

A regular meeting of the City Commission was held in the Commission Room of the City-County building, 325 Court Street, Sault Ste. Marie, Michigan on Monday, April 19, 2010 at 7:00 p.m.

The meeting was called to order by Mayor Bosbous

Present: Mayor Bosbous, Commissioner Bauer, Burton, Gerrie, Lynn, Munsell and Stefanski

Absent:

Also Present: City Manager Nebel, City Attorney Cannello, City Clerk Robin R. Troyer, and various department heads

Proclamation Celebrating National Cover the Uninsured Week.

CONSENT AGENDA:

Moved by Commissioner Stefanski, supported by Commissioner Burton

That the following consent agenda items be approved:

Minute Approval:

That the minutes of the regular City Commission meeting held on Monday, April 5, 2010 be approved as written and circulated and the minutes of the following boards and commissions received and placed on file:

- a. Airport Board – March 10, 2010
- b. Police & Fire Pension Board – March 24, 2010
- c. Community Services Board – March 30, 2010

Appointments and Resignations:

That the City Commission reappoint Catherine Chenoweth to the Bayliss Public Library Board of Trustees for a term to expire May 1, 2015.

That the City Commission reappoint Tammy Cook and Kathleen Twardy to their first full term on the DDA, which will expire April 1, 2014.

That the City Commission confirm the Mayor's appointment of Carol Boger, Scott Nason, and Bonita Peters to terms on the Planning and Development Commission that will expire April 19, 2013.

Special Orders of Business:

That the City Commission introduce for a first reading an ordinance to repeal

April 19, 2010

Section 25-19 of Chapter 25, Article II; to amend Sections 25-18 of Chapter 25, Article II; and to add new sections 25-23 (l) through 25-32 to Chapter 25; Article II of the Sault Ste. Marie Code of Ordinances to create a Tree Commission and provide regulations for public and private trees within the City of Sault Ste. Marie and schedule the second reading with public comments for the May 3, 2010.

Carried: Yeas: Mayor Bosbous, Commissioner Bauer, Burton, Gerrie, Lynn, Munsell, and Stefanski
Nays: None

SPECIAL ORDERS OF BUSINESS:

**FROM DOWNTOWN DEVELOPMENT AUTHORITY REGARDING
ACQUISITION OF PROPERTY LOCATED AT 536 OAKA STREET:**

At the March 10th meeting of the DDA Board of Directors, the DDA authorized the Director to discuss with Mr. Shilts the acquisition of a property and structure located across Oaka Street from Co-Ed Flowers adjacent to the parking structure and a municipal parking lot.

At the April 14th meeting, the DDA recommended that the City Commission consider a purchase price of \$32,500 conditioned upon the provision of eight spaces within the parking structure for four years. This is significantly less than the \$70,000 that was Mr. Shilts' last price for this structure. The estimated cost for demolition and restoration of this site is estimated to be \$12,000 for a total cost of acquisition and demolition of \$44,500. Based on current permit prices, the dollar value of four years of parking permits in the parking structure would equal \$9,600 for the eight permits. The DDA is recommending that the purchase be from the Land Purchase Account in the Parking Fund, which has a balance of approximately \$70,000.

City Manager Nebel believes that this is a reasonable offer, and the removal of this house would be beneficial as development occurs with medical office buildings, improvements to Oaka alley, and the walkway from the parking structure to Ashmun Street move forward. The current true cash value of the land and structure based on the tax records is \$54,307.

Moved by Commissioner Lynn, supported by Commissioner Gerrie

That the City Commission authorize the City Attorney to proceed with the acquisition of the structure and land owned by Gary K. and Marjean A. Shilts described as R.H. Carleton's Subdivision of PLC No. 90, N 38 feet of E 90 feet, Lot 20 for an amount of \$32,500 with the provision that eight parking permits for the parking structure be provided for a period of time expiring July 1, 2014 as recommended by the Downtown Development Authority.

April 19, 2010

Carried: Yeas: Commissioner Bauer, Burton, Gerrie, Lynn, Munsell,
Stefanski, and Mayor Bosbous
Nays: None

Moved by Commissioner Lynn, supported by Commissioner Gerrie

That the City Commission appropriate the purchase price of \$32,500 from the Parking Fund's Land Acquisition Account and \$9,600 from the Parking Fund's Land Acquisition Account to the Parking Structure Permit Account.

Carried: Yeas: Commissioner Burton, Gerrie, Lynn, Munsell, Stefanski,
Mayor Bosbous, and Commissioner Bauer
Nays: None

COMMUNICATIONS:

FROM COMMISSIONER BAUER – REGULATIONS PERTAINING TO RAISING CHICKENS WITHIN THE CITY LIMITS:

Commissioner Bauer has requested that the Commission discuss the current regulations regarding the raising of chickens within the City Limits. The City ordinances prohibit individuals from keeping or confining horses, cows, sheep, goats, pigs, hogs, or chickens in any stable, barn, or building, or on any lot or premise within certain parts of the City. Attached was a copy of the livestock provisions as well as a map showing those areas where livestock is allowed as well as where it is prohibited.

Commissioner Bauer intends to do further research on this issue and would like to discuss at a future Commission meeting.

FROM THE CHIPPEWA COUNTY HISTORICAL SOCIETY REGARDING SAULT HISTORY FEST 2010:

In 2009, the Chippewa County Historical Society sponsored the first Sault History Fest located on Water Street in front of the Historic Homes. With Water Street being reconstructed as part of the CSO work, the Chippewa County Historical Society would like to move the event for 2010 to the Federal Building grounds. They are proposing that the Second Annual Sault History Fest be held on July 30 and 31, 2010.

Administration has met with the Chippewa County Historical Society to let them know what construction activities will be or could be taking place around the site. There would be less impact on this event than that of the Arts Festival, since their event takes place on a weekend. From a staff standpoint, we do not see a problem in their use of this site for Sault History Fest 2010.

Moved by Commissioner Burton, supported by Commissioner Stefanski

April 19, 2010

That the City Commission authorize the Chippewa County Historical Society to utilize the Federal Building grounds on July 30 and 31, 2010 with the understanding that construction will be taking place both in the Federal Building and on Water Street and possibly Brady and Bingham Avenue during this event.

Motion carried unanimously.

SAULT SUMMER ARTS FESTIVAL – AUTHORIZATION OF USE OF THE FEDERAL BUILDING GROUNDS FOR THE 38TH ANNUAL SAULT SUMMER ARTS FESTIVAL:

Plans are in place to hold the 2010 Sault Summer Arts Festival on Tuesday, August 3rd. The organizers would like to hold the festival on the grounds of the Federal Building located at 209 E. Portage Avenue.

City Manager Nebel has indicated to Jean Jones that there will be various degrees of construction going on with the Federal Building (which should have minimal impact on their event), the CSO work that will be certainly occurring on Water Street during the festival, and perhaps work on Bingham and Brady between Portage and Water Street. On behalf of the organization, Jean Jones has indicated that they understand the issues they will be dealing with at this location, and they are particularly excited and encouraged that the work both on the Federal Building and Water Street is going forward.

Administration will certainly work with the organization to try to minimize the impact that any construction has on their event. The bottom line is there will be construction impact with this event taking place in August of this year. In 2011 Portage Avenue will be under construction as part of the CSO work. At that time, Water Street should be completed so they will be able to shift their focus to Water Street during the Portage Avenue reconstruction.

Moved by Commissioner Bauer, supported by Commissioner Burton

That the City Commission authorize the use of the Federal Building grounds for the 38th Annual Sault Summer Arts Festival, which will be held on Tuesday, August 3rd on the grounds of the Federal Building at 209 E. Portage Avenue in Sault Ste. Marie, Michigan subject to the inconveniences that will be occurring due to Federal Building renovation as well as CSO construction.

Motion carried unanimously.

APPROPRIATION OF FUNDS FROM THE OSBORN TRUST FOR THE 2010 SAULT HISTORY FEST:

April 19, 2010

At the April 13, 2010 special meeting of the Historical Development Commission, the Commission recommended the expenditure of Osborn Funds in the amount of \$2,500 for the 2010 Sault History Festival.

The History Festival will be moved to the Federal Building grounds for the 2010 season due to the Water Street reconstruction.

Moved by Commissioner Lynn, supported by Commissioner Stefanski

That the City Commission approve an appropriation of \$2,500 from the Osborn Trust proceeds for the Chippewa County Historical Society for support of the 2010 Sault History Fest.

That the City Commission authorize an agreement with the Chippewa County Historical Society regarding the expenditure of this appropriation.

Carried: Yeas: Commissioner Gerrie, Lynn, Munsell, Stefanski, Mayor Bosbous, Commission Bauer, and Burton
Nays: None

CITY MANAGER'S REPORT:

SUBMISSION OF THE RECOMMENDED BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011:

Section 8.2 of the City Charter provides that the City Manager shall annually submit a recommended budget on the third Monday in April to the City Commission for the Commission's review and action.

The work sessions on the budget are scheduled for Tuesday, April 20th (and Wednesday, April 21st and Thursday, April 22nd if needed) to conduct the page by page review of the budget for the fiscal year beginning July 1, 2010. This meeting(s) will be held at 5:15 p.m. in the City Commission chambers.

A special meeting is scheduled for Monday, April 26th at 7:00 p.m. to reconcile budget issues. The Commission will then formally introduce the budget at the May 3rd regular City Commission meeting and schedule a public hearing for the May 17th Commission meeting. Following the public hearing, the Commission can approve the budget. The Charter requires that the budget be approved no later than June 1, 2010.

The budget materials for review included three documents. The first will be the budget submittal message, which will outline various highlights of the 2010-11 recommended budget.

The second document will be the budget detail book, which includes the budget

April 19, 2010

for each of the operating funds for the City as well as the proposed Capital Equipment Purchases and Capital Projects for the fiscal year beginning July 1, 2010. This book also includes the sewer and water rate information.

The final document for review is the Fee Schedule, which includes the recommended charges and fees for the 2010-11 fiscal year.

Moved by Commissioner Stefanski, supported by Commissioner Burton

That the City Commission receive the recommended budget as submitted by the City Manager and schedule work sessions on Tuesday, April 20th, and, if needed, on Wednesday, April 21st and Thursday, April 22nd to review the budget.

That the City Commission schedule a Special City Commission Meeting to reconcile the budget on Monday, April 26th.

Carried: Yeas: Commissioner Lynn, Munsell, Stefanski, Mayor Bosbous, Commissioner Bauer, Burton, and Gerrie
Nays: None

AWARD OF BID FOR THE PURCHASE OF A 4X4 PATROL VEHICLE:

At the April 5th City Commission meeting, the Commission requested additional information regarding the bid for the purchase of a 4 x 4 patrol unit for the City Police Department.

On March 10th four bids were received for the purchase of a 2010 vehicle. The low bid for this purchase was for a 2010 Ford Expedition 4 x 4 in the amount of \$26,531 from Signature Ford.

Under the City's Local Bid Preference, a local bidder has the opportunity to reduce their bid to the low bid amount provided that bid is within 5% of the low bid. In this case, the bid from Soo Motors exceeded that 5% adjustment by \$128.45 (the low bid \$26,531 x 5% which is \$1,326.55 equaled \$27,857.55). Soo Motors' bid exceeded that 5% adjustment threshold.

The 5% bid threshold was established in order to keep the bidding process fair and honest. If too large a margin were provided by the ordinance then the local bids would have no incentive to be as competitive as possible because they could always adjust their bid after the fact. City Manager Nebel believes the 5% is a reasonable differentiation here.

City Clerk Troyer reviewed where vehicles have been purchased by the City over the last four years, a chart outlining those purchases was attached.

April 19, 2010

Moved by Commissioner Lynn, supported by Commissioner Gerrie

That the City Commission award the bid for the purchase of a 4 x 4 special service utility vehicle to Signature Ford of Owosso, Michigan in the amount of \$26,531 being the low bid and meeting specifications.

Carried: Yeas: Commissioner Munsell, Stefanski, Mayor Bosbous,
Commissioner Bauer, Burton, Gerrie, and Lynn
Nays: None

**AWARD OF BID FOR DEMOLITION OF A RESIDENTIAL STRUCTURE
LOCATED AT 313 SHERIDAN DRIVE:**

On April 14th, bids were taken for the removal of a residential structure located at 313 Sheridan Drive. The various environmental activities required prior to removing the structure have been completed. This project is being primarily funded by the Little Italy Neighborhood Preservation Grant. The City acquired this structure earlier this year.

Moved by Commissioner Gerrie, supported by Commissioner Burton

That the City Commission award the bid for the demolition of a residential structure located at 313 Sheridan Drive to Reid Contractors, Inc. in the amount of \$15,850, being the low bid and meeting specifications.

Carried: Yeas: Commissioner Stefanski, Mayor Bosbous, Commissioner
Bauer, Burton, Gerrie, Lynn, and Munsell
Nays: None

Status Reports:

Certified Municipal Clerk:

City Clerk Robin Troyer has completed the requirements to become a Certified Municipal Clerk as prescribed by the International Institute of Municipal Clerks for certification. This included completing three one week intensive training sessions sponsored by the International Institute of Municipal Clerks in Mt. Pleasant as well as attaining the necessary experience to receive this designation. Robin has earned the right to utilize the title "CMC" after her name indicating that she is a Certified Municipal Clerk. Congratulations to Robin on accomplishing this certification.

Michigan Municipal League Legislative Conference:

Mayor Bosbous, Commissioners Gerrie, Lynn, Munsell, and Stefanski, and City Manager Nebel attended the Annual Michigan Municipal League Capital Conference

April 19, 2010

held this past week in Lansing. A brief verbal report on the conference was given.

MATTERS PRESENTED BY THE PUBLIC:

None

MATTERS PRESENTED BY THE CITY COMMISSION:

Commissioner Stefanski informed the Commission of the Building a Healthier Community Walk/Bike to work day scheduled for May 21st and the Community Garden Plots have been sold out.

Commissioner Bauer inquired about the process for the spring clean up vouchers and announced Earth Day.

Commissioner Stefanski, Commissioner Bauer, and Commissioner Munsell discussed the possibility of painting a bike lane on certain City streets.

Moved by Commissioner Lynn, supported by Commissioner Burton

That the meeting adjourn at 8:20 p.m.

Motion carried unanimously.

ANTHONY G. BOSBOUS, MAYOR ROBIN R. TROYER, CITY CLERK

April 19, 2010