

**OFFICIAL COUNCIL PROCEEDINGS  
OCTOBER 7, 2019**

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, October 7, 2019 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Pro-Tem Kleinknecht.

Present: Capling, Guitar and Mayor Pro-Tem Kleinknecht  
Clerk Woycehoski and Director Wruble

Absent: Woodke (with notice) and Mayor Booms (with notice)

It was moved by Capling, seconded by Guitar to approve the Agenda with the addition of the amount to item c. SME bill in the amount of \$3,202.35 and the addition of item d. Woodke Builders bill in the amount of \$680.00, under APPROVAL OF BILLS. Motion carried. 3 yeas.

It was moved by Capling, seconded by Guitar to approve the minutes of the September 6, 2019 Council meeting, the September 30, 2019 DPW Committee meeting, the September 30, 2019 Police Committee meeting, the September 30, 2019 Wastewater Committee meeting, the September 30, 2019 Water Committee meeting and the September 30, 2019 Administration Committee meeting as presented. Motion carried. 3 yeas.

It was moved by Guitar, seconded by Capling to approve payment of the October 2019 bills in the amount of \$355,708.10. Motion carried. 3 yeas.

It was moved by Capling, seconded by Guitar to approve payment of the Townley Engineering LLC bill in the amount of \$8,786.50. Motion carried. 3 yeas.

It was moved by Guitar, seconded by Capling to approve payment of the SME bill in the amount of \$3,202.35. Motion carried. 3 yeas.

It was moved by Capling, seconded by Guitar to approve payment of the Woodke Builders bill in the amount of \$680.00. Motion carried. 3 yeas.

PUBLIC COMMENT: None.

It was moved by Capling, seconded by Guitar to open the public hearing at 7:05 p.m. on the USDA Grant for the Purchase of a Police Cart. Motion carried. 3 yeas. Chief Bucholtz explained the purchase and grant process. Mayor Pro-Tem Kleinknecht asked if anyone had any questions. Rich Harp asked what type of vehicle was being purchased. Chief Bucholtz explained it would be similar to the vehicle previously purchased. It was moved by Capling, seconded by Guitar to close the public comment on the USDA Grant for the Purchase of a Police Car Public Hearing at 7:07 p.m. Motion carried. 3 yeas.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Resolution # 2019-110, "Approving Proposal for Water Tower Inspection" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-110 as presented. The Resolution reads as follows: **WHEREAS**, the City's water tower is due for an inspection; and

**WHEREAS**, DPW Superintendent Jurgess is requesting approval of an Inspection Services Proposal for the City's Water Tower from Dixon Engineering & Inspection Services; and

**WHEREAS**, the DPW Committee is recommending that Council approve Superintendent Jurgess' request;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach hereby approves the Inspection Services Proposal for the City's Water Tower from Dixon Engineering & Inspection Services at a cost of \$3,200.00. Motion carried. 3 yeas.

Resolution # 2019-111, "Approving Traffic Control Order No. 28-SP" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-111 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz is requesting approval of Traffic Control Order No. 28-SP which will direct that "a 25 MPH speed limit sign be placed 50 feet north of Bartlett Street directing northbound traffic; and

**WHEREAS**, Chief Bucholtz and the Police Committee are recommending approval of Traffic Control Order No.28-SP;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach approves Traffic Control Order No. 28-SP. Motion carried. 3 years.

Resolution # 2019-112, "Approving Purchase of Technology Equipment" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-112 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz received a Law Enforcement Terrorism Prevention Activities Grant which is a 100% reimbursable grant to be used to purchase several items for the Police Department; and

**WHEREAS**, Chief Bucholtz is requesting approval of an additional \$1,240.94 to complete the purchase of technology equipment which is still needed by the Police Department; and

**WHEREAS**, the Police Committee is recommending approval of the additional funds;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach approves Chief Bucholtz's request for an additional \$1,240.94 to complete the purchase of the technology equipment which is still needed by the Police Department (see attachment). Motion carried. 3 years.

Resolution # 2019-113, "Approving Bid for WWTP/WTP Roof Replacement" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-113 as presented. The Resolution reads as follows: **WHEREAS**, the roofs at the WWTP and the WTP need to be replaced; and

**WHEREAS**, WWTP Superintendent Roggenbuck solicited sealed bids; and

**WHEREAS**, the Wastewater Committee is recommending that Council award the bid to Zimmer Roofing;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach hereby approves awarding the bid for the WWTP/WTP roof replacements to Zimmer Roofing at a cost of \$183,550.00. Motion carried. 3 years.

Resolution # 2019-114, "Approving Bid for WWTP Wall Panel Replacement" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-114 as presented. The Resolution reads as follows: **WHEREAS**, the wall panels at the WWTP need to be replaced; and

**WHEREAS**, WWTP Superintendent Roggenbuck solicited sealed bids; and

**WHEREAS**, the Wastewater Committee is recommending that Council award the bid to Marlette Roofing;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach hereby approves awarding the bid for the WWTP wall panel replacements to Marlette Roofing at a cost of \$17,250.00. Motion carried. 3 years.

Resolution # 2019-115, "Approving Purchase of New Mower for WWTP" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-115 as presented. The Resolution reads as follows: **WHEREAS**, the WWTP is in need of a new mower with a bucket; and

**WHEREAS**, WWTP Superintendent Roggenbuck requested quotes; and

**WHEREAS**, the Wastewater Committee is recommending that Council approve purchasing the mower from TNT Equipment, Inc.;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach hereby approves purchasing a New Holland Workmaster from TNT Equipment, Inc. at a cost of \$15,859.00. Motion carried. 3 years.

Resolution # 2019-116, "Approving Bid for Murphy Museum Furnace Replacement" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-116 as presented. The Resolution reads as follows: **WHEREAS**, the furnace at the Murphy Museum needs to be replaced; and

**WHEREAS**, Director Wruble solicited sealed bids; and

**WHEREAS**, the Administration Committee is recommending that Council award the bid to Burkhard Plumbing and Heating at a cost of \$2,589.00;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach hereby approves awarding the bid for the furnace replacement at Murphy Museum to Burkhard Plumbing and Heating at a cost of \$2,589.00. Motion carried. 3 years.

Resolution # 2019-117, "Approving Bid for North Park Pavilion Fireplace Insert" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-117 as presented. The Resolution reads as follows: **WHEREAS**, a fireplace insert is needed for the North Park Pavilion Project; and

**WHEREAS**, Director Wruble solicited sealed bids; and

**WHEREAS**, the Administration Committee is recommending that Council award the bid to Village Chimney and Hearth, LLC at a cost of \$5,218.15;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach hereby approves awarding the bid for the fireplace insert at the North Park Pavilion Project to Village Chimney and Hearth, LLC at a cost of \$5,218.15. Motion carried. 3 years.

Resolution # 2019-118, "Approving Purchase of Apex Sketch 7 Pro Assessor Single License for City Assessor" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-118 as presented. The Resolution reads as follows: **WHEREAS**, the City Assessors are requesting to purchase an Apex Sketch 7 Pro Assessor Single License; and

**WHEREAS**, the Administration Committee is recommending purchasing the license;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach approves purchasing Apex Sketch 7 Pro Assessor Single License from Apex Software at a cost of \$595.00. Motion carried. 3 years.

Resolution # 2019-119, "Approving Waiving Fees for North Park Pavilion Rental" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-119 as presented. The Resolution reads as follows: **WHEREAS**, the Harbor Beach Area Fire Department is requesting that the Harbor Beach City Council waive the fees for renting the North Park Pavilion on Saturday, October 19, 2019;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach approves waiving the fees for the Harbor Beach Area Fire Department for renting the North Park Pavilion on Saturday, October 19, 2019. Motion carried. 3 years.

Resolution # 2019-120, "Supporting Match for Harbor Beach Municipal Marina Dock Replacement Grant to Replace A and E Docks" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-120 as presented. The Resolution reads as follows: **RESOLVED**, that the City of Harbor Beach, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows:

1. To appropriate the sum of Two Hundred Thirty Four Thousand Six Hundred dollars (\$234,600.00) to match the Two Hundred Twenty Five Thousand Four Hundred dollars (\$225,400.00) State grant authorized by the Department.
2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.
3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.
4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.
5. To establish and appoint the City Director to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.
6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.
7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution." Motion carried. 3 years.

Resolution # 2019-121, "Supporting Match for Harbor Beach Municipal Marina Dock Replacement Grant to Extend B and C Docks" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-121 as presented. The Resolution reads as follows: **"RESOLVED**, that the City of Harbor Beach, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows:

1. To appropriate the sum of One Hundred Fifty Three Thousand dollars (\$153,000.00) to match the One Hundred Forty Seven Thousand dollars (\$147,000.00) State grant authorized by the Department.

2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.

3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.

5. To establish and appoint the City Director to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.

7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution." Motion carried. 3 years.

Resolution # 2019-122, "Approving an Increase in Fees for Engineering Services for Waterfront Enhancement Project" was presented to Council. It was moved by Capling, seconded by Guitar to recommend to Council that they adopt Resolution # 2019-122 as presented. The Resolution reads as follows: **WHEREAS**, because of high water, elevations for the Waterfront Enhancement Project will have to be changed; and

**WHEREAS**, the Administration Committee is recommending that Council approve hiring Huron Consultants to amend the project plans and permits to reflect a 24" rise in elevations for the project;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach approves hiring Huron Consultants to amend the project plans and permits to reflect a 24" rise in elevations at a cost of \$2,500.00. Motion carried. 3 years.

Resolution # 2019-123, "Approving Hiring of Contractor for Lincoln Park Fill Project" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-123 as presented. The Resolution reads as follows: **WHEREAS**, the water levels on Lake Huron have reached historic highs; and

**WHEREAS**, during certain weather conditions lake water is driven into the green space area in Lincoln Park and causes it to flood; and

**WHEREAS**, the flooded green space area limits public access and use; and

**WHEREAS**, a local corporation in the City is doing a major expansion project; and

**WHEREAS**, the contractor for the expansion project has offered to the City several thousand cubic yards of fill dirt at no charge; and

**WHEREAS**, City Director has recommended using this material to raise the elevation of the green space; and

**WHEREAS**, there is a need to hire a contractor with a bulldozer, to strip the top soil, level the fill dirt and replace the top soil; and

**WHEREAS**, Wood Contracting has submitted a proposal to do the work, with a D8 bulldozer at a cost of \$70 per hour and total cost not to exceed \$6,000.00;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Harbor Beach contracts with Wood Contracting to strip the top soil, level the fill dirt, and replace the top soil at a cost of \$70 per hour, with the total cost of the project not to exceed \$6,000.00. Motion carried. 3 yeas.

COUNCIL REPORTS: Mayor Pro-Tem Kleinknecht updated Council on the North Park Campground Halloween Weekend.

There being no further business, it was moved by Capling, seconded by Guitar to adjourn the meeting at 7:25 p.m.

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Leslie A. Woycehoski, Clerk