

March 10, 2008

Regular meeting of the Ludington City Council held in the Council Chambers of the Municipal Building on Monday, March 10, 2008, at 7:30 o'clock p.m.

Present: His Honor, Mayor John Henderson, Councilors Kaye Holman, Paul Peterson, Grey Dykstra, Brent Scott, David Weston, Pete Enghlade, and Gary Castonia.

Absent: None.

Also present were City Manager John Shay, Police Captain Richard Pruneau, City Treasurer Mary Reeds-Mortensen, and Recording Secretary Rachelle Enbody.

Invocation was pronounced by Councilor Enghlade.

Pledge to the Flag was given.

Moved by Councilor Holman, seconded by Councilor Scott, that the agenda be approved as presented. Motion Carried.

The meeting was opened for public comments. After no comments were received, the regular order of business was resumed.

Moved by Councilor Castonia, seconded by Councilor Enghlade, that the minutes of the regular meeting held 2/25/08 be approved as printed. Motion Carried.

Robert Dickson, Director of the Mason County District Library, thanked Council for inviting him to talk about the library and for the opportunity to discuss the 2007 Annual Report. Mr. Dickson also distributed a brochure of Children's Activities for 2008, a newsletter for the "Just Imagine" fundraising campaign, and a donation form for the fundraiser. 2007 was the busiest year ever for the Ludington and Scottville Libraries. The "Just Imagine" fundraiser was launched in July of 2007 with the goal of expanding the Ludington Library by adding a 7,000 square foot addition for a Children's Library and Activity Center. The financial goal is to raise one million dollars, with between \$90,000.00 and \$100,000.00 raised so far. Dr. Kevin Pollock was named campaign chairman for the fundraising effort. WMOM Radio's annual golf classic will benefit the library expansion with celebrities that will be golfing including several retired members of the Detroit Tigers baseball team. Councilor Castonia asked if the computers at the library have filters with regards to internet access. Mr. Dickson replied that the grant funding received by the library requires the computers to have filters. Councilor Scott noted that Michigan has sixty-four Carnegie libraries (libraries built with a grant from Andrew Carnegie) and only twenty-five of those are currently being used as libraries and that he is delighted that Ludington has kept the history of its library building. His Honor Mayor Henderson thanked Mr. Dickson and noted the library expansion project is a great project for the community.

Moved by Councilor Holman, seconded by Councilor Peterson, that the Finance Report with total expenditures in the amount of \$376,024.10 for this period be approved and orders drawn according to the City Charter. Motion Carried.

ORDINANCE NO 177-08

An Ordinance to Approve a Contract or Lease.

THE CITY OF LUDINGTON ORDAINS:

Section 1: APPROVAL. Pursuant to Section 8.10 of the Charter of the City of Ludington, the City Council hereby approves the City Manager and City Clerk to enter into the attached service agreement with Tim Gillen, Inc. DBA Terrapin Networks at a cost of \$25,200 for 2008, and a 3% increase per year for the next two years.

Section 2: Severability: Should any provisions of this ordinance or any part thereof be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions hereof or of any other provisions of the City Code.

Section 3: Repeal: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4: Effective date: This ordinance shall be effective 20 days after publication.

Moved by Councilor Holman, seconded by Councilor Peterson, that Ordinance 177-08, be adopted.

Roll Call: Ayes: Councilors Holman, Peterson, Dykstra, Scott, Weston, Enghlade, and Castonia.

Nays: None. Motion Carried.

Moved by Councilor Scott, seconded by Councilor Dykstra, to approve amending the City's Personnel Policy to reflect that the City will provide Long-Term Disability coverage to all full-time, non-probationary employees (both non-union and union employees). Councilor Engblade stated that the disability coverage is an issue that the union should have to bargain for. This benefit was not brought up by the unions during the last bargaining session. He asked the Council to remember the times when the union employees received raises, while the non-union employees did not receive raises or received a smaller percentage than the union employees, and that the union employees already receive more than the non-union employees with regards to other benefits and allowances. Councilor Scott stated that at some point, the Personnel Committee felt that the unions may have to bargain for this benefit, but believed that providing this coverage was in the best interest of the employees. Councilor Weston agreed that this was a negotiable bargaining item. His Honor Mayor Henderson stated that for a yearly cost of \$5,500.00 for all employees, \$3,300.00 of which covers the union employees, that all employees are covered and it is a win for the City and a win for the employees.

Roll Call: Ayes: Councilors Peterson, Dykstra, Scott, and Castonia.

Nays: Councilors Holman, Weston, and Engblade. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Holman, to accept the Department of Public Works, Motor Pool, Cemetery and Parks 2007 Annual Report. Superintendent Shawn McDonald summarized the report and was available to answer questions. He explained the duties performed by his employees throughout the year, outlined upcoming Major and Local street projects, reviewed the sidewalk program, and gave a list of his employees that combined, have 235 years of experience. Budget figures were provided for each department. The report also included the State Highway Winter Maintenance Operations Guidelines Manual, the Pavement Surface Evaluation and Rating Manual, and an insert explaining the conditions that cause the formation of potholes. Mr. McDonald explained that the new software program provided by the State that will allow him to evaluate and rate all streets each year and provide the results to the City Council. Councilor Dykstra expressed his appreciation to the employees and said they all do a great job. He also asked how sidewalk replacements were determined in winter. Mr. McDonald stated that homeowners can put down ½ of the estimated replacement amount into an escrow account and the sidewalk will be evaluated in the spring. At that time the money from the escrow account will be used if the sidewalk needs to be replaced or returned to the homeowner if it does not. His Honor Mayor Henderson asked Mr. McDonald to extend thanks to all of his employees from the entire City Council. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Scott, to approve the low bid of \$107,820.00 from Jackson-Merkey Contractors for the Brye Road Booster Station bypass Project. The City will purchase a pressure reducing/pressure sustaining valve for a cost of \$6,555.00 and a portable pump for \$5,328.00, bringing the total construction cost to \$119,703.00, which is within the budgeted amount of \$120,000.00. Water Treatment Plant Superintendent Kurt Malzahn was available to answer questions. Mr. Malzahn stated that the City received five bids for this project. He met with Jackson-Merkey to make sure that they understood the scope of the bid. Councilor Holman asked if the City had worked with this contractor in the past. City Manager Shay stated that Jackson-Merkey did the new Lake Street lift station work, and the City was satisfied with their work performance. Motion Carried.

Moved by Councilor Engblade, seconded by Councilor Castonia, to approve the Countywide (MSHDA) Housing Administration Agreement. The Agreement is between the City of Ludington and Mason County and stipulates that the County would pay the City \$31,500.00 over the two year grant period to administer the grant. The City has been administering Mason County's program for the past two years and it has gone very well. Motion Carried.

RESOLUTION TO APPLY FOR PORT SECURITY GRANT FUNDS

WHEREAS, the Ludington Police Department, Community Development Department, and the Mayor of the City of Ludington have been attending Port Security meetings to identify and coordinate security practices in the Ludington Port; and

WHEREAS, there is federal grant funding available through the Port Securities Grant program to implement security needs including fencing, video-monitoring equipment, and K-9 bomb detection; and

WHEREAS, the City of Ludington can apply for 75% of the costs of security enhancements for several local entities within the City's jurisdiction with each agency contributing its matching 25% toward the project.

NOW, THEREFORE, BE IT RESOLVED that the Ludington City Council authorizes the City of Ludington to submit a grant application for Port Security Grant Funds in the amount of \$123,914.15.

Moved by Councilor Scott, seconded by Councilor Dykstra, to approve the foregoing Resolution. City Manager John Shay explained that the City, in partnership with the Dow Chemical Company and the Lake Michigan Carferry (LMC), will be using the funding to make security related enhancements to the Port of Ludington. The City plans to purchase a replacement harbor camera and to construct a portable dock along the seawall at Waterfront Park in order to allow smaller cruise ships access to the community. The current harbor camera is located on the carferry property and the City is having significant issues with the camera and it needs to be replaced. Dow plans to use the funds to install fencing at their location to increase security. LMC plans to purchase another canine for explosives

detection. The grant will pay 75% of the cost and the City's portion of 25% in matching funds amounts to \$12,138.75. Dow Chemical Company and Lake Michigan Carferry will each be required to provide their own 25% match for their portions. The City can allocate funds in the 2009 budget for these items (camera and dock). Councilor Peterson disliked the idea of adding a portable dock and thought it was a waste of taxpayers money due to the fact that there are no cruise ships coming to Ludington. City Manager Shay stated that the Chamber of Commerce and the Convention and Visitors Bureau are actively seeking cruise ships that wish to visit Ludington. Councilor Engblade asked if the dock is a requirement of the funding, and was told it is not required to receive the grant. Captain Pruneau stated that the dock would be necessary to handle the unloading of passengers. Motion Carried. Councilor Peterson opposed the approval of this Resolution.

His Honor Mayor Henderson informed everyone that construction on the Skate Plaza will begin again when weather permits and that they are still planning on a completion date of May or June.

Moved by Councilor Engblade, seconded by Councilor Castonia, that the meeting be adjourned. So carried at 8:35 p.m.

Rachelle D. Enbody, Recording Secretary