MAYOR
Rocky Gillis

COUNCIL MEMBERS

Michael Bembas
Ed Carter
Dawn Davey, Mayor Pro Tem

Cathy Harris
Wendy Meldrum
Jacob Skarbek

CITY OF ALGONAC
AGENDA FOR REGULAR CITY COUNCIL MEETING
Tuesday, November 4, 2025
6:00 p.m.

1) Call to Order
2) Roll Call
3) Moment of Silent Prayer
4) Pledge of Allegiance
5) Approve Agenda
6) Presentations
    a. Presentation of Bird Houses by Girl Scouts from Troop #70092
7) Public Comment
    **Limited to five (5) minutes per person. See information below.*
8) City Manager Report
9) Consent Agenda
    a. City Council Meeting Minutes
        1) Regular Meeting – October 21, 2025
10) Unfinished Business
11) New Business
    a. To approve Contract Extension for snow removal services at the Library and Water Treatment Plant.
    b. To approve Contract Extension for sidewalk snow removal services.
    c. To approve Algonac Swimming Pool Project Pay Application #10 (FINAL): $153,570.45.
    d. To adopt Authorizing Participation in the Southwater Municipal Utility Authority Wastewater Treatment Plant Improvements.

12) Accounts Payable

13) Items for Next Agenda

14) Council Comment

15) Adjournment

The Michigan Open Meetings Act provides that persons shall be permitted to address the meeting of a public body under the rules established by the public body.

Any person may address the Council once on any matter during Public Comment. All matters shall be addressed through the Chair and no person shall speak longer than five (5) minutes.

The Chair shall not permit abusive, slanderous, or profane remarks about any person. Nothing herein is intended to limit or restrain negative, positive, or neutral comment about the manner in which an individual, employee, officer, official or council member carries out his or her duties in public office or employment.

At the conclusion of a speaker's remarks, the Manager, Mayor, Council or City staff *may* answer, if deemed necessary. Neither the Manager, Mayor, Council nor City staff shall interrupt or engage in debate with speakers or other members of the public during Public Comment.

This notice is posted in compliance with PA267 of 1976 as amended (Open Meetings Act), MCLA 41.72a (2) (3) and the Americans with Disabilities Act. Individuals with disabilities requiring auxiliary aids or services should contact the City of Algonac City Clerk at P.O. Box 454, Algonac, Michigan 48001 or (810) 794-9361 x6 or cityclerk@cityofalgonac.org.

Item No: 6a
Meeting: 11.4.2025

Business of the Algonac City Council

Agenda Statement

Item Title: **Presentations**

Submitted by: Denice A. Gerstenberg, City Manager

Summary
There is one presentation tonight. No motions are needed to hear presentations.

Presentation of Bird Houses by Girl Scouts from Troop #70092

Girl Scout Troop #70092 leader, Ann Guldemond, and Cadettes Ava Thomas, Madelyn Thomas and Addison Williams will present three (3) of the bird houses they made for their project to earn The Girl Scout Silver Award.

The Girl Scout Silver Award is the highest award a Girl Scout Cadette can earn. It shows leadership, organization, determination and dedication to improving your community.

As required, the girls had to complete 8 tasks over a minimum of 50 hours. The tasks included planning a project that would benefit someone or something, and teaching another group to do it. For this, Cub Scout Pack #222 assisted with building the bird houses.

Nine (9) bird houses were built in all to be placed throughout the city. The Troop donated 3 bird houses to Ira Township, 3 to Clay Township and 3 to Algonac.

This is an extraordinary group of girls who used their knowledge and skills to provide a beautiful contribution to nature and for all to enjoy. We are so thankful for this and everything the Girl Scouts do that make our community a better place to live.

Item No: 9
Meeting: 11.4.2025

Business of the Algonac City Council

Agenda Statement

Item Title: **To approve the consent agenda**

Submitted by: Denice A. Gerstenberg, City Manager

Summary

The consent agenda contains the following items:

a) City Council Meeting Minutes
   1. Regular Meeting – October 21, 2025

Suggested Action:

MOVED BY: **SUPPORTED BY:**

RESOLVED, to approve the consent agenda as presented.

APPROVED/Denied

MAYOR
Rocky Gillis

COUNCIL MEMBERS

Michael Bembas	**Cathy Harris**
Ed Carter	**Wendy Meldrum**
Dawn Davey, Mayor Pro Tem	**Jacob Skarbek**

CITY OF ALGONAC
REGULAR CITY COUNCIL MEETING
Tuesday, October 21, 2025
6:00 p.m.

City Council Chambers, 805 St. Clair River Drive
Algonac, MI 48001
Proposed Minutes

Meeting called to Order
Mayor Gillis called the meeting to order at 6:00 p.m.

Roll Call
Present: Councilmembers Bembas, Carter, Davey, Gillis, and Harris.
Absent: Councilmembers Meldrum and Skarbek.
Others Present: City Manager Denice Gerstenberg, Fire Chief Joe Doan, and City Clerk Lisa Borgacz.

Motion by Harris, supported by Carter to excuse Councilwoman Meldrum and Councilman Skarbek. Motion carried.

Moment of Silent Prayer
Mayor Gillis called for a moment of silent prayer.

Pledge of Allegiance
Mayor Gillis led the Pledge of Allegiance.

Approve Agenda
Motion by Davey, supported by Carter to approve the agenda as presented. Motion carried.

Presentations
There were no presentations.

Public Comment
Eileen Tesch, 145 Channelsyde, commented on the search for a new City Manager, questioned the plans to update the wastewater treatment plant, and thanked Councilman Skarbek for taking responsibility for his banner.

Rose Rumball, 146 Kenyon, owns Steam Health & Fitness Programs LLC and asked for a meeting to discuss a program to provide fitness for seniors at the Activity Center.

City Manager's Report
There was no report.

Consent Agenda
Motion by Carter, supported by Harris to approve the consent agenda as presented:

a. City Council Meeting Minutes
   1) Regular Meeting – October 7, 2025
b. Departmental Reports
   1) Blight Enforcement
   2) Building
   3) DPW
   4) Finance
   5) Fire Department
   6) Water Department
c. Communications & Notices
   1) Boards & Commissions Roster
   2) Housing Commission Minutes – August 18, 2025
d. Miscellaneous Business

Motion carried.

Unfinished Business
None
New Business

To ADOPT amendment to Chapter 44 "UTILITIES" by adding Article IV "STORMWATER MANAGEMENT".
Motion by Davey, supported by Bembas to ADOPT amendment to Chapter 44 "UTILITIES" by adding Article IV "STORMWATER MANAGEMENT".

Roll Call
Ayes: Bembas, Carter, Davey, Gillis, Harris
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To ADOPT amendment to Chapter 32 "SOLID WASTE" Article I "In General", Section 1 'POLLUTING PUBLIC SPACES" Subsection (A) to change violations of the ordinance from Municipal Civil Infractions to Misdemeanors by adding Subsection (C).
Motion by Carter, supported by Davey to ADOPT amendment to Chapter 32 "SOLID WASTE" Article I "In General", Section 1 'POLLUTING PUBLIC SPACES" Subsection (A) to change violations of the ordinance from Municipal Civil Infractions to Misdemeanors by adding Subsection (C).

Roll Call
Ayes: Carter, Davey, Gillis, Harris, Bembas
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve payment to Salski Construction for Algonac Activity Center.
Motion by Davey, supported by Carter to approve payment to Salski Construction LLC, whose address is 3903 Pine Grove Avenue, Fort Gratiot, MI 48059 for work performed at the Algonac Activity Center in the total amount of $91,680.91.

Roll Call
Ayes: Davey, Gillis, Harris, Bembas, Carte,
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve Water Plant Actuator Replacement Phase II.
Motion by Bembas, supported by Davey to approve purchase of valves, actuator, tubing and fittings in the amount of $78,000 from Cornerstone Controls, Inc., whose address is 14789 Keel Street, Plymouth, MI 48170; purchase of positioner in the amount of $13,500 from Midwest Power Systems, whose address is 2401 Hickory Oak, Milford, MI 48380; engage computer program integration services from UIS SCADA, whose address is 2290 Bishop Circle East, Dexter, MI 48130, plus an additional 5% contingency of $5,000 for a total estimated project cost of $99,800.00.

Roll Call
Ayes: Gillis, Harris, Bembas, Carter, Davey
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve cleaning services for Algonac Activity Center.

Motion by Carter, supported by Davey to approve invoice for cleaning services for the Algonac Activity Center with M.C. Shine Cleaning & Restoration Service, whose address is 3841 Pine Grove, Fort Gratiot, MI 48059 in the amount of $44,865.26.

Ayes: Harris, Bembas, Carter, Davey, Gillis
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve Water Plant Annual Air Compressor Maintenance.
Motion by Carter, supported by Harris to approve the bi-annual Water Plant Air Compressor Annual Maintenance Service with Brehob, whose address is 1441 Combermere, Troy, MI 48083 in the total amount of $8,227.00.

Ayes: Bembas, Carter, Davey, Gillis, Harris
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve Water Filtration Plant Generator Battery Replacement.
Motion by Davey, supported by Harris to approve Water Filtration Plant generator battery replacement from Ruemenapp's Repair, whose address is 8320 Broadbridge Road, Fair Haven, MI 48023 in the amount of $1,911.21.

Ayes: Carter, Davey, Gillis, Harris, Bembas
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve Algonac-Clay Library Landscape Services.
Motion by Carter, supported by Harris to approve Algonac-Clay Library landscape services by D&E Landscaping & Grading, Inc., whose address is 69620 Lowe Plank, Richmond, MI 48062 in the amount of $1,484.00.

Ayes: Davey, Gillis, Harris, Bembas, Carter
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve Southwater Municipal Utility Authority (SMUA) Board Appointment.
Motion by Bembas, supported by Davey to appoint Charles Bayly as the Algonac board member to the Southwater Municipal Utility Authority Board

for a partial-term starting October 21, 2025 and ending June 30, 2027. Motion carried.

To approve full-service Supplementation Subscription for city codes with CivicPlus (formerly Municode).
Motion by Davey, supported by Harris to approve the full-service Supplementation Subscription for city codes with CivicPlus, LLC, whose address is PO Box 737311, Dallas, TX 75373-7311 in the amount of $2,320.50.

Ayes: Gillis, Harris, Bembas, Carter, Davey
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

To approve Annual Workers' Compensation Audit.
Motion by Bembas, supported by Carter to approve Annual Workers' Compensation audit by Accident Fund Insurance Company of America whose address is PO Box 734928, Chicago, IL 60673-4928 in the amount of $1,785.00.

Ayes: Harris, Bembas, Carter, Davey, Gillis
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

Accounts Payable
Motion by Carter, supported by Harris to approve accounts payable and payroll in the amount of $858,159.47.

Roll Call
Ayes: Bembas, Carter, Davey, Gillis, Harris
Nays: None
Absent: Meldrum, Skarbek

Motion carried.

Items for Next Agenda
- Southwater Municipal Utility Authority Resolution
- Final payment for community pool

Council Comment
Bembas

Thanked everyone, especially the DPW and Fire Department, for helping with the Halloween in the 'Nac event Saturday.

Carter
Said the Halloween in the 'Nac event was a great time, witches were awesome and music was good.

Davey
Halloween in the 'Nac was a lot of fun. She addressed previous comments made, and explained that the city is not using the Michigan Municipal League (MML) to conduct an executive search; they are only posting the job on the MML website. Regarding the Southwater Municipal Utility Authority, the Authority is completely separate from the city. City Council can't approve or disapprove the actions of the Authority.

Harris
Said the Halloween in the 'Nac was fun, and announced the Algonac-Clay Historical Society's Annual Spaghetti Dinner fundraiser on Tuesday, October 28th from 4:30-7:00 pm at St. Catherine's Activity Center.

Gillis
Halloween in the 'Nac was a blast. New this year was a costume swap table. The table will be in the lobby at City Hall until Halloween for anyone who needs a costume or wants to donate a costume. Halloween day, the Trunk or Treat will be at 5pm at Smith Field, and the bonfire will begin at 7pm.

Adjournment
Motion by Harris, supported by Davey to adjourn the meeting at 6:30 p.m. Motion carried.

Signed _______________________; respectfully submitted _______________________
Mayor Rocky Gillis City Clerk Lisa Borgacz

Item No: 11a
Meeting: 11.4.2025

Business of the Algonac City Council

Agenda Statement

Item Title: **To approve Contract Extension for snow removal services at the Library and Water Treatment Plant.**

Submitted by: Joe Vernier, DPW Foreman

Summary
This 3-year contract for snow removal at the Algonac Public Library and Water Treatment Plant was approved October 18, 2022.

Maple Landscaping is the current city contractor. Administration has been satisfied with the work they have performed and recommends a 1-year contract extension as permitted by the current contract.

Suggested Action:

MOVED BY: **SUPPORTED BY:**

RESOLVED, to approve contract extension for snow removal services at the Library and Water Treatment Plant by Maple Landscaping, whose address is 6123 King Road, Marine City, MI 48039 for a one-year period from October 18, 2025, to October 18, 2026, and direct the City Manager to sign the contract on behalf of the city.

APPROVED/Denied

Independent Contractor Agreement for Providing Snow Removal Services

Service term: October 25, 2025 – October 25, 2026
Municipal Parking Lots

This contract and agreement made and entered into the 28th day of October, 2025 by and between the City of Algonac and Contractor on the following terms.

1. Contractor shall perform snow removal services at the following properties on a basis of snow accumulation of 2" or more or on as needed basis to be determined at the sole discretion of the City of Algonac.

   - The Algonac Public Library, 2011 St Clair River Dr., Algonac, MI 48001
   - The Algonac Water Treatment Plant, 1530 St Clair River Dr., Algonac, MI 48001

   Contractor shall furnish all personnel, labor, equipment, and all other items necessary called for and described for in this agreement at its own expense. For purposes of this agreement, the following individuals are authorized to adjust snow removal services:

   - DPW Foreman Joe Vernier or his designee.

Conditions Requiring Snow Removal

The contractor shall be responsible for snow clearing operations as the following conditions develop:

- Snow plowing occurs with 2" or more of accumulation.
- Snow plowing will not limit customers or employees from entering/exiting the facility.
- City walks, entrances and abutting sidewalks at the library will be cleared of snow and salted with each plow or as directed.
- Snow plowing shall be completed before 7 a.m. for any overnight snow event.
- During a continuous snow fall, maintenance plowing will be required to allow the facility to stay open and clean-up shall be completed when the snow event has ceased.
- Water department personnel will apply salt to sidewalks and entrances/exits of the water treatment plant.

2. The City of Algonac agrees to pay Contractor for their services at the Algonac/Clay Library a sum of $62.00 per 2" to 4.9" accumulation, $83.00 per 5" to 7.9" accumulation $90.00 per 8" or above accumulation. Also, $58.00 for salt application per occurrence.
3. The City of Algonac agrees to pay Contractor for their services at the Algonac Water Plant a sum of $55.00 per 2" to 4.9" accumulation, $70.00 per 5" to 7.9" accumulation $80.00 per 8" or above accumulation. Also, $30.00 for salt application per occurrence.
4. Contractor shall not assign or sublet the whole or part of the work without written consent of the City of Algonac.
5. Contractor shall protect its employees, subcontractors and the public generally or/and member thereof, effectually from and against any and all claims, losses, damages, injury

and liability, however caused, resulting from, arising out of, or in any way connected with the work to be performed under this contract, or thereafter. Contractor shall be responsible for and shall save harmless the City of Algonac as to any and all claims, loss, liability, however caused, injury, costs, expenses, and damages that the City of Algonac may have to pay in consequence of negligence on the part of Contractor, as well as its agents, workmen, and or subcontractors. Contractor shall also be responsible for and shall save the City of Algonac harmless as to all damages, costs and expenses said City of Algonac may have to pay to any person, firm, or corporation in consequence if any acts or doings or neglect of Contractor or any of their agents, employees and/or subcontractors.

6. Contractor shall be responsible for obtaining and maintaining, at its own expense, all licenses and certification required by the State of Michigan and all contractor insurance required by the City of Algonac to perform said services upon request to do so.
7. The City of Algonac is not entering into an exclusive arrangement with Contractor and reserves the right to use other entities and individuals to perform snow removal or related services.
8. This agreement shall remain in effect from October 25, 2025 until July 1, 2026. An option to extend this agreement for a period of one (1) year will be considered by October 31, 2026. However, this agreement may be terminated earlier should either party provide written notice seven (7) days prior to the termination.

Owner
City of Algonac

By: ____________________

Title: ____________________

Date: ____________________

Contractor
Maple Landscaping & Lawn Service LLC

By: Tonya Stier

Title: Office Manager

Date: 10·28·2025

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/28/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Davis-Vandenbossche Agency 51180 Bedford St New Baltimore MI 48047	CONTACT NAME: Stephanie Hoban PHONE (A/C, No, Ext): (586) 716-2990 FAX (A/C, No): E-MAIL ADDRESS: shoban@dvainsurance.com
INSURED Maple Landscaping & Lawn Service LLC 6123 King Rd Marine City MI 48039-1402	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Frankenmuth Insurance Co	13986
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 25/26 Master COI **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC OTHER:			6681532	04/13/2025	04/13/2026	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 1,000,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
							LCLPL	$
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			6681531	04/13/2025	04/13/2026	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
							PIP-Broadened or named	$
A	X UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10,000			6681532	04/13/2025	04/13/2026	EACH OCCURRENCE	$ 1,000,000
							AGGREGATE	$ 1,000,000
								$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		6681530	04/13/2025	04/13/2026	PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

All operations in the State of Michigan are subject to the terms and conditions of the policies issued above.

CERTIFICATE HOLDER	CANCELLATION
City of Algonac 805 St Clair River Dr Algonac MI 48001	**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.** AUTHORIZED REPRESENTATIVE

Item No: 11b
Meeting: 11.4.2025

Business of the Algonac City Council

Agenda Statement

Item Title: **To approve Contract Extension for sidewalk snow removal services.**

Submitted by: Joe Vernier, DPW Foreman

Summary
This contract is for on-demand snow removal services at properties non-compliant with the city blight ordinance. City Council approved the 3-year contract October 18, 2022.

Mowing Madness is the current city contractor. Administration has been satisfied with the work they have performed and recommends a 1-year contract extension, as permitted by the contract.

Suggested Action:

MOVED BY: **SUPPORTED BY:**

RESOLVED, to approve on-demand sidewalk snow removal services by Mowing Madness, whose address is 5059 Pointe Tremble Road, Clay Township, MI 48001 for the period October 18, 2025 to October 18, 2026 as presented and direct the City Manager to sign the contract on behalf of the city.

APPROVED/Denied

Independent Contractor Agreement for Providing Snow Removal Services

Service term: October 18, 2025 – October 18, 2026 – 1 year
Sidewalks

This contract and agreement made and entered into the 27 day of October 2025 by and between the City of Algonac and Contractor on the following terms.

1. Contractor shall perform sidewalk snow removal services on an on-demand basis to be determined at the sole discretion of the City of Algonac.

   Contractor shall furnish all personnel, labor, equipment, and all other items necessary called for and described for in this agreement at its own expense. For purposes of this agreement, the following individuals are authorized to adjust sidewalk snow removal services:

- City Manager Denice Gerstenberg
- Zoning Enforcement Officer Lori Warner

<u>**Conditions Requiring Sidewalk Snow Removal**</u>
The contractor shall be responsible for snow removal operations as an on-demand basis.

1. The City of Algonac agrees to notify Contractor with a list of the properties that need snow removed after a snow event. Contractor must have snow and ice removed within twenty-four (24) hours of notification.
2. The City of Algonac agrees to pay Contractor the sum of $115.00 without salt and $175.00 with salt for snow removal per 50 feet of sidewalk per occurrence in the first year. City of Algonac agrees to pay Contractor the sum of $120 without salt and $180 with salt for snow removal per 50 feet of sidewalk per occurrence in the second year. City of Algonac agrees to pay Contractor the sum of $125 without salt and $185 with salt for snow removal per 50 feet of sidewalk per occurrence in the third year of the contract. Payment will be made twice a month by approval of City Council.
3. Contractor shall not assign or sublet the whole or part of the work without written consent of the City of Algonac.
4. Contractor shall protect its employees, subcontractors and the public generally or/and member thereof, effectually from and against any and all claims, losses, damages, injury and liability, however caused, resulting from, arising out of, or in any way connected with the work to be performed under this contract, or thereafter. Contractor shall be responsible for and shall save harmless the City of Algonac as to any and all claims, loss, liability, however caused, injury, costs, expenses, and damages that the City of Algonac may have to pay in consequence of negligence on the part of Contractor, as well as its agents, workmen, and or subcontractors. Contractor shall also be responsible for and shall save the City of Algonac harmless as to all damages, costs and expenses said City of Algonac may have to pay to any person, firm, or

5. corporation in consequence if any acts or doings or neglect of Contractor or any of their agents, employees and/or subcontractors.
6. Contractor shall be responsible for obtaining and maintaining, at its own expense, all licenses and certification required by the State of Michigan and all contractor insurance required by the City of Algonac to perform said services upon request to do so.
7. The City of Algonac is not entering into an exclusive arrangement with Contractor and reserves the right to use other entities and individuals to perform snow removal or related services.
8. This agreement shall remain in effect from October 18, 2025 until October 18, 2026. An option to extend this agreement for the period of one (1) year will be considered by October 31, 2026. However, this agreement may be terminated earlier should either party provide written notice seven (7) days prior to the termination.

Owner City of Algonac	Contractor Mowing Madness Lawn and Landscape LLC
By: ____________________	By: ____________________
Title: ____________________	Title: Owner
Date: ____________________	Date: 10/27/25

Item No: 11c
Meeting: 11.4.2025

Business of City Council

Agenda Statement

Item Title: **To approve Algonac Swimming Pool Project Pay Application #10 (FINAL): $153,570.45.**

Submitted by: Denice A. Gerstenberg, City Manager

Summary
Attached is Pay Application #10 for the Algonac Pool Project. Architect George J. Hartman reviewed the application for accuracy of accounting and construction completion percentages. Previous payments are noted below:

11/19/2024	Pay Application #1	$175,977.00
12/17/2024	Pay Application #2	$184,011.30
01/07/2025	Pay Application #3	$192,358.89
03/18/2025	Pay Application #4	$ 63,000.00
04/15/2025	Pay Application #5	$333,781.83
06/03/2025	Pay Application #6	$727,454.45
07/15/2025	Pay Application #7	$282,998.99
08/19/2025	Pay Application #8	$453,572.25
10/07/2025	Pay Application #9	$404,683.94

City Council awarded this project on August 20, 2024, to low bidder, Robert Clancy Contracting, Inc. The city was successful in receiving a Michigan Natural Resources Trust Fund grant of $300,000, a Michigan Economic Development Corporation Revitalization & Placemaking grant of $400,000 and $1,000,000 from Senator Kevin Hertel to assist with the funding of this project.

As noted in the attached letter dated October 27, 2025,it is suggested that the city comply with the architects' recommendation to hold the check until all project closeout documents, i.e. unconditional waivers, testing reports, owner manuals are delivered and repair work (pool room heater, Vortex system issues) completed.

Suggested Action

MOVED BY: **SUPPORTED BY:**

RESOLVED, to approve Algonac Swimming Pool Project Pay Application #10 (FINAL) to Robert Clancy Contracting, whose address is 9342 Marine City Highway, Casco, MI 48047, in the amount of $153,570.45.

APPROVED/Denied

George J. Hartman Architects, P.C.
6905 Telegraph Road • Suite 101
Bloomfield Hills • Michigan • 48301
248-258-5811 • fax 248-258-5812

October 27, 2025

Ms. Denice Gerstenberg, City Manager
City of Algonac
805 St. Clair Drive
Algonac, MI 48001

Re: Algonac Pool Project
Robert Clancy Contracting, Inc.
Payment Application #10 - FINAL

Dear Ms. Gerstenberg,

Attached with this letter is Robert Clancy Contracting, Inc. Payment Application #10 for the City of Algonac Pool Project. This application is the final application for the pool project and is for the balance of retention held on the project ($148,570.45) and the $5,000.00 reduction in payment on Application #8 for incomplete work by Vortex on the splash pad.

The payment application has been reviewed for accuracy of accounting and the balance owed on the contract payment amount. The percentage of work complete and the payment amount requested for each category of work is shown on the Continuation Sheet which is the second, third and fourth pages of the application. The last sheet is a sworn statement provided by Clancy Contracting to validate the payment request as it pertains to sub-contractors and suppliers. This payment application has been certified in the amount of $153,570.45.

My recommendation is to place this item on the Council agenda for approval and check preparation, but do not release the check to Robert Clancy Contracting, Inc. until all project closeout documents are delivered to GHA and repair work is completed.

Here is a list of required closeout documents:

- Full Unconditional Waivers from any subs or suppliers not previously submitted. A partial submittal of waivers was received with this application.
- Warranties and guaranties. Substantial completion date for warranties and guaranties was July 15, 2025 for all equipment and materials except the sump pumps and pool heater which will be the date these items were fully operational.
- Guaranty on concrete walk at upper entry to pool house that has non-structural hairline cracks.
- Submit testing reports not previously submitted.
- Submit record documents of any significant deviations from plans.
- Submit owner manuals for pool equipment room equipment such as room heater, exhaust fan, sump, lighting controls and similar items. Manuals for the pool equipment and pool fixtures was delivered to the City several weeks ago.

Some additional items:

- The room heater in the pool equipment room is not functioning.
- The Vortex System has never been properly connected to the pump starter switch.
- It has been requested that Vortex provide a tool to remove the water jets in the splash pad features so the City can clean them if they become clogged with debris.

- The plastic fencing that was placed around the lower stair gate for security has been damaged by vandals. The fence contractor has been requested to replace this with a more secure product to prevent tampering with the security gate.

Once I receive the remaining closeout documents, I will forward to you for your records. When the repair work and document submittals are complete, I will notify you to release the final payment check to Clancy.

Please contact me if you have any questions on these documents.

Sincerely,

GEORGE J. HARTMAN ARCHITECTS, P.C.

George J. Hartman, R.A.
President

Att.: Robert Clancy Contracting, Inc. Payment Applications #10

APPLICATION AND CERTIFICATION FOR PAYMENT

TO: City of Algonac
805 St. Clair Drive
Algonac, MI. 48001

PROJECT: Algonac Community Outdoor Pool & Equipment Room
1833 Michigan St
Algonac, MI 48001

APPLICATION #: 10
INVOICE #: 12987
PERIOD TO: 9/15/2025
PROJECT #
CONTRACT DATE: 8/20/2024

Distribution to:
[ ] OWNER
[ ] ARCHITECT
[X] CONTRACTOR
[ ]
[ ]

FROM CONTRACTOR:
Robert Clancy Contracting, Inc.
9342 Marine City Hwy.
Casco Twp., MI. 48064

VIA ARCHITECT:

CONTRACT FOR: **Remove & Replace Community Swimming Pool, Build Equipment Room Addition**

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM $ 2,924,301.00
2. Net change by Change Orders $ 47,108.10
3. CONTRACT SUM TO DATE (Line 1 ± 2) $ 2,971,409.10
4. TOTAL COMPLETED & STORED TO DATE (Column G on Cont Sheet) $ 2,971,409.10
5. RETAINAGE:
   a. 0 % of Completed Work (Column D + E on Cont Sheet) $ 0.00
   b. ___ % of Stored Material (Column F on Cont Sheet) $ ______
   Total Retainage (Lines 5a + 5b or Total in Column I of Cont Sheet) $ 0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) $ 2,971,409.10
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) $ 2,817,838.65
8. CURRENT PAYMENT DUE $ 153,570.45
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) $ 0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	$73,073.10	$25,965.00
Total approved this Month	$0.00	$0.00
TOTALS	$73,073.10	$25,965.00
NET CHANGES by Change Order	$47,108.10	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: Robert G Clancy Date: 10-27-25

State of: Michigan County of: St. Clair
Subscribed and sworn to before me this 27th day of October 2025
Notary Public: Joan M. Bowen
My Commission expires: February 10, 2031

JOAN M. BOWEN
NOTARY PUBLIC, STATE OF MI
COUNTY OF ST. CLAIR
MY COMMISSION EXPIRES Feb 10, 2031
ACTING IN COUNTY OF St. Clair

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ....$ $153,570.45

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: [signature] Date: 10.27.25

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

APPLICATION NO: **10**
APPLICATION DATE: **10/6/2025**
PERIOD TO: **9/15/2025**
ARCHITECT'S PROJECT NO:
Algonac Community Swimming Pool & Equipment Room

Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D & E)	TOTAL COMPLETED AND STORED TO DATE	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
ITEM	DESCRIPTION OF WORK	SCHEDULED	WORK COMPLETED		MATERIALS	TOTAL	%	BALANCE	RETAINAGE
	Division # 1								
1	General Conditions	$558,898.00	$558,898.00	$0.00	$0.00	$558,898.00	100.00%	$0.00	$0.00
	Division # 3								
2	Concrete Slab	$35,617.00	$35,617.00	$0.00	$0.00	$35,617.00	100.00%	$0.00	$0.00
3	Concrete Site Work	$92,651.00	$92,651.00	$0.00	$0.00	$92,651.00	100.00%	$0.00	$0.00
4	Footings	$198,434.00	$198,434.00	$0.00	$0.00	$198,434.00	100.00%	$0.00	$0.00
5	Precast Balance Tank	$35,000.00	$35,000.00	$0.00	$0.00	$35,000.00	100.00%	$0.00	$0.00
6	Precast Slab	$25,000.00	$25,000.00	$0.00	$0.00	$25,000.00	100.00%	$0.00	$0.00
7	Supply Base for Concrete Ramps	$8,000.00	$8,000.00	$0.00	$0.00	$8,000.00	100.00%	$0.00	$0.00
	Asphalt								
8	Asphalt	$5,800.00	$5,800.00	$0.00	$0.00	$5,800.00	100.00%	$0.00	$0.00
	Division # 4								
9	Masonry	$67,563.00	$67,563.00	$0.00	$0.00	$67,563.00	100.00%	$0.00	$0.00
	Division # 5								
10	Beams	$2,274.00	$2,274.00	$0.00	$0.00	$2,274.00	100.00%	$0.00	$0.00
11	Railings	$185,269.00	$185,269.00	$0.00	$0.00	$185,269.00	100.00%	$0.00	$0.00
12	Dumpster Gate & Post	$6,969.00	$6,969.00	$0.00	$0.00	$6,969.00	100.00%	$0.00	$0.00
	Division # 7								
13	Waterproofing	$4,000.00	$4,000.00	$0.00	$0.00	$4,000.00	100.00%	$0.00	$0.00
14	Gutters	$2,922.00	$2,922.00	$0.00	$0.00	$2,922.00	100.00%	$0.00	$0.00
	Division # 8								
15	Doors	$11,000.00	$11,000.00	$0.00	$0.00	$11,000.00	100.00%	$0.00	$0.00
16	Windows	$1,000.00	$1,000.00	$0.00	$0.00	$1,000.00	100.00%	$0.00	$0.00
	Division # 9								
17	Paint	$5,500.00	$5,500.00	$0.00	$0.00	$5,500.00	100.00%	$0.00	$0.00
	Division # 14								
18	Pool	$1,280,000.00	$1,280,000.00	$0.00	$0.00	$1,280,000.00	100.00%	$0.00	$0.00
	Division # 22								
19	Plumbing	$73,367.00	$73,367.00	$0.00	$0.00	$73,367.00	100.00%	$0.00	$0.00
	Division # 23								
20	HVAC	$32,000.00	$32,000.00	$0.00	$0.00	$32,000.00	100.00%	$0.00	$0.00
	GRAND TOTALS	**TOTALS ON CONTINUATION PAGE # 3**							

CONTINUATION SHEET

APPLICATION NO: 10
APPLICATION DATE: 10/6/2025
PERIOD TO: 9/15/2025
ARCHITECT'S PROJECT NO:
Algonac Community Swimming Pool & Equipment Room

Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D & E)	TOTAL COMPLETED AND STORED TO DATE	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
ITEM	DESCRIPTION OF WORK	SCHEDULED	WORK COMPLETED		MATERIALS	TOTAL	%	BALANCE	RETAINAGE
	Division # 26								
21	Electrical	$112,837.00	$112,837.00	$0.00	$0.00	$112,837.00	100.00%	$0.00	$0.00
	Install Electrical Service by DTE with Transformer								
22	DTE Service	$80,000.00	$80,000.00	$0.00	$0.00	$80,000.00	100.00%	$0.00	$0.00
	Division # 32								
23	Underground & Demolition	$85,200.00	$85,200.00	$0.00	$0.00	$85,200.00	100.00%	$0.00	$0.00
24	Landscaping	$15,000.00	$15,000.00	$0.00	$0.00	$15,000.00	100.00%	$0.00	$0.00
25	~~COR # 1 - Gas System Installation Change: upgrade to a 2 pound meter & install regulators~~ VOID								
26	CO # 2 REV 1 - Remove & replace existing concrete footing	$25,569.10	$25,569.10	$0.00	$0.00	$25,569.10	100.00%	$0.00	$0.00
27	CO # 3 REV 1 - Sanitary Sewer Reroute	$16,950.00	$16,950.00	$0.00	$0.00	$16,950.00	100.00%	$0.00	$0.00
28	CO # 4 REV 1 - Exploratory excavation	$2,500.00	$2,500.00	$0.00	$0.00	$2,500.00	100.00%	$0.00	$0.00
29	~~COR # 5 - Alternate fence Installation~~ VOID								
30	CO # 6 REV 1 - ~~Balance tank relocation -~~ Credit for smaller balance tank approved	($2,000.00)	($2,000.00)	$0.00	$0.00	($2,000.00)	100.00%	$0.00	$0.00
31	CO # 7 REV 1 - Addt'l painting of existing building per drawing dtd 3-31-2025	$21,600.00	$21,600.00	$0.00	$0.00	$21,600.00	100.00%	$0.00	$0.00
32	COR # 8 Rev 1 - Fencing Revision: Option # 1-Base bid deduct from original contract	($23,965.00)	($23,965.00)	$0.00	$0.00	($23,965.00)	100.00%	$0.00	$0.00
	GRAND TOTALS	TOTALS CONTINUED ON NEXT PAGE							

CONTINUATION SHEET

APPLICATION NO: 10
APPLICATION DATE: 10/6/2025
PERIOD TO: 9/15/2025
ARCHITECT'S PROJECT NO:
Algonac Community Swimming Pool & Equipment Room

Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D & E)	TOTAL COMPLETED AND STORED TO DATE	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
ITEM	DESCRIPTION OF WORK	SCHEDULED	WORK COMPLETED		MATERIALS	TOTAL	%	BALANCE	RETAINAGE
33	COR # 9 - Addt'l electrical work for 3 HP pump to run water features	$6,454.00	$6,454.00	$0.00	$0.00	$6,454.00	100.00%	$0.00	$0.00
34	~~COR # 10 - Boiler work REJECTED~~								
35	~~COR # 11 - Supply and install fuel for temporary generator 7/1/25-7/7/25 - REJECTED~~								
	GRAND TOTALS	$2,971,409.10	$2,971,409.10	$0.00	$0.00	$2,971,409.10	100.00%	$0.00	$0.00

SWORN STATEMENT

STATE OF MICHIGAN)
)ss
COUNTY OF ST. CLAIR)

Date through 9-30-2025

Application No. 10.

Robert Clancy, being duly sworn, deposes and says:
That Robert Clancy Contracting Inc. is the (contractor) (subcontractor) for an improvement to the following described real property situated in St. Clair County, Michigan described as follows:
Algonac Community Outdoor Pool & Equipment Room Project

1833 Michigan Street, Algonac, MI. 48001

That the following is a statement of each subcontractor and supplier and laborer, for which laborer the payment of wages or fringe benefits and withholdings is due but unpaid, with whom the (contractor) (subcontractor) has (contracted) (subcontracted) for performance under the contract with the owner or lessee thereof, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names, as follows:

Name of subcontractor, supplier or laborer	Type of improvement furnished	Total Contract Price	Amount Already paid	Amount Currently Owing	Amount Billed But Unpaid	Balance to complete (optional)
Advance Concrete Products	Balance Tank	$ 11,395.00	$ 11,395.00	$ -	$ -	$ -
Advanced Pool Services Inc	Pool	$ 1,280,000.00	$ 1,147,000.00	$ 128,000.00	$ 5,000.00	$ -
Architectural Hardware	Doors & Hardware	$ 4,385.93	$ 4,050.31	$ 335.62	$ -	$ 0.00
City of Algonac	Permits & Inspection Fees	$ 19,582.96	$ 19,582.96	$ -	$ -	$ -
Contractors Connection	Materials	$ 314.82	$ 314.82	$ -	$ -	$ -
Detroit Spectrum Painters, Inc	Painting	$ 21,600.00	$ 19,440.00	$ 2,160.00	$ -	$ -
Etna Supply Company	Materials	$ 4,595.31	$ 4,595.31	$ -	$ -	$ -
Express Waste Management	Roll Off Waste Disposal	$ 525.00	$ 525.00	$ -	$ -	$ -
Hassig Companies, Inc	Plumbing	$ 77,719.00	$ 37,995.09	$ 7,771.90	$ 31,952.01	$ 0.00
Holsbeke Construction	Concrete Footings & Walls	$ 458,040.00	$ 387,101.70	$ 45,804.00	$ 25,134.30	$ (0.00)
International Precast Solutions	Precast Hollow Core Slabs	$ 23,890.00	$ 21,501.00	$ 2,389.00	$ -	$ -
J.R. England	Gutters	$ 3,320.00	$ 2,988.00	$ 332.00	$ -	$ -
Jelsch Paving Company	Asphalt Paving	$ 5,500.00	$ 5,500.00	$ -	$ -	$ -
Kehrig Steel	Steel Beams	$ 9,735.00	$ 8,761.50	$ 973.50	$ -	$ -
Mersino Dewatering, Inc	Dewatering	$ 2,000.00	$ 2,000.00	$ -	$ -	$ -
Nowak & Fraus Engineers	Layout & Staking	$ 6,688.00	$ 6,688.00	$ -	$ -	$ -
Power Solutions Group, Inc	Utility Meter, Electrical Panel, etc	$ 126,171.00	$ 84,546.20	$ 12,007.60	$ 29,617.20	$ 0.00
Snaptop LLC	Temporary Fencing	$ 158,360.00	$ 94,118.41	$ 14,971.00	$ 49,270.59	$ -
St Clair Aggregates	Materials	$ 8,542.38	$ 8,542.38	$ -	$ -	$ -
State Barricades	Traffic Control	$ 400.00	$ 400.00	$ -	$ -	$ -
Testing Engineers	Materials Testing	$ 25,084.25	$ 17,039.03	$ 5,023.92	$ 3,021.30	$ 0.00
The DTE Energy Company	Permanent Line Relocation	$ 48,492.85	$ 48,492.85	$ -	$ -	$ -
TMX Contracting, LLC	HVAC	$ 37,000.00	$ 30,799.13	$ 6,200.87	$ -	$ (0.00)
West Shore Services, Inc	Testing & Inspection of Federal Signal Equipment	$ 1,000.00	$ 1,000.00	$ -	$ -	$ -
Robert Clancy Contracting, Inc	Remove & Replace Community Swimming Pool, Build Equipment Room Addition	$ 637,067.60	$ 448,778.02	$ (77,398.96)	$ 265,688.55	$ (0.01)
All labor, wages, fringe benefits						
& insurance are paid in full						
TOTALS		$ 2,971,409.10	$ 2,413,154.71	$ 148,570.45	$ 409,683.95	$ (0.01)

(Some columns are not applicable to all persons listed)

That the contractor has not procured material from, or subcontracted with, any person other than those set forth above and owes no money for the improvement other than the sums set forth above. Deponent further says that he or she makes the foregoing statement as the (contractor) (subcontractor) that the above-described property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth above and except for claims of construction liens by laborers which may be provided pursuant to section 109 of the construction lien act, Act No. 497 of the Public Acts of 1980, as amended, being Section 570.1109 of the Michigan Compiled Laws.

WARNING TO THE OWNER: AN OWNER OR LESSEE OF THE ABOVE-DESCRIBED PROPERTY MAY NOT RELY ON THIS SWORN STATEMENT TO AVOID THE CLAIM OF A SUBCONTRACTOR, SUPPLIER OR LABORER WHO HAS PROVIDED A NOTICE OF FURNISHING OR A LABORER WHO MAY PROVIDE A NOTICE OF FURNISHING PURSUANT TO SECTION 109 OF THE CONSTRUCTION LEIN ACT TO THE DESIGNEE OR THE OWNER OR LESSEE IF THE DESIGNEE IS NOT NAMED OR HAS DIED.

Robert G Clancy
(Deponent)

WARNING TO DEPONENT: A PERSON, WHO WITH INTENT TO DEFRAUD, GIVES A FALSE SWORN STATEMENT IS SUBJECT TO CRIMINAL PENALTIES AS PROVIDED IN SECTION 110 OF THE CONSTRUCTION LIEN ACT, ACT NO. 497 OF THE PUBLIC ACTS OF 1980, AS AMENDED, BEING SECTION 570.1110 OF THE MICHIGAN COMPILED LAWS.

Subscribed and sworn to before me this 16 Day of October, 2025

Joan M. Bowen
Notary Public

JOAN M. BOWEN
NOTARY PUBLIC, STATE OF MI
COUNTY OF ST. CLAIR
MY COMMISSION EXPIRES Feb 10, 2031
ACTING IN COUNTY OF St. Clair

St. Clair County, Michigan
My commission expires: February 10, 2031

Item No: 11d
Meeting: 11.4.2025

Business of the Algonac City Council

Agenda Statement

Item Title: **To Adopt Resolution #2025-12 Authorizing Participation in the Southwater Municipal Utility Authority Wastewater Treatment Plant Improvements.**

Submitted by: Denice A. Gerstenberg, City Manager

Summary

Since January 2024, the Southwater Municipal Utility Authority (SMUA) manages the wastewater treatment plant on behalf of Algonac, Clay Township, and Ira Township.

A recently completed engineering review indicates that the wastewater treatment plant, built in 1967, needs significant upgrades to maintain operations.

The design and construction cost of the necessary upgrades is projected to be approximately $13 million dollars. SMUA has proposed that design costs will be paid by each community making equal monthly payments totaling their share of the cost (Algonac 30%, Clay Township 35%, Ira Township 35%) over a period of twelve months. Construction of the improvements will be paid by each community pursuant to the repayment terms of bonds to be issued by the Authority.

Per the City Attorney, Article X, Section 1 of the SMUA Articles of Incorporation, which are part of the founding Interlocal Agreement of October 2023, each constituent municipality must pledge its full faith and credit to secure any bonds necessary for the Authority's capital improvement projects. The attached Resolution is a necessary antecedent under the Interlocal Agreement of the parties in order to seek bonding for the project.

Clay Township approved this Resolution on October 27, 2025. This Resolution will be before the Ira Township board on November 3, 2025.

Suggested Action:

MOVED BY: **SUPPORTED BY:**

RESOLVED, to adopt Resolution #2025-12 Authorizing Participation in the Southwater Municipal Utility Authority Wastewater Treatment Plant Improvements.

APPROVED/Denied

THE CITY OF ALGONAC
COUNTY OF ST. CLAIR, MICHIGAN

A regular meeting of the City Council of The City of Algonac, County of St. Clair, State of Michigan (the "City") was held at the City Offices on November 4, 2025 at 6:00 p.m., local time.

PRESENT: Members:____

____

ABSENT: Member(s):____

RESOLUTION AUTHORIZING
PARTICIPATION IN IMPROVEMENTS TO WASTEWATER TREATMENT PLANT

The following preamble and resolution were offered by Member ________________ and supported by Member ________________.

WHEREAS, the Southwater Municipal Utility Authority (the "Authority") is comprised of the Clay Township, The City of Algonac, and Ira Township (the "Parties");

WHEREAS, the current wastewater treatment plant has been found by engineers specializing in wastewater treatment to be in need of significant upgrades so as to maintain operations in a manner that safe and without hazard of discharge of raw sewage and overflow;

WHEREAS, the design and construction cost of the necessary upgrades is projected to be approximately $12,923,144 (the "Projected Approximate Cost");

WHERAS, the $12,923,144 Projected Approximate Cost consists of approximately $1,572,144 in engineering and design fees and $11,351,000 in construction-related costs;

WHEREAS, the total cost (the "Cost") of the design and construction of the improvements to the wastewater treatment plant will be established by the subsequent diligence of the Parties and the project engineer and other professionals;

WHEREAS, the Parties' share of the Cost, based on their use of the current wastewater treatment plant, is 35% for Clay Township, 30% for the City of Algonac, and 35% for Ira Township; and

WHEREAS, the Parties project that they will pay their respective shares of the Cost as follows: design costs will be paid by each Party making equal monthly payments totaling their share of the Cost as set forth above to the project engineer for a period of twelve months and the construction of the improvements will be paid by each Party pursuant to the repayment terms of bonds to be issued by the Authority (the "Bonds").

THEREFORE, IT IS RESOLVED BY THE CITY OF ALGONAC, COUNTY OF ST. CLAIR, MICHIGAN THAT:

1. The City authorizes the Authority to engage a project engineering firm that it deems possesses the appropriate expertise to design the improvements to the wastewater treatment plant and commits to making twelve equal monthly payments toward the cost of the design services rendered by said firm, which in no event shall exceed, in total, 30% of the design services;

2. Should the Authority decide to issue its Bonds to support the project, the City shall pledge its full faith and credit toward its obligations under the Bonds to be issued by the Authority for construction of the improvements to the wastewater treatment plant; and

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

Ayes: ____

____

Nays: ____

RESOLUTION DECLARED ADOPTED

____
Rocky B. Gillis
Mayor

The undersigned duly qualified and acting Clerk of The City of Algonac, County of St. Clair, State of Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the City Board at a regular meeting held on November 4, 2025, the original of which is part of the Board's minutes and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, Act 267, Public Acts of Michigan 1976, as amended.

____
Lisa Borgacz
City Clerk

Item No: 12
Meeting: 11.4.2025

Business of the Algonac City Council

Agenda Statement

Item Title: **To approve accounts payable and payroll in the amount of $986,491.51.**

Submitted by: Alysia Bugg, City Treasurer

Summary

Attached are the bills and payroll for City Council review.

Suggested Action:

MOVED BY: **SUPPORTED BY:**

RESOLVED, to approve accounts payable and payroll in the amount of $986,491.51.

APPROVED/Denied

TO: ALGONAC CITY COUNCIL		10/21/2025		Item #12
FROM: ALYSIA BUGG, TREASURER				
11/4/2025				
BANK ACCOUNT	**DATES**	**CHECK NUMBERS**	**AMOUNT**	**TOTAL**
AP	10/28/2025	53569-53576	$ 3,963.75	
AP	10/30/2025	35377-53610	$ 260,538.43	
TAX	10/15/2025	6652-6653	$ 20,839.20	
TAX	10/16/2025	6654-6656	$ 630,971.28	
TAX	10/29/2025	6657-6658	$ 636.13	
EFT	10/23/2025	414(E)	$ 600.00	
EFT	10/23/2025	415(E)	$ 4,927.92	
				$ 922,476.71
PAYROLL	**DATES**	**CHECK NUMBERS**	**AMOUNT**	
Direct Deposits	10/24/2025	DD13835-DD13851	$ 29,758.12	
Checks	10/24/2025	32464	$ 3,903.34	
EFT	10/24/2025	EFT #1011	$ 1,819.69	
EFT	10/24/2025	EFT #1012	$ 6,152.58	
EFT	10/24/2025	EFT #1013	$ 12,064.94	
EFT	10/29/2025	EFT #1014	$ 10,316.13	
				$ 64,014.80
Assuming Council approves all transactions, the following motion would be in order:				
Resolved, that the City Council approves accounts payable and payroll as submitted for a total of:				$ 986,491.51
		Direct Deposit	**$ 40,712.76**	
		Total Payroll #1228	**$ 64,002.01**	