

OFFICIAL COUNCIL PROCEEDINGS
SEPTEMBER 16, 2019

A regular meeting of the City Council of the City of Harbor Beach was held on Monday, September 16, 2019 at City Hall. The meeting was called to order at 7:00 p.m. by Mayor Booms.

Present: Capling, Guitar, Kleinknecht, Woodke and Mayor Booms
Clerk Woycehoski and City Director Wruble

Absent: None

It was moved by Kleinknecht, seconded by Guitar to approve the Agenda with the addition of item b. Vanerian Painting bill in the amount of \$3,400.00, under Approval of Bills. Motion carried. 5 years.

It was moved by Capling, seconded by Woodke to approve the minutes of the September 3, 2019 Council meeting as presented. Motion carried. 5 years.

APPROVAL OF BILLS: It was moved by Capling, seconded by Guitar to approve payment of the Jake's Plumbing & Heating bill in the amount of \$9,264.82. Motion carried. 5 years.

It was moved by Kleinknecht, seconded by Woodke to approve payment of the Vanerian Painting bill in the amount of \$3,400.00. Motion carried. 5 years.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: The Second Reading of Ordinance # 227, Chapter 18, Offenses, Article VII. Prohibition of Marihuana Establishments, "An Ordinance to Prohibit Marihuana Establishments Pursuant to the Michigan Regulation and Taxation of Marihuana Act, Ballot Proposal 1 of 2018" was presented to Council. It was moved by Kleinknecht, seconded by Woodke to approve the Second Reading of Ordinance # 227 as presented, to approve it being published in the newspaper and to approve it becoming effective twenty days after publication. Motion carried. 4 years. 1 nay (Guitar).

NEW BUSINESS: Resolution # 2019-106, "A Resolution to Exempt the City from the Requirements of Public Act 152 until December 31, 2020" was presented to Council. It was moved by Guitar, seconded by Capling to adopt Resolution # 2019-106 as presented. The Resolution reads as follows: **WHEREAS**, Public Act 152 of 2011 was passed by the Legislature and signed into law by the Governor; and

WHEREAS, Public Act 152 of 2011 establishes limitations on the amount a public employer can expend for employee medical benefit plans; and

WHEREAS, Public Act 152 also provides that municipalities may choose to exempt themselves by a two-thirds vote of the elected body; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach hereby exempts itself from the requirements of Public Act 152 of 2011 until December 31, 2020 at which time it will revisit its options and responsibility under Public Act 152 of 2011. Motion carried. 5 years.

Resolution # 2019-107, "Approving Proposal for Asbestos Removal at 256 State Street" was presented to Council. It was moved by Woodke, seconded by Kleinknecht to adopt Resolution # 2019-107 as presented. The Resolution reads as follows: **WHEREAS**, the City of Harbor Beach received an order for demolition for the building located at 256 State Street; and

WHEREAS, the building to be demolished has asbestos in it which needs to be removed by a company certified for removal of asbestos; and

WHEREAS, Director Wruble requested proposals; and

WHEREAS, Director Wruble is recommending approving the proposal from Mid-State Asbestos Removal Inc. at a cost of \$11,500.00 plus \$750.00 for third party air monitoring;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the proposal from Mid-State Asbestos Removal Inc. at a cost of \$11,500.00 plus \$750.00 for third party air monitoring. Motion carried. 5 years.

Resolution # 2019-108, "Approving Waiving Fees for North Park Pavilion Rental" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-108 as presented. The Resolution reads as follows: **WHEREAS**, the Harbor Beach Cub Scouts Pack 3582 is requesting that the Harbor Beach City Council waive the fees for renting the North Park Pavilion on Monday, September 23, 2019 from 4:30 p.m. until 7:30 p.m.;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves waiving the fees for the Harbor Beach Cub Scouts Pack 3582 for renting the North Park Pavilion on Monday, September 23, 2019 from 4:30 p.m. until 7:30 p.m. Motion carried. 5 years.

Resolution # 2019-109, "Supporting Recreational Fishing and an Update of Michigan's Commercial Fishing Regulations" was presented to Council. It was moved by Kleinknecht, seconded by Capling to adopt Resolution # 2019-109 as presented. The Resolution reads as follows: **WHEREAS**, Michigan's recreational sport fishery is one of our greatest local and national resource treasures; and

WHEREAS, recreational fishing across Michigan is responsible for over \$2 billion in direct economic expenditures, and directly supports more than 35,000 jobs; and

WHEREAS, Michigan hosts more than 1.4 million recreational anglers annually, including 300,000 from out-of-state, which is the second only to Florida; and

WHEREAS, Michigan's recreational anglers contribute more than \$30 million to help manage fisheries resources through taxes on equipment, licenses, and excise fees each year; and

WHEREAS, recreational fishing is a critical piece of our region's economy; and

WHEREAS, thousands of recreational fishermen come to our area from across the state and country to fish on the big lake and rivers throughout the watershed 12 months per year; and

WHEREAS, these fisherman use local hotels, restaurants, retail establishments, marinas, gas stations and other facilities that are important to our economy; and

WHEREAS, the municipalities in the region have spent, and continue to spend, resources for public launches, shore fishing locations and opportunities, and recreational fishing boat dockage; and

WHEREAS, yellow perch, a key and historically important recreation species, are at historically low levels in Michigan; and

WHEREAS, the walleye population is one of our state's and country's greatest restoration success stories. However, it is still not fully recovered at historical levels and is not providing "surplus" walleye that would indicate that a commercial fishery for them is viable or necessary; and

WHEREAS, the smallmouth bass fishery has been recently ranked the 8th best in the northeast United States by Bassmaster Magazine, the most widely read bass fishing periodical in the world; and

WHEREAS, the steel head and salmon fishery is ranked the best fresh water fishery for those species in the world; and

WHEREAS, the Michigan Department of Natural Resources is supporting new legislation that would update commercial fishing regulations that would better protect and support our critical recreational fishery; and

WHEREAS, commercial fishing regulations have not been substantially updated since 1971, and fines and penalties have not been updated since 1929; and

WHEREAS, these legislative bills have been identified as a high priority by the Michigan Department of Natural Resources for the future management of the sport fishery and the department is enthusiastically supporting their passage; and

WHEREAS, these bills are supported by the Michigan Department of Natural Resources, the Michigan United Conservation Clubs, the Michigan Steelhead and Salmon Fishermen's Association, Saginaw Bay Walleye Club, Trout Unlimited, Hammond Bay Area Anglers Association and dozens of local, regional and national organizations that support and want to protect gamefish and recreational angling opportunities; and

WHEREAS, the passage of these bills will allow the Michigan Department of Natural Resources to better manage the fishery and allow them to have a firm foundation while negotiating with tribal interests concerning future fish species that are allowable catch in future consent decrees; and

WHEREAS, there are concurrent bills being reviewed in the Michigan House of Representatives and Michigan Senate that would expand commercial fishing to include important recreational gamefish species such as walleye, yellow perch, smallmouth bass, and other important recreational species and work contrary to our interests in protecting the Saginaw Bay Fishery;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach supports House Bills 4567, 4568, and 4569 which seek to ensure that commercial license fees appropriately cover the program's administration and oversight, protect the sports fishing legacy of our state and region by establishing penalties for the taking of non-commercial species, codify certain species that are allowed and not allowed for commercial take, and update the authority of the Michigan Department of Natural Resources to effectively maintain and monitor the Saginaw Bay Fishery both recreationally and commercially. Motion carried. 5 years.

It was moved by Woodke, seconded by Capling to approve setting Trick or Treat Hours for October 31, 2019 from 5:00 p.m. until 6:30 p.m. with the sounding of the whistle to start and end Trick or Treat Hours. Motion carried. 5 years.

It was moved by Capling, seconded by Guitar to approved the Knights of Columbus holding their Tootsie Roll Drive on October 11th and 12th, 2019 from 9:00 a.m. until 6:00 p.m. Motion carried. 5 years.

COUNCIL REPORTS: Mayor Booms read a letter from the Chairman of the Veteran's Fishing Outing, reported on an email received from the United States Coast Guard announcing they are closing for the season at the Harbor Beach Station and reminded everyone about the Chili Cook Off, Harvest Festival and Car Giveaway on September 21, 2019.

There being no further business, it was moved by Kleinknecht, seconded by Woodke to adjourn the meeting at 7:36 p.m.

Leslie A. Woycehoski, Clerk