

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, August 16, 2010 at 7:00 p.m.

The meeting was called to order by Mayor Bosbous

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

Absent: Commissioner Gerrie

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

Moved by Commissioner Munsell, supported by Commissioner Burton

That the absence of Commission Gerrie be excused.

Motion carried unanimously.

Mayor Bosbous wished Sadie Fornarino a Happy 94<sup>th</sup> Birthday.

#### **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, August 2, 2010 and minutes of the special City Commission meeting held on Tuesday, August 10, 2010 be approved as written and circulated and the minutes of the following boards and commissions received and placed on file:

- a. Bayliss Public Library – July 22, 2010
- b. Historic Structures Management Committee – June 23, 2010
- c. City Tree Commission – August 4, 2010
- d. Zoning Board of Appeals – May 20, 2010
- e. Zoning Board of Appeals – June 15, 2010
- f. Zoning Board of Appeals – July 1, 2010

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

#### **SPECIAL ORDERS OF BUSINESS:**

PUBLIC HEARING ON THE VACATION OF THE EAST/WEST AND NORTH/SOUTH ALLEYS IN BLOCK 7, MARTYN AND STUART'S ADDITION AS REQUESTED BY NICOLE DOWD (A.) PUBLIC COMMENTS (B.) ACTION ON THE VACATION:

At the August 2nd City Commission meeting, the Commission received a report from the Planning and Development Commission and scheduled a public hearing on the vacation of the north/south and east/west alleys in Block 7, Martyn and Stuart's Addition as requested by Nicole (Nikki) Dowd.

Since the last meeting, the Planning and Development Office has heard from all the utilities. There are no objections to the vacation, including the abandonment of the utility easement over the north/south alley; however, it is recommended that a utility easement be retained on the east/west alley. In reviewing this with the applicant, she has no problem with this resolution.

The Mayor conducted a public hearing on the proposed vacation of the east/west and north/south alleys in Block 7, Martyn and Stuart's Addition as requested by Nicole Dowd with retention of the easements only on the east/west alley. There were no comments from the public therefore the following action was taken:

Moved by Commissioner Lynn, supported by Commissioner Burton

WHEREAS, this is the time and place of the meeting of the City Commission of the City of Sault Ste. Marie, Michigan, set for considering and taking action upon the alley vacation petitioned for by Nicole (Nikki) Dowd; and

WHEREAS, the Planning & Development Commission at their meeting held July 22, 2010 considered the petition in reference to the vacation and it is their recommendation that the City Commission vacate the East/West and the North/South Alleys in Block 7, Martyn and Stuart's Addition with retention of utility easements on the East/West Alley and without retention of utility easements on the North/South Alley; and

WHEREAS, the City Commission has heard said petition and recommendation in reference to the vacation of said alleys and it is their opinion that the subject alleys be vacated; and

THEREFORE BE IT RESOLVED, that the following described alleys be vacated: The East/West Alley in Block 7, Martyn and Stuart's Addition WITH retention of utility easements and the North/South Alley in Block 7, Martyn and Stuart's Addition WITHOUT retention of utility easements (see attached Exhibit A); and

BE IF FURTHER RESOLVED, that a certified copy of this resolution be recorded in the Register of Deeds Office for the County of Chippewa, State of Michigan.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be recorded by the City Clerk to the State of Michigan, showing recordation of said resolution along with a sketch of the area affected.

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

SECOND READING OF A ZONING ORDINANCE AMENDING THE ZONING PROVISIONS REGARDING ACCESSORY SMALL WIND ENERGY TURBINES (A.) PUBLIC COMMENTS (B.) CONSIDERATION AND ADOPTION OF ORDINANCE:

At the August 2nd City Commission meeting, the Commission introduced for a first reading an ordinance to adopt regulations allowing the use of small wind energy turbines in certain areas of the City and scheduled a hearing and second reading for the August 16th City Commission meeting.

For the past year and a half, the Planning and Development Commission has had numerous meetings, requested public input, and looked at various strategies for dealing with the issue of the use of wind energy within the City of Sault Ste. Marie. This has been a rapidly evolving industry that has had certain pitfalls along the way. It was the goal of the Planning and Development Commission to allow the use of wind energy in areas within the City that would not create a future nuisance to adjoining residents. This amendment focuses on small wind energy turbines that may be considered for use at a residence or a commercial business to supplement electricity supply. The Planning Department staff has worked closely with the City Attorney, Building Department, and Engineering Department on the development of this ordinance amendment.

In general, the proposed ordinance includes language that permits accessory and wind systems in all zoning districts subject to certain requirements regarding output, height, setback, lot size, width requirements for annual inspection, and maintenance.

The final language for the amendment was presented to the Planning and Development Commission at their June 24th meeting with a public hearing being held by the Planning and Development Commission at their July meeting. The proposed ordinance avoided the use of any noise standards, since they are difficult to enforce and, instead, would require an annual maintenance certificate that would document that the unit continues to be in good working order, which would mitigate noise issues from wind devices that would otherwise need maintenance. The ordinance indicates that when the unit becomes non-functional that it must be removed by the property owner. The ordinance requires a minimum 2 acre site size to reduce any adverse affect on adjacent property owners. The ordinance does provide a relief provision for small lot sizes that would require the approval of the adjacent property owners. The only comment received as a result of the public hearing notice was from Cloverland

indicating that they had no objections to the proposed ordinance as written.

During these discussions, a question came up regarding the wind turbines that were installed along I-75 at Sea Shell City. These turbines were in place for a short period of time and then removed. In contacting Sea Shell City, it was indicated that the turbines only functioned for a relatively brief period of time before water, dust, and other materials rendered them non-usable. They indicated that when the manufacturer wouldn't honor the warranty, they had the wind turbines removed. This is a good example of why a regular maintenance standard will be important for any units placed in the City so they do not become either a hazard or an unused eyesore should they no longer function. The ordinance would clearly require them to be inspected on an annual basis and, once non-functional, to be removed.

At the August 2nd City Commission meeting, Commissioner Munsell raised concerns as to whether this ordinance would, in fact, discourage the use of wind turbines. Specifically, Commissioner Munsell was questioning the requirements in Section 1713. Accessory Small Wind Energy Turbines, Paragraph 11, which requires annual inspection, maintenance, and repair certification. If someone is provided a permit to place a wind turbine on their property, then they "must submit documentation annually that the turbine has been inspected, maintained, and repaired as is necessary and it is determined to be fully operational and in good working order by a certified manufacturer or installer's representative or other qualified technician."

The primary purpose for this provision is that unmaintained wind turbines can create a lot of noise for the neighborhood. Parts of the windmill rotate at high speeds in order to generate electricity. If parts are allowed to wear without being maintained, a nuisance can be created. There are many manufacturers of wind turbines and the quality and sustainability of these systems are variable from manufacturer to manufacturer. City Manager Nebel believes that for the normal continued operation of wind turbines, regular maintenance will need to be done by the owner in order to keep their wind turbine in good operating order. If the Commission were to consider eliminating this provision, the City would then have to deal with a much more subjective manner of dealing with these types of problems on a complaint basis. What may be bothersome to one neighbor may not be bothersome to another.

The Mayor called for public comment on the addition of language to the City's Zoning Ordinance regarding accessory small wind energy turbines within the City of Sault Ste. Marie. There were no comments from the public therefore the following action was taken:

Moved by Commissioner Bauer, supported by Commissioner Stefanski

SAULT STE. MARIE ACCESSORY SMALL WIND ENERGY TURBINE  
ZONING ORDINANCE LANGUAGE

[ADD TO DEFINITIONS SECTION 10-1.02]

200 [Definitions]

(bx) *Adjacent property*: All parcels of property that an applicant's property comes in contact with at one or more points, except for parcels that are legally adjacent but are in fact separated from the applicant's property by a public or private street, or alley.

(cb) [The following definitions pertain to accessory small wind energy turbines for the purpose of this appendix.]

A. *Accessory small wind energy turbine*: A wind energy system that converts wind energy into electricity primarily for on-site use through the use of specialized equipment or structures with a maximum output no greater than 20 kilowatts. Such systems may be tower-mounted or structure-mounted.

B. *Decommissioning*: The process of terminating the operation of a wind energy turbine by completely removing the entire wind energy turbine and all related structures, foundations, supports, and equipment.

C. *End of useful life*: The point in time when a wind turbine is no longer annually documented to be fully operating in good working order by a certified manufacturer or installer's representative or other qualified technician.

D. *Height*: For tower-mounted wind energy turbines, the height is the vertical distance measured from *grade* as determined according to the definition in Section 200(ae) to the uppermost vertical extension of a rotor blade or the maximum height reached by any part of the wind energy turbine. For structure-mounted wind energy turbines, the height is the distance measured from the highest point of the adjoining roof or structure, not including chimneys, antennae or similar structures, to the uppermost vertical extension of a rotor blade or the maximum height reached by any part of the wind energy turbine.

E. *Net-Metering*: A special metering and billing agreement between utility companies and their customers which facilitates the connection of sustainable energy generating systems to the power grid.

F. *Rotor*: The rotating element of a wind energy turbine that acts as a multi-bladed airfoil assembly to extract kinetic energy directly from the wind.

G. *Site*: The parcel of land or zoning lot occupied by the main use to which the wind energy turbine is accessory.

H. *Structure-mounted accessory small wind energy turbine*: A structure-mounted wind energy system that converts wind energy into electricity primarily for on-site use with a maximum output no greater than 10 kilowatts per turbine.

I. *Tower*: A free-standing monopole that supports a tower-mounted wind energy turbine.

J. *Tower-mounted accessory small wind energy turbine*: A tower-mounted wind energy system that converts wind energy into electricity primarily for on-site use with a maximum output no greater than 20 kilowatts.

K. *Useful Life*: The period of time during which a wind turbine, through inspection, maintenance, and needed repair, is annually documented to be fully operating in good working order by a certified manufacturer or installer's representative or other qualified technician.

[ADD NEW ITEM 1713 UNDER SECTION 10-1.17. GENERAL PROVISIONS]

1713. Accessory small wind energy turbines

Accessory small wind energy turbines are wind energy systems as defined in Section 200(cb) [Definitions]. Accessory small wind energy turbines are permitted in all districts subject to the following requirements:

1. *Manufacture and Installation*: Accessory small wind energy turbines shall be commercially manufactured units and must be installed by an authorized manufacturer's representative, certified technician, or under the supervision of a registered engineer.

2. *Maximum nameplate capacity*: The nameplate capacity of maximum output shall not exceed 20 kilowatts for tower-mounted accessory small wind energy turbines or 10 kilowatts for structure-mounted accessory small wind energy turbines.

3. *Maximum number of turbines per site*: No more than one tower-mounted accessory small wind energy turbine or two structure-mounted accessory small wind energy turbines may be installed on any one site.

4. *Maximum height*: The height of a tower-mounted small wind energy turbine shall not exceed 65 feet. The height of a structure-mounted small wind energy turbines shall not exceed 15 feet above the highest point of adjoining roof or structure, excluding chimneys, antennae or similar features. Tower-mounted small wind energy turbines more than 30 feet to 65 feet in height shall be considered a conditional or special land use subject to the general conditions and process set forth in section 1910.

5. *Location and setbacks*: Tower-mounted small wind energy turbines shall be located in the rear yard. A minimum setback equal to the height of the tower-mounted small wind energy turbine shall be required from any property line, public right-of-way, public easement or overhead utility lines.

Structure-mounted small wind energy turbines shall be set back from any property line, public right-of-way, public easement or overhead utility lines a minimum distance of the height of the wind energy system including the top of the blade in its vertical position as measured from where the turbine is attached to the structure.

6. *Clearance:* The lowest extension of any rotor blade or other exposed moving component of a tower-mounted or structure-mounted small wind energy turbine shall be at least 15 feet above the ground, as measured from the highest point of grade within 30 feet of the base of the small wind energy turbine, and also above the floor level of any outdoor habitable areas such as balconies, porches or decks.

7. *Appearance standards:* Tower-mounted small wind energy turbines shall be of monopole design and shall not include guy wires or similar apparatus. Accessory small wind energy turbines shall not contain signage, banners, flags or advertising logos except for the identification of the turbine manufacturer and unit specifications for regulatory purposes. Exterior lighting shall be permitted only to meet FAA mandatory requirements.

8. *Construction and performance standards:* Accessory small wind energy turbines shall meet the following construction and performance standards:

- a. Small wind energy turbines shall conform to all applicable state construction and electrical codes and local building permit requirements.
- b. Accessory small wind energy turbines shall include an automatic braking, governing or feathering system in order to prevent uncontrolled rotation, over speeding or excessive pressure on the turbine.
- c. *Vibration Limits:* An accessory small wind energy turbine shall not produce vibrations that are perceptible to a reasonable person of normal sensibilities beyond any property line of the site upon which it is located.

9. *Building permit required:* Accessory small wind energy turbines shall require the issuance of a building permit. The building permit application must include a scaled site layout plan, turbine specifications, and any other information necessary for the administering official to determine that the proposed wind turbine installation will meet the requirements of this section. The wind turbine must be installed and operational within six months of the issuance of a building permit.

10. *Minimum Site Size:* The site, as defined in Section 200(cb) above, where an accessory small wind energy turbine is installed shall be a minimum of two acres in size.

Provided *all other requirements of Section 1713 are met*, a site of less than two

acres in size may be permitted if the owners, as identified in the City Assessor's records, of all adjacent properties, as defined in Section 200(bx), consent in writing to the installation of the proposed wind turbine on a site less than two acres in size.

Upon determination that a building permit application for installation of an accessory small wind energy turbine on a site less than two acres in size meets all other requirements, the administering official shall notify the adjacent property owners of the applicant's request and include copies of the proposed site layout plan and turbine specifications.

*11. Annual Inspection, Maintenance and Repair Certification:* The owner shall notify the administering official of the date the wind turbine becomes operational. Beginning one year after this date, the owner must submit documentation annually to the administering official that the turbine has been inspected, maintained, repaired as necessary, and determined to be fully operating in good working order by a certified manufacturer or installer's representative or other qualified technician.

If such annual documentation is not submitted, the administering official shall notify the owner in writing. If the owner does not submit the necessary documentation to the administering official within three months of receipt of initial notification, the wind turbine shall be considered to be at the end of its useful life.

*12. Decommissioning:* An accessory small wind energy turbine shall be decommissioned within six (6) months after the end of its useful life at the expense of the current property owner. If decommissioning does not take place within this six-month time period, the accessory small wind energy turbine shall thereafter be considered a public nuisance subject to abatement as provided by law.

Carried: Yeas: Commissioner Burton, Lynn, Stefanski, Mayor Bosbous, and Commissioner Bauer  
Nays: Commissioner Munsell

PUBLIC HEARING ON THE TRANSFER OF INDUSTRIAL FACILITIES  
CERTIFICATE FROM KEY PLASTICS, INC. TO AMI INDUSTRIES (A.) PUBLIC  
COMMENTS (B.) APPROVAL OF A RESOLUTION TRANSFERING THE IFT TO AMI  
INDUSTRIES:

Earlier this year, the City Commission, following a public hearing, agreed to transfer the Industrial Facilities Certificate from Key Plastics to Sault Ste. Marie Development, LLC, which is the corporation that owns the former Key Plastics manufacturing facility.

Following submission of the City resolution and paperwork to the Michigan Department of Treasury, the City was advised that the IFT transfer needed to be transferred directly to AMI Industries, not the building owner. AMI Industries has revised the paperwork and has submitted it to the City for approval. Prior to the Commission approving, it is necessary to hold a public hearing. The City Clerk has provided the required notices to the local taxing authorities as well as a notice in The Evening News and the City's web site regarding this hearing.

As previously indicated, the transfer of the IFT will provide tax abatement for land and building expansions undertaken by Key Plastics with the IFT remaining in effect for three years, abating approximately 50% of the normal taxes that would be assessed on the property. The transfer is identical to the action taken by the City Commission earlier this year except the transfer is to AMI Industries instead of Sault Ste. Marie Development LLC.

An email correspondence was received from the Sault Area Public Schools indicating support of the exemption.

The Mayor conducted a public hearing on the transfer of an Industrial Facilities Certificate from Key Plastics to AMI Industries. There were no comments from the public therefore the following action was taken:

Moved by Commissioner Stefanski, supported by Commissioner Bauer

That the City Commission approve the attached resolution granting the transfer of Key Plastics, LLC Industrial Facilities Exemption Certificate to Aggressive Manufacturing Innovations, Inc.

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

## **COMMUNICATIONS:**

### **FROM THE HISTORIC STRUCTURES MANAGEMENT COMMITTEE – APPROPRIATION OF CONSTRUCTION FUNDS:**

The Historic Structures Management Committee recommended to the Commission that the historic structures be closed for the 2010 season due to construction on Water Street as well as to use this time as an opportunity to make various improvements to these structures.

The Historic Management Committee was planning to utilize the operation funds that would have been used for providing for the docents that serve as guides for the buildings as well as the entertainment that has been provided there in other years. It is their intent to use these funds for capital improvements to the structures during the

2010 season.

Since they did not open for the 2010 summer season, operational funds were left over in the 2009-10 budget. They are requesting that the Commission reappropriate those operational funds for historic home maintenance and repairs. In addition, the Historic Structures Committees has established donation accounts with the City, and they are asking that the Commission appropriate those funds as well to allow for continued work to occur on the historic homes during this construction season.

Moved by Commissioner Burton, supported by Commissioner Stefanski

That the City Commission make the following appropriations for repairs and maintenance of the Historic Homes; Transfer \$1,640.01 from the Johnston House Fund, \$1,902.35 from the Baraga House Fund, and reappropriate the balance in the Operating Fund for the 2009-10 fiscal year in the amount of \$10,866.92 for maintenance and repairs in the 2010-11 fiscal year.

Carried: Yeas: Commissioner Stefanski, Mayor Bosbous, Commissioner Bauer, Burton, and Lynn  
Nays: Commissioner Munsell

### **CITY MANAGER'S REPORT:**

#### **BIDS FOR THE PURCHASE OF TWO COLUMBARIUMS FOR RIVERSIDE CEMETERY:**

During the goal setting session, the Commission identified as a budget priority for this coming year the purchase of a columbarium for Riverside Cemetery. A columbarium is an above ground structure for the burial of cremains. There are a number of advantages with columbariums, including the efficient use of space for this type of grave site.

On Wednesday, July 21st, six bids were received for the purchase and delivery of 48 niche granite columbariums. This structure is 78 inches long, 38 inches wide and 60 inches tall. Based on the amount budgeted and the cost of the low bid for the columbariums, administration recommended that the Commission purchase two columbariums; one that would be installed on the Protestant side of the cemetery and one that would be installed on the Catholic side of the cemetery. Administration will also be developing rules for family members as it relates to placement of flowers or other items to recognize their loved ones in the columbariums.

In addition to the cost of purchasing the columbariums, administration will have costs for the rather substantial foundation that is placed under the columbariums as well.

The low bid also further reduces the columbariums if the City purchased a

second one at this time.

Moved by Commissioner Munsell, supported by Commissioner Burton

That the City Commission award the bid for the purchase of two columbariums to Salem Stones, Inc. of Whitehall, Ohio in the amount of \$6,500 per columbarium, being low bid and meeting specifications.

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

REPORT ON MISSION STREET PARKING:

At the August 2nd City Commission meeting, the Commission heard a report from residents of Mission Street between E. Spruce Street and E. Portage Avenue requesting on-street parking on this roadway. Mission Street is a major street, which requires two clear lanes of traffic. The street is wide enough to accommodate parking on one side of the street.

Ass't. City Engineer Alicia Askwith has reviewed the Major Street parking standards as well as the standards that are currently being used on the City's Major Streets located south of Easterday Avenue, which include Minneapolis, Seymour, and Shunk. Based on the parking layouts on these streets, it appears that twelve parking spaces could be established on the east side or fourteen spaces could be established on the west side. Most of the homes are located on the east side of Mission Street.

In addition, another issue that needs to be considered is the fact that there is a centerline on Mission Street. This centerline will need to be moved in order to facilitate the parking. Ass't. City Engineer Alicia Askwith is suggesting, for several reasons, that the actual work be done in the spring of 2011 when the City will have the pavement marking contract. The winter sands typically help erase pavement markings as well. Otherwise, it is necessary that the City grind out the centerline if we were looking at doing this project this fall unless this could be done in conjunction with construction projects being done by Bacco or Burton.

Moved by Commissioner Munsell, supported by Commissioner Lynn

That the City Commission approve a Traffic Control Order allowing parking on the east side of Mission Street effective as soon as possible.

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

REPORT ON TOBACCO FREE PARKS:

At the August 2, 2010 City Commission meeting, the Commission heard a presentation from Clara James on behalf of the Building A Healthier Coalition regarding tobacco free parks. A similar presentation was made to the Community Services Board in June of 2010.

The Community Services Board recommended that the two indoor facilities, Pullar Stadium and Kaine's Rink be designated as "tobacco free". This goes beyond the state restriction, which is only dealing with tobacco that is smoked. A "tobacco free" policy for these facilities makes sense, since a fair amount of maintenance is created from the use of chewing tobacco in those facilities.

The Community Services Board also recommended that the full presentation be made to the City Commission so that the Commission could evaluate how they wanted to proceed with facilities. The City Commission referred this matter back to City Administration for a recommendation.

With the park facilities, any indoor space is "smoke free" as well as the Sault Seal Recreation Area and Project Playground. The Commission has previously designated those as "smoke free" locations. The recommendation of the Community Services Board would create a "tobacco free" (both tobacco that is smoked and tobacco that is chewed) for the Pullar Community Building and Kaine's Rink. Administration concurs with this recommendation from the Community Services Board for those two facilities.

The Sault Seal Recreation Area is posted for "No Smoking". This has worked relatively well. The Parks and Recreation Department has occasionally gotten a complaint about someone smoking, but this designation has not created any undo hardship from a departmental enforcement standpoint. The Commission may want to keep these facilities as "smoke free" or may want to make them "tobacco free", which would eliminate chewing tobacco and other forms of tobacco as well.

In the attached report from Dan Wyers, administration ranked the various other parks or types of parks, particularly looking at the exposure that children would have to tobacco facilities such as Malcolm Park, the Kid's Fishing Pond, the playgrounds, as well as portions of Sherman Park, including the beach and playground area at that location, have a high use by children. As was illustrated at the City Commission meeting, the disposal of cigarette butts is a major maintenance problem on the beach. This also puts cigarette butts in close contact with kids playing on the beach.

Park facilities such as the Sherman Park picnic area, Rotary Island, Aune-Osborn Park, the downtown mini parks, and Weber Park have a much smaller concentration of children utilizing those facilities.

Facilities such as the Aune-Osborn Campground, Sherman Park Campground, and the marina facilities are areas where visitors and seasonal users live. City Manager

Nebel did not think it would be appropriate to ban the use of tobacco in these types of facilities.

Moved by Commissioner Stefanski, supported by Commissioner Lynn

That the City Commission amend the motion and post as “tobacco free” Malcolm Park ball diamonds utilized by youth as determined by Parks and Recreation.

Motion carried unanimously.

Moved by Commissioner Stefanski, supported by Commissioner Lynn

That the City Commission post as “tobacco free” the Pullar Community Building, Kaine’s Rink, Sault Seal Recreation Area, Project Playground, Malcolm Park ball diamonds utilized by youth as determined by Parks and Recreation, the Kid’s Fishing Pond, the beach and playground area of Sherman Park, and miscellaneous playgrounds throughout the City as “tobacco free” allowing the use of tobacco in the remaining City parks, marinas, and campgrounds.

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

#### REPORT AND RECOMMENDATION ON INSTALLATION OF UNDERGROUND ELECTRICAL UTILITIES ON WATER STREET:

On Tuesday, August 10th, the City Commission met to consider putting conduit in the sidewalk on Water Street to facilitate the placement of electrical service underground to eventually eliminate the power poles and overhead electrical lines on Water Street. This was the result of the City recently being approached by Cloverland Electric Cooperative who has indicated a willingness to coordinate the eventual elimination of overhead lines from Water Street.

If the City wanted to place all the electrical on Water Street underground as part of the CSO Project, Cloverland has indicated a cost of approximately \$238,000, which would put the electrical underground from Johnston Street to Osborn. If the Commission wanted to just add the conduit at this time to facilitate the future burial of electrical service, the cost to the City would be approximately \$76,000.

Administration contacted AT&T and Charter Communications regarding placing their utilities underground. AT&T indicated cost of underground conduit less than \$10,000.00 and Charter Communications indicated cost of underground conduit at \$10,000.00.

Moved by Commissioner Munsell, supported by Commissioner Stefanski

That the City Commission proceed with the placement of electrical, phones, and cable conduits in Water Street from Johnston Street to Governor Osborn Boulevard at a cost not to exceed \$96,000.00 with the funds being appropriated from the street contingency fund for this work.

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

**MATTERS PRESENTED BY THE PUBLIC:**

None

**MATTERS PRESENTED BY THE CITY COMMISSION:**

Commissioner Stefanski inquired about maintenance on the bike path along the Business Spur.

Commissioner Munsell asked if the large pot hole on Foss Hill could be taken care of, and inquired about the wood chips at Project Playground.

Moved by Commissioner Lynn, supported by Commissioner Stefanski

That the meeting adjourn at 8:05 p.m.

Motion carried unanimously.

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