team wrapped up a very successful season on March 26, 2022; and

WHEREAS, the Menominee High School Boys Varsity Basketball Team finished the season with a 23-4 record, their best mark in two decades; and

WHEREAS, the Menominee High School Boys Varsity Basketball Team noted several accomplishments during the post season including playing in the state title game; and

WHEREAS, the Menominee High School Boys Varsity Basketball Team is comprised of individuals who have displayed excellence both on and off the court;

WHEREAS, Aidan Bellisle was named the Offensive Player of the Year and First Team All State, Brady Badker was named the Defensive Player of the Year, Cooper Conway was named to the All-GNC First Team, Brady Schultz named to the Second-Team, and Brody Waara received Special Mention; and

WHEREAS, Coach Sam Larson was named Division 3 All-State Coach of the Year;

NOW, THEREFORE, BE IT RESOLVED, that the City of Menominee extends congratulations to the Menominee High School Boys Varsity Basketball Team and Coach Sam Larson for their spectacular season.

A motion was made by Council Member Jones and seconded by Council Member Klitzke to adopt the resolution. This motion was carried unanimously.

**PUBLIC COMMENT:**

Mayor Stegeman opened the public comment session.

Comments were heard from Bob Duffrin.

A motion was made by Council Member Jones and seconded by Council Member Nutter to close public comment. This motion was carried unanimously.

**ADJOURN:**

A motion was made by Council Member Jones and seconded by Council Member Klitzke to adjourn the meeting. This motion was carried unanimously.

Susan K. Johnson

/skj

**CITY OF MENOMINEE, MICHIGAN  
SPECIAL COUNCIL PROCEEDINGS  
MAY 9, 2022**

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A special meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held Monday, May 9, 2022 in the Municipal Complex Council Chambers.

The Honorable Jean Stegeman called the meeting to order at 6:00 p.m. and led the pledge of allegiance to the flag.

PRESENT: Council Members Baron, DeDamos, Jones, Klitzke, Marineau, Nutter, Plemel, and Pohlmann Mayor Stegeman

ABSENT: None

PRESENT: 9      ABSENT: 0

Mayor Stegeman opened the special meeting called for the purpose of considering the following agenda:

- A) Call the meeting to order.
- B) Pledge of allegiance to the flag.
- C) Roll call.
- D) Approval of meeting agenda.
- E) Public Hearings.
- F) Public Comment.
- G) Reports of Standing Committees.
- H) Motions and Resolutions:
  - 1) Purchase of a parcel of land on #2.5 Road (56<sup>th</sup> Avenue).
- I) Public comment.
- J) Adjourn.

A motion was made by Council Member Jones and seconded by Council Member Nutter to approve the agenda for the meeting dated May 4, 2022. This motion was carried unanimously.

**PUBLIC COMMENT:**

Mayor Stegeman opened the public comment session that was called for the purpose of hearing citizen comments on agenda items only.

Comments were heard from Nancy Douglas.

A motion was made by Council Member Plemel and seconded by Council Member Marineau to close public comment. This motion was carried unanimously.

**PURCHASE OF A PARCEL OF LAND ON #2.5 ROAD (56<sup>th</sup> AVENUE.**

A motion was made by Council Member Jones and seconded by Council Member Baron to proceed with the purchase of the parcel of land located at W5592 #2.5 Road.

AYES: Jones, Baron, DeDamos, Klitzke, Nutter, and Plemel

NAYS: Marineau, Pohlmann, and Stegeman

This motion was carried.



**PUBLIC COMMENT:**

Mayor Stegeman opened the public comment session.

No one was heard.

A motion was made by Council Member Jones and seconded by Council Member Nutter to close public comment. This motion was carried unanimously.

**ADJOURN:**

The meeting was adjourned.

  
Susan K. Johnson

/skj

## NOTICE

A public hearing on the proposed City of Menominee Budget for fiscal year 2022-2023 will be held by the Menominee City Council on Monday, May 16, 2022 at 6 p.m. in the Municipal Complex Council Chambers, 2511-10th Street, Menominee, MI 49858.

### BUDGET SUMMARY:

General Fund  
Water/Sewer  
Act 51  
Cemetery  
Library  
Special Revenue  
Solid Waste  
Debt Service  
Other Funds  
River Park  
Marina

### REVENUES AND APPROPRIATIONS:

\$ 7,514,934.  
7,611,195.  
2,133,829.  
280,395.  
704,486.  
10,000.  
737,300.  
536,646.  
802,200.  
204,866.  
591,400.  
\$21,127,251.

**THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET WILL BE A SUBJECT OF THIS HEARING. (NOTE TO PAPER: This paragraph must be printed in 11 point boldfaced type.)**

Citizens have the right to provide written or oral comments and ask questions about the proposed budget.

A copy of the proposed budget is open for public inspection at the City Clerk/Treasurer's Office, upon request, and on the City's website [www.menominee.us](http://www.menominee.us)

CITY OF MENOMINEE, MICHIGAN

BY: Kathleen A. Brofka, City Clerk/Treasurer

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PUBLISH - EAGLE HERALD

**DISPLAY** ADVERTISEMENT – MAY 6, 2022

BILL TO CITY OF MENOMINEE GENERAL FUND

PLEASE PROVIDE AN AFFIDAVIT OF PUBLICATION

**PUBLIC HEARING - CITY OF MENOMINEE  
MENOMINEE ORDINANCE CODE ADOPTION**

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The City Council of the City of Menominee will hold a public hearing at 6 o'clock p.m., on Monday, May 16, 2022 in the Municipal Complex Council Chambers, 2511-10th Street, Menominee MI 49858. The purpose of the public hearing is to allow citizens the opportunity to comment on adopting the Ordinance as follows:

ORDINANCE 2022-001 --- ADOPTING THE ANNUAL APPROPRIATION BILL FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023.

This ordinance would approve the 2022-2023 Operating Budget.

BY: Kathleen A. Brofka, City Clerk/Treasurer

Requests from individuals with disabilities who need special accommodations to participate in this meeting or hearing should be made to the City Clerk's Office at 1-906-863-2656 with as much advanced notice prior to the meeting as possible.

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**LEGAL ADVERTISEMENT**

**ONE INSERTION – FRIDAY, MAY 6, 2022**

**BILL TO CITY OF MENOMINEE GENERAL FUND**

**PLEASE PROVIDE AN AFFIDAVIT OF PUBLICATION**

*"Menominee - Where the Best of Michigan Begins"*

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**RECOMMENDATION:**

At a May 5, 2022 meeting, the Election Commission discussed the need to change the polling place for the August 2, 2022 Primary Election, and they recommend to City Council that Council adopt the following resolution:

**RESOLUTION**  
**Election Resolution**

WHEREAS, a Primary Election is scheduled to be held in the City of Menominee on Tuesday, August 2, 2022; and

WHEREAS, the polling place will be open from 7 a.m. to 8 p.m., Local Time, on said day; and

WHEREAS, that the Election Board shall consist of up to two (2) chairpersons and up to six (6) inspectors for each ward and that the rate of pay be \$15.00 per hour for the chairperson and \$14.00 per hour for inspectors; and

WHEREAS, the Absent Voter Counting Board shall consist of up to two (2) chairpersons and up to six (6) inspectors for all four wards and that the rate of pay be \$15.00 per hour for the chairperson and \$14.00 per hour for inspectors; and

WHEREAS, that all election personnel shall be paid their hourly rate (including travel time) or a \$20 minimum for attending required election training; and

WHEREAS, parking lot improvements that will be underway at the Menominee High School making that facility unavailable for use as a polling place; and

WHEREAS, the best alternate location for the polling place has been determined to be in the Multi-Purpose Room at Central Elementary School;

NOW, THEREFORE, BE IT RESOLVED, the following location is designated as the polling place for Wards One, Two, Three, and Four in the City of Menominee for the Primary Election to be held Tuesday, August 2, 2022:

Central Elementary School  
1800-18<sup>th</sup> Avenue

ELECTION COMMISSION

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Adopt

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									



City of Menominee  
**City Council**  
Agenda Item

TITLE: Election Location Resolution	
Requesting Agency: Executive	Meeting Date: May 16, 2022
Contact: Kathy Brofka	Public Hearing: N/A
Phone: 863-1746	Advertising Date: N/A
	Council Ward: City-Wide
Attachments: Resolution	

**PURPOSE:**

Resolution that approves the polling location for the Primary Election on Tuesday, August 2, 2022.

**BACKGROUND:**

City Council adopts a resolution prior to each election that designates the polling place for each election and hours the polls are open.

Due to parking lot improvements that are taking place at Menominee High School, that facility will not be available for the August election. The polling place for all four (4) wards for the August 2<sup>nd</sup> election only will be at Central Elementary School in the Multi-Purpose Room.

Pursuant to State Law changing the location of a polling place must be done no later than 60 days prior to the election. As required, a postcard will be mailed to all of our registered voters notifying them of the change.

The polling place for all four wards in subsequent elections will be at Menominee High School.

**BUDGET IMPACT:**

None.

**COMMITTEE RECOMMENDATION / ACTION:**

At a May 5, 2022 meeting, the Election Commission recommended that City Council adopt the Election Location Resolution.

**STAFF RECOMMENDATION / ACTION REQUESTED:**

The Election Commission and staff recommend approval by City Council.

Agenda Item: \_\_\_\_\_

**BOARD RECOMMENDATION:**

At a May 10, 2022 meeting, the Spies Public Library Board discussed the bids received for replacement of three rooftop HVAC units at the Library and they recommend to City Council that Council award the contract to WDM Enterprises, Inc. in the amount of \$46,895.00 with the funds to be expended from the Library Klar bequest and authorize the Interim City Manager to execute the contract documents.

**SPIES PUBLIC LIBRARY BOARD**

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Adopt

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									



City of Menominee  
**City Council**  
Agenda Item

**TITLE: HVAC Rooftop Units Replacement**

Requesting Agency: Spies Public Library	Meeting Date: May 16, 2022
Contact: Blair Nelson	Public Hearing: N/A
Phone: 863.2900	Advertising Date: N/A
	Council Ward: 1

**PURPOSE:** Request that the City Council approve the selection of W.D.M. Enterprises, Inc. as the most qualified bidder for the replacement of three rooftop HVAC units.

**BACKGROUND:** The library has 6 rooftop units for heating and cooling. One was replaced in 2012 and one in 2018. There are three remaining units which are approaching end of life.

Proposals/bids were received from two local heating and cooling companies—WDM Enterprises, Inc. (\$46,895) and Eickmeyer Heating & Sheet Metal, Inc. (\$76,446). The Library Board and Library Director have proposed selecting W.D.M. Enterprises, Inc. as the most qualified bidder.

**BUDGET IMPACT:** The total cost of replacing the rooftop unit would be \$46,895. The cost is all inclusive of installation, labor, equipment, and materials. The total cost also includes a one-year warranty for the new units. The cost will be encumbered from the Library's Klar Fund for the above purpose.

**STAFF RECOMMENDATION / ACTION REQUESTED:** The Library Board and Library Director have proposed selecting W.D.M. Enterprises, Inc. as the most qualified bidder and request that City Council approve and award this project.

**COMMITTEE REPORT:**

At a May 3, 2022 meeting, the Planning Commission reviewed the proposed 6-Year Capital Improvement Plan and they recommend to City Council that Council implement the Capital Improvement Plan as presented.

PLANNING COMMISSION

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Adopt

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									



**RECOMMENDATION:**

At a May 12, 2022 meeting, the Water and Wastewater Utility Board discussed the City of Menominee State Revolving Fund Water & Sewer Utility Project, CWSRF Project 5732-01 & DWRP Project 7513-01 contract with Barley Trucking and Excavating, Inc. and they recommend to City Council that Council approve Change Order #3 to this contract increasing the contract amount by \$46,755.25 and to authorize staff to execute the change order.

**WATER AND WASTEWATER UTILITY BOARD**

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

**Adopt**

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									

Change Order No. 3

Date of Issuance: 5/5/2022 Effective Date: 5/12/2022  
Owner: City of Menominee Owner's Contract No.: N/A  
Contractor: Barley Trucking & Excavating, Inc. Contractor's Project No.: N/A  
Engineer: Coleman Engineering Company Engineer's Project No.: 200718  
Project: State Revolving Fund Water & Sewer Utility Project, CWSRF Project 5732-01 and DWRP Project 7513-01  
Contract Name: State Revolving Fund Water & Sewer Utility Project, CWSRF Project 5732-01 and DWRP Project 7513-01

**The Contract is modified as follows upon execution of this Change Order:**

**Description:** Add time for Work Change Directives #1-6. Add "Stump Removal" to contract. Add "Sewer, CI IV, 30-inch" to contract. Add "15<sup>th</sup> Street Driveway" to contract.

**Attachments:** 1) Schedule of Pay Items  
2) Stump Removal Cost Detail  
5) Work Change Directive #5

3) 30-Inch RCP Cost Detail  
4) 15<sup>th</sup> Street Driveway Detail  
6) Work Change Directive #6

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ <u>6,276,360.94</u>	Original Contract Times: Substantial Completion: <u>June 15, 2023</u> Ready for Final Payment: <u>June 30, 2023</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> :  \$ <u>367,472.47</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>--</u> Ready for Final Payment: <u>--</u> days
Contract Price prior to this Change Order:  \$ <u>5,908,888.47</u>	Contract Times prior to this Change Order: Substantial Completion: <u>June 15, 2023</u> Ready for Final Payment: <u>June 30, 2023</u> days or dates
[Increase] [Decrease] of this Change Order:  \$ <u>46,755.25</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>3</u> Ready for Final Payment: <u>--</u> days or dates
Contract Price incorporating this Change Order:  \$ <u>5,955,643.72</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>June 18, 2023</u> Ready for Final Payment: <u>July 3, 2023</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u>Scott Nowack</u>	<small>Scott Nowack May 5 2022 5:10 PM</small>	By: _____	By: <u>Jordan Barley</u>	<small>Digitally signed by Jordan Barley Date: 2022.05.05 15:41:42 -05'00'</small>	
Engineer (if required)		Owner (Authorized Signature)	Contractor (Authorized Signature)		
Title: _____	Title _____	Title _____	Vice President		
Date: _____	Date _____	Date _____	5/5/22		

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

**COMMITTEE REPORT:**

At a May 9, 2022 meeting, the Public Safety/Public Works Committee discussed the only bid received to provide Brush Grinding Services at the Industrial Park Property and they recommend to City Council that Council accept the bid submitted by MJB Industries, Inc., in the amount not to exceed \$10,000.00 with the funding to be allocated from 226-525.000-818.000 and to authorize the City Manager and City Clerk/Treasurer to execute the contract documents.

**PUBLIC SAFETY/PUBLIC WORKS COMMITTEE**

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

Adopt

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									



City of Menominee  
**City Council**  
Agenda Item

**TITLE: Brush Grinding at Industrial Park Property**

Requesting Agency:	Administration	Meeting Date:	May 16, 2022
Contact:	Brett Botbyl, City Manager	Public Hearing:	NA
Phone:	863-1747	Advertising Date:	NA
		Council District:	

Attachments:

**PURPOSE:**

Request that the City Council approve the selection of MJB Industries, Inc. as the most qualified low bidder and recommend the award of the contract for Brush Grinding at the Industrial Park Property located on 56<sup>th</sup> Avenue.

**BACKGROUND:**

Each year DPW picks up brush from city residents, curb side, and also allows residents to drop off brush at the City Compost Site located behind the Water Treatment Plant. DPW then hauls and stock-piles all of the brush at the "Back 40" city owned property in the Industrial Park until such time that it is ground into wood chips and hauled away. A small amount is retained for use on the park trail system. Each year it is necessary to grind the material, because the volume of brush completely fills the storage area allotted for it.

Three vendors were invited to solicit a bid. A single bid was received from MJB Industries, Inc., of Marinette WI.

**BUDGET IMPACT:**

The amount of the proposed brush grinding bid exceeds the budgeted amount of \$10,000. This cost is all inclusive of all labor and equipment. The cost will be encumbered from the Contract Services Account specified in the Rubbish Collection Portion of the Operations Budget 226-525.000-818.000.

**STAFF RECOMMENDATION / ACTION REQUESTED:**

The City Manager recommends that the Public Safety/ Public Works Committee approve the selection of MJB Industries, Inc. as the most qualified low bidder and recommends the award of the contract for grinding brush at the city owned property in the Industrial Park in the amount of \$10,000.00.

**COMMITTEE RECOMMENDATION / ACTION:**

At a May 9, 2022 meeting, the Public Safety/Public Works Committee recommended to City Council that Council accept the bid submitted by MJB Industries, Inc. in the amount not to exceed \$10,000.00 with the funds allocated from 226-525.000-818.000 and that the City Manager and City Clerk be authorized to execute necessary contract documents.

**COMMITTEE REPORT:**

At a May 9, 2022 meeting the Public Safety/Public Works Committee reviewed the request for a permit for a public fireworks display on July 4<sup>th</sup> and they recommend to City Council that Council approve the permit.

**PUBLIC SAFETY/PUBLIC WORKS COMMITTEE**

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

**Adopt**

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									



City of Menominee  
**City Council**  
Agenda Item

**TITLE: Public Fireworks for 4<sup>th</sup> of July Celebration**

Requesting Agency:	Executive	Meeting Date:	May 16, 2022
Contact:	Brett Botbyl	Public Hearing:	NA
Phone:	863-1747	Advertising Date:	NA
		Council District:	1
Attachments:	Display Permit Application		

**PURPOSE:**

Request that the City Council review and recommend approval of a permit for the public fireworks display to be held at Menominee Marina at approximately 9:30 pm on July 4, 2022.

**BACKGROUND:**

As part of celebrating the 4<sup>th</sup> of July, at their March 21, 2022 meeting the City Council approved proceeding with the fireworks display to be presented on July 4<sup>th</sup> at approximately 9:30 pm at the Menominee Marina. The fireworks display will be presented with Spielbauer Fireworks Company of Green Bay Wisconsin executing the fireworks from the break water wall in front of the marina and the shells fired over the water of Green Bay directly in front of the property. All City requirements for the permit application have been met.

**BUDGET IMPACT:**

The fireworks will be paid for through donations. Sponsors will be found for entertainment if desired. Costs may be incurred for additional insurance and porta potties.

**STAFF RECOMMENDATION / ACTION REQUESTED:**

The City Manager recommends that the Public Safety/Public Works Committee recommend that the Menominee City Council approve the fireworks permit for the 4<sup>th</sup> of July display at the Menominee Marina.

**COMMITTEE RECOMMENDATION / ACTION:**

At a May 9, 2022 meeting, the Public Safety/Public Works Committee recommended to City Council that Council approve the permit for the public fireworks display to be held at Menominee Marina at approximately 9:30 pm on July 4, 2022.

FOR USE BY LEGISLATIVE BODY  
OF CITY, VILLAGE OR TOWNSHIP  
BOARD ONLY

The **LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD** will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

DATE PERMIT(S) EXPIRE:

☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

☒ YES ☐ NO

ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER

TELEPHONE NUMBER

☒ YES ☐ NO

WHERE

☐ YES    ☐ NO☐ YES    ☐ NO

9:30 p.m.

Fireworks delivered day of display - stored in accordance with laws and Fire Department approval.

NAME OF BONDING CORPORATION OR INSURANCE COMPANY

Twin City Service Agency

1415 Tenth Street Menominee MI 49858

KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)

See attached.

DATE \_\_\_\_\_

BFS-417 (Rev 01/21)



## SPIELBAUER FIREWORKS CO., INC.

*Wisconsin's Oldest Exhibition Fireworks Company*

---

Office: 1976 Lane Road • Green Bay, WI 54311 • Telephone 1-920-336-0446 • Fax 1-920-336-1214

May 4<sup>th</sup>, 2022

City of Menominee  
Attn: Brett Botbyl  
2511 10<sup>th</sup> Street  
Menominee, MI 49858

Dear Brett:

Enclosed please find our confirmation for your \$15,000.00 Aerial & Ground Fireworks Display for July 4<sup>th</sup>, 2022 (Monday). Note that you are receiving a 25% discount on your display.

The enclosed program is a duplication of your last display at current prices with some substitutions made throughout the program to give the display a fresh look for 2022.

The display again includes \$5,000,000.00 insurance coverage, operators covered under workers compensation insurance, delivery, equipment, and all product needed to put on a spectacular fireworks display.

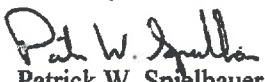
If this program meets your approval, please sign both copies of the enclosed contract. Return the original to our office and retain the copy for your files. Please also remit your \$3,000.00 downpayment.

Please note that your certificate of insurance has been included with this mailing. Please note that you (Nancy Douglas) will again be in charge of attaining the local permit from the City of Menominee.

If you wish to add to or change your order please give us a call so we can assist you. I want to be sure we are providing you the best display possible!

If you should have any questions or concerns, please let me know. I look forward to helping make this display something special!

Sincerely,

  
Patrick W. Spielbauer  
President

CC: matthewschick63@yahoo.com - Matt Schick  
dbourgeois@new.rr.com - Don Bourgeois  
ndouglas@cityofmenominee.net - Nancy Douglas





# SPIELBAUER FIREWORKS CO., INC.

DISTRIBUTORS & EXHIBITORS  
WISCONSIN'S OLDEST EXHIBITION FIREWORKS CO.  
Established in 1952

Office:  
1976 Lane Road  
Green Bay, WI 54311

Phone 1-920-336-0446  
Fax 1-920-336-1214

Factory & Warehouses:  
Bellevue

To: City of Menominee  
Attn: Brett Botbyl  
2511 10th St.  
Menominee, MI 49858

Conf. # 22Me6849  
Order Date 2/24/2022  
Date 5/4/2022  
Terms \$3,000.00 Downpayment  
Due W/Contract. Balance  
Due By 7/4/2022.

1% Per Month Interest Charged On Accounts Over 30 Days Old

## Confirmation

### \$15,000.00 Fireworks Display for July 4, 2022 (Mon.)

#### Opening

10 — 3 inch Titanium Salute - F&F Wind Testers.	\$13.00	\$130.00
3 — 3 inch 25 Shot Red, White & Blue Crossette w/ Silver Tail Box (25 sec.) - Sunny Fires twenty-five red, white, and blue shells in the sky overhead. Twenty-five shell special boxed finale. Self contained box includes mortars.	\$270.00	\$810.00
1 — 2" Heavy Bombardment String Battery - 15pc. per string - F&F	\$139.60	\$139.60

#### Additional Special Break Shells

72 — 3 inch Assorted Import Special Break Shell - Sunny	\$12.25	\$882.00
12 — 3 inch Assorted Import Chrysanthemum & Peony Shell w/ Rising Tail - Lidu	\$13.90	\$166.80
6 — 3 inch Import Stacked Double Break - Sunny	\$24.40	\$146.40
<b>Total: 90 — 3 inch Special Break Shells</b>		
36 — 4 inch Assorted Import Special Break Shell - Sunny	\$22.15	\$797.40
36 — 4 inch Assorted Import Chrysanthemum & Peony Shell w/ Rising Tail - Lidu	\$24.25	\$873.00
6 — 4 inch Assorted Import Special Break Shell w/ Rising Tail - Sunny	\$24.25	\$145.50
6 — 4 inch Import Stacked Double Break - Sunny	\$44.40	\$266.40
6 — 4 inch Assorted Premium Cylinder Shells - Crown Pyro	\$44.40	\$266.40
<b>Total: 90 — 4 inch Special Break Shells</b>		
18 — 5 inch Assorted Import Chrysanthemum & Peony Shell - Lidu	\$38.50	\$693.00
18 — 5 inch Assorted Import Chrysanthemum & Peony Shell w/ Rising Tail - Lidu	\$38.50	\$693.00

#### IMPORTANT

This merchandise sold and shipped on the representation of the buyer that the same will be used strictly in accordance with laws of the state of destination.

This merchandise is sold upon the condition that the seller shall not be liable in any civil action for any accident or injury occasioned during the transportation, handling, storage, sale or use of the merchandise.



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18	— 5 inch Assorted Import Special Break Shell - Sunny	\$38.50	\$693.00
18	— 5 inch Assorted Import Special Break Shell w/ Rising Tail - Sunny	\$38.50	\$693.00
18	— 5 inch Assorted Import Special Break Shells - Crown Pyro	\$38.50	\$693.00
<b>Total: 90 — 5 inch Special Break Shells</b>			
<b>Midlevel Display</b>			
3	— 210 Shot Fan Red & Blue To Silver Crossette Box (13 sec.) - Lidu Fires a stream of red and blue stars that weave in and out. Stars then break into silver streaks 100 ft. overhead.	\$135.00	\$405.00
3	— 2.5 inch 36 Shot Assorted Ring Box (40 sec.) - Lidu Creates perfect variegated color rings in the sky above.	\$210.00	\$630.00
3	— 150 Shot Happy Stars Box (45 sec.) - Lidu Repeating barrage box that creates gold crackling bursts overhead.	\$210.00	\$630.00
3	— 300 Shot Mixed Pastel Tails To Bombettes Box (19mm) (35 sec.) - Icon	\$210.00	\$630.00
3	— 3 inch 25 Shot Strobe & Palm Core w/ Silver Tail Box (25 sec.) - Sunny	\$270.00	\$810.00
3	— 52 Shot Poisonous Spider Barrage Box (30 sec.) - Sunny Fires fifty-two timed color and spinning aerial shots 150 ft. overhead. Self contained box includes mortars.	\$170.00	\$510.00
9	— Assorted Crossette Roman Candle - 8 Shot - Sunny To be lit in sets of three.	\$21.50	\$193.50
<b>Ground Display</b>			
1	— American Flag - 5' x 10' 50 sq. ft. <i>Old Glory</i> depicted in brilliant red, white, and blue lance fire w/ candle batteries attached to top.	\$280.00	\$280.00
2	— 3 inch 10 Shot Peonys w/ Red, White & Blue Tails Finale - Bulk - Lidu	\$93.70	\$187.40

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## Grand Finale

3 — 180 Shot Fan Two Stage Whistle & Assorted Chrysanthemum Box (40 sec.) - Lidu	\$165.00	\$495.00
5 — 3 inch 25 Shot Color & Glitter w/ Silver Tail Finale Box (Special Timing) - Sunny Creates a dazzling array of color and glitter in the night sky. Twenty-five shell special boxed finale. Self contained box includes mortars.	\$270.00	\$1,350.00
5 — 2.5 inch 36 Shot New Color Finale Box (40 sec.) - Lidu Creates a dazzling array of color and glitter in the night sky. Thirty-six shell special boxed finale. Self contained box includes mortars.	\$210.00	\$1,050.00
3 — 2.5 inch 36 Shot Titanium Salute w/ Silver Tail Box (25 sec.) - Sunny Fires thirty-six earth shaking reports with rising tails in the sky overhead. Thirty-six shell special boxed finale. Self contained box includes mortars.	\$210.00	\$630.00

## Firing Equipment

368 — E-Match (25') - MJG	\$3.20	\$1,177.60
6 — 15 min. Fusee (railroad/ highway) - Orion	\$2.95	\$17.70

Fireworks Subtotal	\$17,084.70
Less Discount	-\$4,419.70
Discounted Price	\$12,665.00

## Operator

\$900.00 \$900.00  
Experienced pyrotechnic operators to be provided by Spielbauer Fireworks Co., Inc.  
Operators/ employees of Spielbauer Fireworks are covered under our workers  
compensation policy.

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<b>Delivery</b>	\$435.00	\$435.00
Fireworks to be delivered by Spielbauer Fireworks Co., Inc.		

<b>Permit Fee</b>	\$0.00	\$0.00
Spielbauer Fireworks to apply for local permit(s) required by authority having jurisdiction. Permit fee will accompany the application.		

<b>Insurance Coverage</b>	\$1,000.00	\$1,000.00
\$5 million insurance coverage for public liability and property damage.		

<b>Your Price</b>	<b>\$15,000.00</b>
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**Display Date:** 7/4/2022

**Rain Date:** Unknown

**2022 Contact:** Brett Botbyl at Email - bbotbyl@menomineemi.gov

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Insurance certificate number 511 is enclosed.

Local permit application to be submitted by Nancy Douglas.

Nancy Douglas to arrange a driver to bring the rental truck back after the display.

CC: matthewschick63@yahoo.com - Matt Schick (906)792-2726  
dbourgeois@new.rr.com - Don Bourgeois (906) 792-8048  
bbotbyl@menomineemi.gov - Brett Botbyl  
ndouglas@cityofmenominee.net - Nacy Douglas

Thank you for your order.

## IMPORTANT

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## SPIELBAUER FIREWORKS CO., INC.

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Office: 1976 Lane Road  
Green Bay, WI 54311

Factory & Warehouses: Bellevue

Telephone 1-920-336-0446

Fax 1-920-336-1214

### Menominee, MI

Contract entered onto this 4<sup>th</sup> day of May A.D., 2022 by and between Spielbauer Fireworks Co., Inc. party of the first part, and The City of Menominee.

Authorized Agent: Brett Botbyl

Party of the first part, agrees to furnish party of the second part Fireworks per program submitted, said display to be given on the evening of July 4<sup>th</sup>, 2022 weather permitting. It should be understood that should inclement weather prevent the giving of said display on date herein mentioned, the program will be given on the next clear night falling during the above week, for the additional sum of three hundred dollars, to cover auxiliary costs suffered by party of the first part. If said display is not rescheduled, a cancellation fee of 20% of the contract price shall be charged

Party of the second part agrees to furnish party of the first part sufficient space for the proper giving of said display, also to furnish dry space to store and prepare said fireworks; furnish necessary police protection and necessary lumber that may be required for erecting the display, to help our expert display man that we send to superintend said display.

The party of the first part agrees that proper protection for the benefit of spectators will be covered by bodily injury and property damage insurance at the time of display, automobiles excluded. It is further agreed and understood that the party of the second part is to pay the party of the first part the sum of \$15,000.00 for the above display, same to be paid \$3,000.00 downpayment due w/contract and balance due by July 4<sup>th</sup>, 2022.

The parties hereto do mutually and severally guarantee the terms, conditions, and payments of this contract, their articles to be upon the parties themselves, their heirs, executors, administrators and assigns.

IN WITNESS WHEREOF we set our hands and seals in duplicate hereof this 4<sup>th</sup> day of May, A.D., 2022.

WITNESSES:

ACCEPTED BY

(Official in Charge)

Spielbauer Fireworks Co., Inc. REP

REMARKS:

Fireworks as per itemized Confirmation #22Me6849 dated 5/4/22.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/4/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b> 216-658-7100	<b>FAX (A/C, No):</b> 216-658-7101
<b>INSURED</b> Spielbauer Fireworks Co., Inc. 1976 Lane Road Green Bay WI 54311	<b>E-MAIL ADDRESS:</b> info@brittongallagher.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Everest Indemnity Insurance Co.	
	<b>INSURER B:</b> Everest Denali Insurance Company	
	<b>INSURER C:</b> Arch Speciality Ins Co	
	<b>INSURER D:</b>	
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**COVERAGES**

CERTIFICATE NUMBER: 801938322

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			S18ML02516-221	4/1/2022	4/1/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 600,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			S18CA00290-221	4/1/2022	4/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			UXP1048745-00	4/1/2022	4/1/2023	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

DISPLAY DATE: July 4th, 2022

RAIN DATE: Unknown

LOCATION: Menominee, MI

ADDITIONAL INSURED: City of Menominee

Certificate Number: 511

**CERTIFICATE HOLDER****CANCELLATION**

City of Menominee  
Attn: Brett Botbyl  
2511 10th Street  
Menominee MI 49858

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

**COMMITTEE REPORT:**

At a May 9, 2022 meeting, the Public Safety/Public Works Committee discussed the request from Tom Everard dba Dexter's to close a portion of 8<sup>th</sup> Street from 10<sup>th</sup> Avenue north approximately 123' feet to temporarily have added space with outdoor seating on weekends beginning June 17<sup>th</sup> through September 25<sup>th</sup> and including Monday on holiday weekends (Memorial Day, 4<sup>th</sup> of July, and Labor Day) and they recommend to City Council that Council approve the request.

**PUBLIC SAFETY/PUBLIC WORKS COMMITTEE**

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

**Adopt**

	BARON	DeDAMOS	JONES	KLITZKE	MARINEAU	NUTTER	PLEMEL	POHLMANN	STEGEMAN
AYES									
NAYS									





City of Menominee  
**City Council**  
Agenda Item

**TITLE:** Request to Close a Portion of 8<sup>th</sup> Street

**Requesting Agency:** Executive

**Meeting Date:** May 16, 2022

**Contact:** Brett Bothyl

**Public Hearing:** N/A

**Phone:** 863-1333

**Advertising Date:** N/A

**Council Ward:** 1

**Attachments:**

**PURPOSE:**

Request that the City Council approve the request from Tom Everard, dba Dexter's to close a portion of 8<sup>th</sup> Street from 10<sup>th</sup> Avenue north approximately 123' feet to temporarily have added space with outdoor seating on weekends beginning June 17<sup>th</sup> through September 25<sup>th</sup>. Mr. Everard also requests the closure include Monday on holiday weekends (Memorial Day, 4<sup>th</sup> of July, and Labor Day).

**BACKGROUND:**

Mr. Everard has received approval from the Menominee City Council for temporary added space with outdoor seating in the summer months ever since the Covid-19 pandemic. Since the added space would be on city property, City Council must act on the request.

Mr. Everard has provided required fencing of the area closed off along with tables and chairs, which he will do again this year with necessary barricades in place Friday through Sunday only with the exception of the three holiday weekends.

**BUDGET IMPACT:**

None

**STAFF RECOMMENDATION / ACTION REQUESTED:**

Mr. Everard asks that the Public Safety/Public Works Committee recommend approval of the street closing to the City Council.

**COMMITTEE RECOMMENDATION / ACTION:**

At a May 9, 2022 meeting, the Public Safety/Public Works Committee recommended to City Council that Council approve closing a portion of 8<sup>th</sup> Street from 10<sup>th</sup> Avenue north approximately 123' feet on weekends beginning June 17<sup>th</sup> through September 25<sup>th</sup> including Mondays on holiday weekends (Memorial Day, 4<sup>th</sup> of July, and Labor Day).

**ORDINANCE 2022-001**  
**AMENDING THE ANNUAL APPROPRIATIONS BILL FOR THE**  
**FISCAL YEAR BEGINNING JULY 1, 2021~~2~~ AND ENDING JUNE 30, 2022~~3~~**

BE IT HEREBY RESOLVED, THE CITY OF MENOMINEE ORDAINS:

WHEREAS, pursuant to Article 5 of the Charter of the City of Menominee, the City Manager and Finance Committee have prepared a proposed budget for the fiscal year beginning July 1, 2021~~2~~ and ending June 30, 2022~~3~~; and

WHEREAS, pursuant to MCL 141.412, a public hearing has been held on said proposed budget; and

WHEREAS, the total taxable valuation for all the real and personal property within said city liable to taxation has been determined according to applicable law in the sum of ~~\$212,069,732~~ 223,930,552.

SECTION 1. That for the purpose of defraying the expenditures and liabilities of the City of Menominee, Michigan for the fiscal year beginning July 1, 2021~~2~~ and ending June 30, 2022~~3~~ and to meet the deficiencies of the several funds of said city for the past fiscal year and former years, if any, there is hereby provided for and appropriated the sum of ~~\$19,257,281~~ \$21,127,251 from which sum there shall be deducted the estimated revenues for said year, the sum of ~~\$19,257,281~~ \$21,127,251.

SECTION 2. For the purpose of paying the operating expenses of the General Fund a tax levy of ~~14.1421~~ 13.8352 mills on the dollar on all taxable property in the city according to valuation of same, which amount is included in the amount appropriated in Section 1, is hereby provided and appropriated.

SECTION 3. For the purpose of paying the principal and interest on bonds of said city due and payable during such fiscal year, there is hereby provided and appropriated the sum of ~~\$541,766~~ \$536,646 of which ~~\$541,766~~ \$536,646 will be levied by a tax of ~~2.52~~ 1.02 mills.

SECTION 4. For the purpose of maintaining the garbage system for collection and disposal of garbage in the city a tax levy of ~~2.65~~ 2.30 mills on the dollar of all taxable property in the city according to valuation of the same, which amount is included in the amount appropriated in Section 1, is hereby provided and appropriated.

SECTION 5. For the purpose of paying the cost of the city share of policemen and firemen pension expenditures tax levy of ~~4.15~~ 4.60 mills on the dollar on all taxable property in the city according to the valuation of the same, which amount is included in the amount appropriated in Section 1, is hereby provided and appropriated.

SECTION 6. For the purpose of paying the operating expenses of the Spies Public Library pursuant to MCL 397.201 a tax levy of ~~.9516~~ .9309 mills on the dollar on all taxable property in the city according to valuation of same, which amount is included in the amount appropriated in Section 1, is hereby provided and appropriated.

SECTION 7. The amounts provided for and appropriated by Section 1, 2, 3, 4, 5, and 6 shall total ~~24.4137~~ 22.6861 mills on the dollar valuation hereof ordered to be raised by general tax on all taxable property, both real and personal, within the city.

SECTION 8. The objects and purposes for which the amounts appropriated in Section 1, 3 and 4 hereof for the City General Fund Operations are as follows:

City Council	\$ 10,120.
Mayor	4,348.
Manager	<del>290,527.</del> 245,402.
Board of Review	4,084.
Assessor	<del>141,203.</del> 146,856.
Clerk/Treasurer	<del>449,577.</del> 496,185.
Elections	<del>37,403.</del> 35,699.
Buildings and Grounds	<del>303,180.</del> 341,232.
Attorney	<del>86,250.</del> 85,100.
Unallocated	<del>416,721.</del> 249,695.
Police	<del>2,301,368.</del> 2,458,527.
Auxiliary Police	4,000.
Crossing Guards	<del>22,864.</del> 24,543.
MI Justice Training Fund	4,500.
Fire	<del>1,473,827.</del> 1,593,018.
Rescue Squad	4,000.
Building Inspector	<del>182,698.</del> 135,058.
Engineer	<del>133,033.</del> 153,103.
Sidewalks	<del>6,984.</del> 3,860.
Dept. of Public Works-Streets	<del>352,627.</del> 750,100.
Street Lighting	<del>158,910.</del> 182,370.
Alleys	<del>61,050.</del> 30,210.
Economic Development	<del>43,300.</del> 43,800.
Recreation	<del>131,493.</del> 117,614.
Parks Maintenance	<del>239,022.</del> 278,700.
Spies Field Maintenance	<del>50,738.</del>
Henes Park	<del>159,682.</del> 112,810.
<b>TOTALS</b>	<b><del>\$7,073,509.</del> \$7,514,934.</b>

SECTION 9. The said estimated revenues and their sources for the city general fund operations are as follows:

Total Taxes	<del>\$3,865,000.</del> \$4,550,000.
Taxes Other than Assessed	<del>137,700.</del> 149,900.
Business Licenses/Permits	<del>130,300.</del> 182,000.
NonBusiness Licenses/Permits	<del>63,500.</del> 6,500.
Federal Grant	<del>833,700.</del> 619,900.
State Shared Revenues	<del>1,184,500.</del> 1,166,700.
Charges for Services	<del>3,800.</del> 4,000.
Other Revenues	<del>373,475.</del> 500,234.
Fines and Forfeits	<del>13,500.</del> 23,500.
Interest Earned	<del>6,000.</del> 8,000.
Rents and Royalties	<del>25,000.</del> 21,600.
Other Reimbursibles	<del>437,034.</del> 282,600.
<b>TOTAL</b>	<b><del>\$7,073,509.</del> \$7,514,934.</b>

SECTION 10. That for the purpose of defraying the expenditures and liabilities of the several other funds of the City of Menominee for the fiscal year here-to-fore mentioned and to meet the deficiencies of these funds for the past fiscal year and former years, if any, there is hereby provided for and appropriated the following sums: Major, Local Street, and Trunkline Maintenance ~~\$3,553,649~~ \$2,133,829; Cemetery Fund ~~\$270,696~~ \$280,395; Solid Waste ~~\$805,556~~ \$737,300; Library ~~\$630,575~~ \$704,486; Water/Sewer Utility ~~\$4,578,916~~ \$7,611,195; Special Revenues ~~\$10,200~~ \$10,000; Debt Service ~~\$541,766~~ \$536,646; Other Funds ~~\$957,400~~ \$802,200; River Park ~~\$240,333~~ \$204,866; and Marina ~~\$594,681~~ \$591,400.

The objects and purposes for which the amounts appropriated in this Section are as follows:

Major, Local Street and Trunkline Maint. Expenses	<del>\$3,553,649</del> <u>\$2,133,829</u>
Cemetery Expenses	<del>270,696</del> <u>280,395</u>
Solid Waste Expenses	<del>805,556</del> <u>737,300</u>
Library Expenses	<del>630,575</del> <u>704,486</u>
Water/Sewer Utility Expenses	<del>4,578,916</del> <u>7,611,195</u>
Special Revenues	<del>10,200</del> <u>10,000</u>
Debt Service	<del>541,766</del> <u>536,646</u>
Other Funds	<del>957,400</del> <u>802,200</u>
River Park	<del>240,333</del> <u>204,866</u>
Marina	<del>594,681</del> <u>591,400</u>
<b>TOTAL</b>	<del><b>\$12,183,772</b></del> <u><b>\$13,612,317</b></u>

SECTION 11. The Manager and City Council are hereby authorized to make such transfers as deemed necessary within the limits of applicable law.

SECTION 12. This ordinance shall take immediate effect.

PASSED AND APPROVED: May \_\_\_\_, 2022

Jean Stegeman, Mayor

Kathleen Brofka, City Clerk/Treasurer