

A regular meeting of the City Commission was held in the Commission Room of the City Hall, 225 East Portage Avenue, Sault Ste. Marie, Michigan on Monday, April 17, 2017 at 7:00 p.m.

The meeting was called to order by Mayor Bosbous

Present: Mayor Bosbous, Commissioner Bauer, Gage, Gerrie, Lynn, Osterhout, Twardy

Absent:

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

Moved by Commissioner Gage, supported by Commissioner Gerrie

That item 5C. Announcement from Commissioner Osterhout be added to tonight's agenda.

Carried unanimously.

Mayor Bosbous presented a Proclamation declaring April as Sexual Assault Awareness Month.

### **CONSENT AGENDA:**

Moved by Commissioner Gage, supported by Commissioner Twardy

That the following consent agenda items be approved:

#### **Minute Approval:**

That the minutes of the regular City Commission meeting held on Monday, April 3, 2017 be approved as written and circulated and the minutes of the following boards and commissions received and placed on file:

- a. Economic Development Corporation – March 14, 2017
- b. Tax Board of Review – March 7, 13 and 14, 2017
- c. TIFA III – March 14, 2017

#### **Appointments and Resignations:**

That the City Commission confirm the Mayor's appointment of Steven Gerrish to the Existing Structures Board of Appeals to fill the Balance of a Term to Expire July 1, 2017 and have the Clerk send a Letter of Thanks to James Schaefer for his Service to the Board

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Special Orders of Business:

That the City Commission set a Public Hearing date on the confirmation of SL-1N-17 and SL-1W-17 for May 15, 2017

**SPECIAL ORDERS OF BUSINESS:**

**SUBMISSION OF THE CITY MANAGER'S RECOMMENDED BUDGET FOR THE 2017-2018 FISCAL YEAR AND THE 2018-2019 FISCAL YEAR:**

Section 8.2 of the City Charter provides that the City Manager will submit a budget to the City Commission on the third Monday in April of each year. Upon the receipt of the City Manager's proposed budget, the City Commission has traditionally reviewed the budget during at least one work session. For 2017, the dates of Tuesday, April 18, 2017, Wednesday, April 19, 2017 and Thursday, April 20, 2017 have been chosen for such work sessions, with the Wednesday, April 19, 2017 and Thursday, April 20, 2017 work sessions being held only if needed. All work sessions are scheduled for 4:15 p.m. on these dates.

Following the work session(s), the City Commission will meet on Monday, April 24, 2017 at 4:15 p.m. to reconcile any modifications to the recommended budget that are suggested during the budget work session(s). Thereafter, the City Commission will take action at its May 1, 2017 Regular Meeting to formally introduce and propose the reconciled budget for adoption. During its May 1, 2017 Regular Meeting, the Commission will also take action to schedule a public hearing for the May 15, 2017 Regular Meeting during which time public comments can be received regarding the budget and after which time the Commission may formally adopt the Fiscal Year 2017-2018 Budget.

It should be noted that with the continued implementation of a two year budget by City Administration, the City Commission would still only be taking action at its May 15, 2017 meeting to adopt the budget and associated appropriations for the 2017-2018 Fiscal Year in accordance with the City Charter and the General Appropriations Act whereas the budget appropriations for the 2018-2019 Fiscal Year would be approved on a projected basis.

Distributed budget materials include detailed budget worksheets for all of the City's operating funds; details for all capital equipment purchase requests; details for all capital project requests; and proposed water and sewer rates for the upcoming two fiscal years. The associated budget message will be distributed to the Commission and public by Monday, May 1, 2017. Finally, the City Commission will receive a proposed fee schedule that outlines the various fees that are charged by the City for various services (and any changes to the same).

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Moved by Commissioner Gerrie, supported by Commissioner Osterhout

That the City Commission formally receive the City Manager's proposed budget.

That the City Commission confirm the budget work session to be held on Tuesday, April 18, 2017 at 4:15 p.m. in the City Commission chambers and additional work sessions to be held, if needed, on Wednesday, April 19, 2017 and Thursday, April 20, 2017 at 4:15 p.m. in the City Commission Chambers as well as the Special Meeting to be held on Monday April 24, 2017 at 4:15 p.m. in the City Commission chambers to reconcile the budget for formal approval during the month of May 2017.

Carried: Yeas: Commissioner Bauer, Gage, Gerrie, Lynn, Osterhout,  
Twardy, and Mayor Bosbous  
Nays: None

### **COMMUNICATIONS:**

#### **FROM THE DOWNTOWN DEVELOPMENT AUTHORITY – AUTHORIZATION TO EXECUTE MAIN STREET AGREEMENTS:**

The Michigan Main Street Center has selected Sault Ste. Marie as a Select Level Main Street Community for the next five years, and requires that the City enter into a Community Requirements and Expectations Agreement, as well as a Trademark Sublicense Agreement.

The Sault Ste. Marie Downtown Development Authority will begin doing business as an official Main Street community, and adopting practices and principles coordinated by the National Trust for Historic Preservation and the National Main Street Center.

DDA Director Knepper presented on this topic further and explained its benefits to the City Commission and community.

Moved by Commissioner Bauer, supported by Commissioner Twardy

That the City Commission authorize the City Manager to execute the community requirements and expectations agreement and the trademark sublicense agreement.

Carried: Yeas: Commissioner Gage, Gerrie, Lynn, Osterhout, Twardy,  
Mayor Bosbous, and Commissioner Bauer  
Nays: None

#### **FROM LYNN WICKS – DISCUSSION ON TRELLIS/ARBOR ZONING REQUIREMENTS:**

Ms. Wicks withdrew her request to address the City Commission as the matter

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has been resolved at an administrative level.

From Commissioner Osterhout – Submission of Resignation:

Commissioner Osterhout submitted his resignation to the City Commission effective April 18, 2017.

City Attorney Cannello outlined the Charter provisions for filling the City Commissioner vacancy.

Moved by Commissioner Twardy, supported by Commissioner Bauer

That the City Commission accept applications to fill the unexpired term of Commissioner Osterhout which will be due by Friday, May 5, 2017 by 5:00 p.m.

Motion carried unanimously.

**CITY MANAGER'S REPORT:**

AWARD A CONTRACT FOR TREE PLANTING:

Sealed bids were solicited through the City's established purchasing policy to furnish, plant, maintain and provide a warranty on 84 trees of various sizes and species to be placed in the City's Right-of-Way. This is the first phase of a tree planting project that is being funded by the US Forest Service through a Great Lakes Restoration Initiative (GLRI) grant. The trees will be located in the Right-of-Way and/or in parks throughout the city.

The bids were opened on March 28, 2017

The results of the bid opening follow:

- K-Woz Landscaping (3290 E 9 Mile Road, Sault Ste. Marie, MI 49783) - \$49,078.00
- G&J Site Solutions (51811 Industrial Dr., Calumet, MI 49913) - \$68,880.00

Staff has confirmed with the Finance Department that there are no outstanding debts by the low bidder, K-Woz Landscaping, thus making them the lowest bidder meeting the requirements of the City.

Moved by Commissioner Twardy, supported by Commissioner Gage

That the City Commission award a contract to K-Woz Landscaping for the GLRI - Reforestation Project (Bid B-06-17), per the attached bid, in the amount of \$49,078.

Carried: Yeas: Commissioner Gerrie, Lynn, Osterhout, Twardy, Mayor

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Bosbous, Commissioner Bauer, and Gage  
Nays: None

AWARD OF BID FOR THE PURCHASE OF OPEN CHANNEL COMMUNUTOR:

On March 27, 2017, four sealed bids were received from three vendors for the purchase of Open Channel Communitator.

JWC Environmental of Santa Anna CA \$19,698.00 Est. Delivery Date: 8 Weeks  
ARO

Crane Engineering of Kimberly WI \$22,515.00 Est. Delivery Date: 6-8 weeks

JWC Environmental of Santa Anna CA \$23,369.00 Est. Delivery Date: 8 Weeks  
ARO

Rasmussen Electric of Carney MI 49812 \$24,656.00 Est. Delivery Date:  
5/22/2017

Three of the bids met the specifications. The low bidder meeting specifications was JWC Environmental, a leading manufacturer of comminutors. JWC Environmental also supplied an alternate bid with an electric motor that did not meet specifications. JWC Environmental local representative is Hamlett Environmental of Howell, MI.

Due to the unique installation, a replacement "in-kind" was requested in the specifications. DPW Director Moreau did not want to change the mounting system in the sewage inflow channel or the power supply requirements. The installation will be performed by the Wastewater Treatment staff.

The budgeted amount for this scheduled replacement is \$22,000.

DPW Director Moreau presented on this topic.

Moved by Commissioner Lynn, supported by Commissioner Twardy

That the City Commission authorize the purchase and Open Channel Comminutor from JWC Environmental of Santa Anna, CA for the price of \$19,698, being low bidder meeting specifications.

Carried: Yeas: Lynn, Osterhout, Twardy, Mayor Bosbous, Commissioner  
Bauer, Gage, and Gerrie  
Nays: None

AUTHORIZE A CONTRACT WITH RASMUSSEN ELECTRIC FOR SANITARY  
SEWER FLOW MONITORING SERVICES:

Despite the completion of the major sewer separation projects that the City has been working on since the mid-90's, the Wastewater Treatment Plant (WWTP) still

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experiences elevated flows during rain and thaw events. The suspected causes of these high flows are inflow and infiltration (I&I) into the sewer system, particularly the older portions of the system that were already separated. Potential sources of I&I are building footing drains that are connected to sewer lateral lines and open joints in sewers that allow ground water into the mains. There is also a chance that there are catch basins that are connected to the sewer system that the City is unaware of.

It is essential that the City determine these sources of I&I so it can both close the CSO outlets and lessen the future investment into WWTP improvements. Additionally, lessened flows to the plant will lower the City's operational costs.

City Administration is taking a two-pronged approach to determine the location of I&I sources; flow monitoring and televising. Both approaches will be funded by the S.A.W. grant. The flow monitoring will be performed first to determine general areas of high flows, when they occur, and their duration. We will use the flow monitoring information to select additional areas to televise.

The flow monitoring will consist of the placement of 4 flow meters in selected manholes throughout the collection system. The meters essentially shoot ultrasonic waves at the flow going through the manhole and measure the depth and speed of the flow. From this data, the meter calculates the flow and stores the data so it can be downloaded and analyzed. The flow meter locations (4 at a time) shall initially be at confluence points of large sewers and at the downstream area of suspected I&I locations. They will be relocated throughout the course of the flow monitoring to better determine the source areas.

Due to existing demands and the specialized skills needed to install and operate the flow meters, a RFP for professional services was released for the performance of this work. Unfortunately, there were no proposals received by the February 23rd cut-off date. On February 24th however, Rasmussen Electric of Green Bay, WI reached out to C2AE with a proposal after C2AE and City staff requested proposals from a number of firms. City staff subsequently negotiated a scope of work and fee with Rasmussen Electric that would include City staff performing some of the work, which was different from the scope of work stated in the RFP.

Rasmussen's proposal, for a total of \$22,100, will provide for the rental of 2 additional flow meters (the City already has two meters, purchased through the S-2 grant a few years ago), the installation and removal of the 4 meters, and service on the meters as needed. City staff will assist the contractor in this project and download data, lowering the overall cost.

City Engineer Basista presented on this topic.

Moved by Commissioner Gerrie, supported by Commissioner Osterhout

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That the City Commission approve a contract with Rasmussen Electric, LLC in the amount of \$22,100 for sanitary sewer flow monitoring services.

Carried: Yeas: Commissioner Osterhout, Twardy, Mayor Bosbous,  
Commissioner Bauer, Gage, Gerrie, and Lynn  
Nays: None

**APPROVAL OF A BUDGET FOR THE CITY'S SHARE OF MDOT'S I-75  
BUSINESS SPUR RECONSTRUCTION PROJECT:**

In 2013, the City Commission authorized a commitment to MDOT to fund the City's 25% share of the construction of a Roundabout at the I-75BS/Mackinaw Trail/3 Mile Rd. intersection. Subsequently \$100,000 per year has been set-aside within the Gaming Fund during the budget process (including FY 17/18 proposed budget) to reach the recommended set aside of \$500,000.

As Commissioners are aware MDOT plans to reconstruct the entire I-75 Business Spur from the northbound I-75 ramps to 10th Avenue along with the Roundabout project. It has been identified that City water & sewer utility work is necessary to repair and /or replace aged or defective infrastructure that is beneath the roadway as part of the Business Spur reconstruction. The televising of sewers to determine their condition will be taking place beginning April 17, and certain cast iron water main that crosses the Business Spur has been identified for replacement. The requested budget for the water/sewer repairs and/or replacement is \$125,000.

Additionally, in keeping with the City's "Complete Streets" resolution and goal for improved pedestrian safety, City administration recommends that sidewalk be installed along the Business Spur where there is none currently. The requested budget for new sidewalk is \$190,000 which, per City Ordinance, is 80% assessable to adjacent property owners, however based on discussions during the goal setting session, the budget assumes a 50% special assessment with the upfront assessment costs coming from Gaming. The Public Hearings process for the sidewalk special assessments are anticipated to begin this summer and conclude upon receipt of bids expected to take place in February 2018.

As mentioned above, the City has been setting aside \$100,000 per year since 2013 in anticipation of this project. In September of 2016, the City submitted an application to MDOT for Federal Local Agency Safety Funds for which the City received notice in March of this year that our application was approved for funding. The grant is for 90% of the City's share of eligible roundabout construction costs. MDOT's preliminary estimate of the City's 25% share used for the grant application was \$315,625 and with a built in contingency, the grant will be \$295,000.

Attached to this report is a financial source & use (S&U) form for the project that includes all of the City's estimated expenses associated with the project and funding

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sources. The expenses include the City's 25% share of the roundabout construction, water/sewer repair and/or replacements, sidewalk construction and associated engineering for the utility work and a contingency. MDOT will provide the design and inspection services for the roundabout and sidewalks and the City will have to provide design and construction inspection services for the utility work.

Additionally, the City has had preliminary discussions with MDOT regarding landscaping of the Roundabout. MDOT will include in the Roundabout costs a standard level of landscaping such as plants and bushes. The City is able to participate in the selection of the landscaping including possible public art or statue, lighting and signage that would present as a Gateway to the City. The budget includes \$75,000 for this MDOT non-participating Roundabout cost.

In addition to MDOT's I-75BS reconstruction and the City's sidewalk & utility work, MDOT has obtained funds to also resurface the existing Shared Use Path along the Business Spur as part of this project.

It should be noted that the total estimated investment in infrastructure for this project is around \$7 million with MDOT's investment being over \$6 million.

Construction is expected to take place from May to October of 2018.

City Engineer Basista presented on this matter.

Moved by Commissioner Osterhout, supported by Commissioner Gage

That the City Commission approve the budget for the City's share of MDOT's I-75 Business Spur Reconstruction Project in the amount of \$890,000 accepting a 90% Federal Grant of \$295,000 for the Roundabout and \$595,000 to come from the Gaming Fund.

Carried: Yeas: Commissioner Twardy, Mayor Bosbous, Commissioner Bauer, Gage, Gerrie, Lynn, and Osterhout  
Nays: None

AUTHORIZATION OF AN EXTENSION OF THE CURRENT AGREEMENT  
WITH THE SOO EALGES JUNIOR A HOCKEY CLUB FOR PULLAR COMMUNITY  
BUILDING FOOD CONCESSION:

In 2014 a request for proposals was advertised on the City website and sent to interested parties requesting bid proposals for the Pullar Community Building (Pullar) food concession operation. Subsequently the city commission accepted a proposal for this service from the Soo Eagles Junior A Hockey Club (Eagles). Please see attached current agreement.

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Under the current three (3) year agreement, the Eagles have provided the City of Sault Sainte Marie, visitors, citizens and ice users of the Pullar with a quality food service as well as a successful track record. Furthermore, the Eagles have successfully passed all health inspections and have complied with all local, state and federal laws. The Eagles are seeking a three (3) year extension with consideration for a rate reduction. The current three (3) year agreement is set to expire on June 30, 2017. Notably, the Eagles are offering a "new" continuous waitress service in the ADA section during the season when the concession is open to the public.

In 2014, the city commission took a similar action by extending Legends Advertising a two (2) year extension for advertising services at the Pullar. This two (2) year extension is set to expire on June 30, 2017 as well, however, will be going back out to public bid after five (5) years.

DPW Assistant/Parks Director Wyers presented on this matter.

Moved by Commissioner Twardy, supported by Commissioner Gerrie

That the City Commission extend the current food concession agreement at the Pullar for a period of two (2) additional operating seasons after June 30, 2017 with all current terms (including the same payment of \$4,150.00 annually) for up to two (2) additional seasons along with the new service to the ADA section as detailed.

Carried:        Yeas: Mayor Bosbous, Commissioner Bauer, Gage, Gerrie, Lynn, Osterhout, and Twardy  
                     Nays: None

AUTHORIZATION OF AN AGREEMENT WITH THE BIRD'S EYE ADVENTURES TO PROVIDE PADDLE SPORT RENTALS AT SHERMAN PARK AND ROTARY ISLAND PARK:

At the City Commission meeting of May 16, 2016, the city commission approved the concept of the proposal from Ken and Wilda Hopper (Bird's Eye Adventures) and authorized the City Manager to execute a one-year agreement regarding the purpose of providing a regular paddle sport (canoeing, kayaking and stand-up paddle boarding) rental service at Sherman Park and Rotary Island Park. The Army Corps. of Engineers did authorize this activity for Rotary Island Park for one year.

In return for the approval to park a 7' x 16' enclosed trailer for the summer season at each location noted within the proposal, Bird's Eye Adventures would clean and re-stock any newly developed areas on Voyageur Island Park. Please see attachment "Exhibit C" with a maintenance plan checklist of items that Bird's Eye Adventures would be responsible for. Bird's Eye Adventures would also report any structural concerns, suspicious activity or vandalism to the city in a timely manner.

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A formal request has been submitted to the Army Corps. of Engineers for final approval to utilize Rotary Island Park again and with an extended lease arrangement as attached. With supportive and positive success from last year, it is anticipated that approval should be forthcoming from the Army Corps. of Engineers.

Please see attached lease agreement which if approved would allow for this service to be provided on a yearly basis with the City having the option to extend this lease on a year to year basis up to an additional four (4) years.

DPW Assistant/Parks Director Wyers presented on this matter.

Moved by Commissioner Lynn, supported by Commissioner Bauer

That the City Commission approve the proposed lease with Ken and Wilda Hopper and authorize the City Manager to execute a lease agreement to provide a regular paddle sport rental service at Sherman Park and Rotary Island Park on a yearly basis with the city having the option to extend this lease on a year to year basis up to an additional four (4) years, with activities at Rotary Island Park being contingent upon continued approval from the Army Corp of Engineers.

Carried: Yeas: Commissioner Bauer, Gage, Gerrie, Lynn, Osterhout,  
Twardy, and Mayor Bosbous  
Nays: None

### **STATUS REPORT:**

#### Change in City Polling Locations Effective with the May 2, 2017 Election:

City Manager Turner gave an update on the change in polling locations.

#### Update on Community Meeting Hosted by The Woda Group, Inc.:

City Manager Turner announced a Community Meeting to be hosted by The Woda Group.

#### Construction Summit Update:

EDC Director Holt provided an update on the Construction Summit.

#### Concierge Program Progress Report:

EDC Director Holt provided an update on the progress of the concierge program.

### **MATTERS PRESENTED BY THE PUBLIC:**

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DDA Director Knepper announced the Autism Awareness Light up the Blue event this coming Friday at the Tower of History, Mainstreet Official Presentation on Thursday at Ramada Ojibway, and the Ben Daniels Band on Saturday evening at the Soo Theater.

Cliff Pattison, LSSU Student Liaison, recognized Commissioner Osterhout for his commitment to the City and wished him well. Mr. Pattison announced that this is his last City Commission meeting as he will be graduating from LSSU in April thanking the Commission for their support and announced the upcoming student government meeting.

**MATTERS PRESENTED BY THE CITY COMMISSION:**

Commissioner Lynn asked DPW Assistant/Parks Director for an update on the Pullar Scoreboard.

Commissioner Gage announced the upcoming LSSU Commencement Ceremony and commented on his attendance at the Economic Alliance Resource Alliance meeting.

Mayor Bosbous announced the R.W. Considine Hall Building Open House on Friday, April 21, 2017.

Moved by Commissioner Osterhout, supported by Commissioner Twardy

That the meeting adjourn at 8:32 p.m.

Motion carried unanimously.

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

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