

OFFICIAL COUNCIL PROCEEDINGS
SEPTEMBER 3, 2019

A regular meeting of the City Council of the City of Harbor Beach was held on Tuesday, September 3, 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 Director Wruble

Absent: None

It was moved by Woodke, seconded by Kleinknecht to approve the Agenda with the addition of item p. Resolution # 2019-104, "Rescinding Resolution # 2017-100 Declaration and Notice for PFC Brian Backus Nature Trail" and the addition of item q. Resolution # 2019-105, "Declaration and Notice for PFC Brian Backus Nature Trail", under NEW BUSINESS. Motion carried. 5 years.

It was moved by Capling, seconded by Guitar to approve the minutes of the August 19, 2019 Council meeting, the August 26, 2019 Police Committee meeting, the August 26, 2019 Wastewater Committee meeting, the August 26, 2019 Water Committee meeting and the August 26, 2019 Administration Committee meeting as presented. Motion carried. 5 years.

It was moved by Kleinknecht, seconded by Capling to approve payment of the September 2019 bills in the amount of \$379,438.96. Motion carried. 5 years.

It was moved by Kleinknecht, seconded by Capling to approve bond payments in the amount of \$17,017.93. Motion carried. 5 years.

PUBLIC COMMENT: None.

David Helisek and Amanda Cronk from Plante Moran presented the City of Harbor Beach's audit.

UNFINISHED BUSINESS: None.

NEW BUSINESS: The First 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 for the first reading. It was moved by Kleinknecht, seconded by Woodke to approve the First Reading of Ordinance # 227 as presented and to schedule the second reading for the September 16, 2019 Council meeting. Motion carried. 5 years.

Resolution # 2019-90, "Approving Contract with Goose Busters!" was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2019-90 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz, to address the ongoing goose problem in the City, is requesting approval to contract with Goose Busters! Goose Busters will come into the City, round up the geese and relocate them;

WHEREAS, the Police Committee is recommending approval of contracting with Goose Busters!

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves contracting with Goose Busters! Motion carried. 5 years.

Resolution # 2019-91, "Approving Traffic Control Order No. 24-SP" was presented to Council. It was moved by Capling, seconded by Kleinknecht to adopt Resolution # 2019-91 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz is requesting approval of Traffic Control Order No. 24-SP which will direct that "the speed limit sign on Schock Road, 300 ft. south of State Street, on the west side of the street, directing southbound traffic state 25mph" and will rescind Traffic Control Order 12-SP; and

WHEREAS, Chief Bucholtz and the Police Committee are recommending approval of Traffic Control Order No.24-SP;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves Traffic Control Order No. 24-SP. Motion carried. 5 years.

Resolution # 2019-92, "Approving Traffic Control Order No. 25-SP" was presented to Council. It was moved by Kleinknecht, seconded by Woodke to adopt Resolution # 2019-92 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz is requesting approval of Traffic Control Order No. 25-SP which will direct that "the speed limit sign on Schock Road, 100 ft. south of

Bartlett Street, on the west side of the street, directing southbound traffic state 35mph” and will rescind Traffic Control Order 13-SP; and

WHEREAS, Chief Bucholtz and the Police Committee are recommending approval of Traffic Control Order No.25-SP;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves Traffic Control Order No. 25-SP. Motion carried. 5 years.

Resolution # 2019-93, “Approving Traffic Control Order No. 26-SP” was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2019-93 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz is requesting approval of Traffic Control Order No. 26-SP which will direct that “the speed limit sign on Schock Road, at the south City limits, on the east side of the street, directing northbound traffic, state 35 mph” and will rescind Traffic Control Order 14-SP; and

WHEREAS, Chief Bucholtz and the Police Committee are recommending approval of Traffic Control Order No.26-SP;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves Traffic Control Order No. 26-SP. Motion carried. 5 years.

Resolution # 2019-94, “Approving Traffic Control Order No. 27-SP” was presented to Council. It was moved by Kleinknecht, seconded by Capling to adopt Resolution # 2019-94 as presented. The Resolution reads as follows: **WHEREAS**, Chief Bucholtz is requesting approval of Traffic Control Order No. 27-SP which will direct that “the speed limit sign on Schock Road, 100 ft. south of Bartlett Street, on the east side of the street, directing northbound traffic, state 25 mph” and will rescind Traffic Control Order 15-SP; and

WHEREAS, Chief Bucholtz and the Police Committee are recommending approval of Traffic Control Order No.27-SP;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves Traffic Control Order No. 27-SP. Motion carried. 5 years.

Resolution # 2019-95, “Approving Purchase of Chlorine Pump for WWTP” was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-95 as presented. The Resolution reads as follows: **WHEREAS**, the Wastewater Treatment Plant is in need of a new chlorine pump; and

WHEREAS, Superintendent Roggenbuck requested and received two quotes; and

WHEREAS, Superintendent Roggenbuck and the Wastewater Committee are recommending purchasing the chlorine pump from Kerr Pump and Supply at a cost of \$4,702.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the chlorine pump from Kerr Pump and Supply at a cost of \$4,702.00. Motion carried. 5 years.

Resolution # 2019-96, “Approving Proposal for Underground Storage Tank Assessment for WWTP” was presented to Council. It was moved by Kleinknecht, seconded by Woodke to adopt Resolution # 2019-96 as presented. The Resolution reads as follows: **WHEREAS**, Superintendent Roggenbuck has emptied an underground storage tank at the WWTP and is in need of an underground storage tank assessment; and

WHEREAS, Superintendent Roggenbuck requested and received two proposals; and

WHEREAS, Superintendent Roggenbuck and the Wastewater Committee are recommending approving the proposal to perform underground storage tank assessment activities from AKT Peerless at a cost of \$3,800.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the proposal to perform underground storage tank assessment activities from AKT Peerless at a cost of \$3,800.00. Motion carried. 5 years.

Resolution # 2019-97, “Approving Purchase of Air Compressor for WTP” was presented to Council. It was moved by Woodke, seconded by Capling to adopt Resolution # 2019-97 as presented. The Resolution reads as follows: **WHEREAS**, the Water Treatment Plant is in need of a new air compressor; and

WHEREAS, Operator in charge Krull requested and received quotes; and

WHEREAS, Operator in charge Krull and the Water Committee are recommending purchasing the air compressor from Northern Tool and Equipment at a cost of \$4,199.99;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the air compressor from Northern Tool and Equipment at a cost of \$4,199.99. Motion carried. 5 years.

Resolution # 2019-98, "Approving Purchase of Refrigerated Air Dryer for WTP" was presented to Council. It was moved by Kleinknecht, seconded by Guitar to adopt Resolution # 2019-98 as presented. The Resolution reads as follows: **WHEREAS**, the Water Treatment Plant is in need of a new refrigerated air dryer; and

WHEREAS, Operator in charge Krull requested and received quotes; and

WHEREAS, Operator in charge Krull and the Water Committee are recommending purchasing the refrigerated air dryer from Grainger at a cost of \$1,320.46 plus freight;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the refrigerated air dryer from Grainger at a cost of \$1,320.46 plus freight. Motion carried. 5 years.

Resolution # 2019-99, "Approving Generator Maintenance at WTP" was presented to Council. It was moved by Guitar, seconded by Woodke to adopt Resolution # 2019-99 as presented. The Resolution reads as follows: **WHEREAS**, the generator at the Water Treatment Plant is in need of maintenance; and

WHEREAS, Operator in charge Krull requested and received quotes; and

WHEREAS, Operator in charge Krull and the Water Committee are recommending W.W. Williams to perform the maintenance on the generator at a cost of \$3,795.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves W.W. Williams performing the maintenance on the generator at a cost of \$3,795.00. Motion carried. 5 years.

Resolution # 2019-100, "Approving Lease with Corteva Agriscience" was presented to Council. It was moved by Kleinknecht, seconded by Capling to adopt Resolution # 2019-100 as presented. The Resolution reads as follows: **WHEREAS**, the City of Harbor Beach has vacant lots available on Hunter Industrial Drive; and

WHEREAS, Corteva Agriscience is in need of parking for contractors at their site in the City of Harbor Beach; and

WHEREAS, the City agrees to lease two lots on Hunter Industrial Drive to Corteva Agriscience to be used for parking for the contractors;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves the attached lease and authorizes Director Wruble to sign same. Motion carried. 5 years.

Resolution # 2019-101, "Approving Purchase of Awning for Murphy Museum" was presented to Council. It was moved by Woodke, seconded by Guitar to adopt Resolution # 2019-101 as presented. The Resolution reads as follows: **WHEREAS**, the Murphy Museum is in need of new awnings; and

WHEREAS, Director Wruble solicited proposals; and

WHEREAS, Director Wruble and the Administration Committee are recommending purchasing the awnings from Dial Tent & Awning Company at a cost of \$1,850.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves purchasing the awnings from Dial Tent & Awning Company at a cost of \$1,850.00. Motion carried. 5 years.

Resolution # 2019-102, "Approving Audit Service Contract" was presented to Council. It was moved by Guitar, seconded by Kleinknecht to recommend to Council that they adopt Resolution # 2019-102 as presented. The Resolution reads as follows: **WHEREAS**, the audit service contract with Plante Moran will expire after the completion of the June 30, 2019 audit; and

WHEREAS, Plante Moran desires to continue on as financial advisors for the City and is proposing to offer the City a 2.35% fee reduction to \$41,500 on the last year of their current five year contract and their audit service contract would then be renewed for another five years with an annual fee increase of \$1,250.00 per year; and

WHEREAS, the Administration Committee is recommending approval of an audit service contract with Plante Moran;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves renewing the audit service contract with Plante Moran. Motion carried. 5 years.

Resolution # 2019-103, "Approving Award of Demolition Bid for Property at 256 State Street" was presented to Council. It was moved by Capling, seconded by Guitar to adopt Resolution # 2019-103 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, Director Wruble solicited demolition bids; and

WHEREAS, Director Wruble and the Administration Committee are recommending awarding the bid to Wood Contracting LLC at a cost of \$34,400.00;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach approves awarding the demolition bid to Wood Contracting LLC at a cost of \$34,400.00. Motion carried. 5 years.

Resolution # 2019-104, "Rescinding Resolution # 2017-100 Declaration and Notice for PFC Brian Backus Nature Trail" was presented to Council. It was moved by Kleinknecht seconded by Woodke to adopt Resolution # 2019-104 as presented. The Resolution reads as follows: **WHEREAS**, the City of Harbor Beach is completing the grant process for the PFC Brian Backus Nature Trail; and

WHEREAS, as a part of the grant process, the City adopted Resolution 2017-100 which approved a Declaration and Notice; and

WHEREAS, it is necessary to rescind Resolution # 2017-100 as the property description on the Declaration and Notice has been amended.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Harbor Beach rescinds Resolution # 2017-100 to provide for the amended property description. Motion carried. 5 years.

Resolution # 2019-105, "Declaration and Notice for PFC Brian Backus Nature Trail" was presented to Council. It was moved by Kleinknecht, seconded by Guitar to adopt Resolution # 2019-105 as presented. The Resolution reads as follows: **WHEREAS**, the City developed PFC Brian Backus Nature Trail, in part, through the grant of money from the Michigan Department of Natural Resources Trust Fund; and

WHEREAS, as a condition of the grant by the DNR, the City has agreed to impose certain restrictions on the developed portion of PFC Brian Backus Nature Trail and will place the attached Declaration and Notice on record as confirmation of its obligations as set forth in the project agreement;

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Harbor Beach approves the attached Declaration and Notice. Motion carried. 5 years.

COUNCIL REPORTS: Council Member Guitar reminded everyone about "Movies on the Beach" on Saturday.

Mayor Booms reminded everyone about upcoming events "Movies on the Beach", the Harvest Festival and Halloween Weekends at North Park Campground.

There being no further business, it was moved by Kleinknecht, seconded by Woodke to adjourn the meeting at 8:10 p.m.

Leslie A. Woycehoski, Clerk