

April 5, 2010

Minutes of the regular meeting of the city council of the City of Kingsford, County of Dickinson, and State of Michigan.

A regular meeting of the Kingsford city council was held Monday, April 5, 2010 at 6:30 p.m. in the council room in City Hall.

Roll Call: Present: Councilmember Baldinelli, Flaminio, Miller, Novara, and Pearson.  
Absent: None.

Also present were City Manager Darryl Wickman, City Attorney Bruce Brouillette, Public Safety Director Jan Groeneveld, Public Works Superintendent Anthony Edlebeck, Jack Smeester, Brian Smeester, Jim Anderson, Leland Crandall, Ken Wood, Tim Gussert, Brian Metras, and Dan Anderson.

The pledge of allegiance was stated.

A motion was made by Councilmember Baldinelli and supported by Councilmember Pearson to approve the agenda as presented.  
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

Minutes of the regular council meeting held March 15, 2010  
Bills Payable from March 15, 2010 to April 5, 2010 in the amount of \$170,454.56

A motion was made by Councilmember Baldinelli and supported by Councilmember Novara to approve the consent agenda as presented.  
ALL AYES. NO NAYS. MOTION CARRIED.

Under Public Comment, Ken Wood and Brian Metras expressed opposition to an automatic aid with the City of Iron Mountain. With the current arrangement, aid is provided upon request. They said it would not be a cost savings - it would create additional expenses for our city.

A copy of all communications are affixed to and made a part of the permanent record.

A letter from Richard Abraham and Ronald Erickson concerning the property located at 120 Parkway Street was read. The city attorney stated that the starting point would be to ascertain exactly what Gary Jacobson intends to use the premises for even though the letter indicates this building would be for cold storage of equipment and vehicles. The city attorney said that he and the city manager have heard that it may be to move his entire operation there. It is also necessary to know what type of business Mr. Erickson conducted in said building. If the types of business differ, the council must hold a public hearing to determine if Mr. Jacobson's contemplated use would be less offensive or of an equally offensive nature or non-offensive. The reason this matter is an issue is due to the fact that property is zoned for residential use.

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to receive and place on file the letter from Richard Abraham and Ronald Erickson and table it for research on the intended plan for the premises.  
ALL AYES. NO NAYS. MOTION CARRIED.

A faxed message regarding the month of April being declared as Sexual Assault Awareness Month was read.

A motion was made by Councilmember Flaminio and supported by Councilmember Miller to adopt a resolution (No. 2010/04/05.1) declaring April as Sexual Assault Awareness Month.  
ALL AYES. NO NAYS. MOTION CARRIED.

The letter from the Iron Mountain-Kingsford Community Schools requesting a \$3,000 contribution toward their 2010 Summer Recreation Program for Iron Mountain and Kingsford students was discussed. The city manager stated that traditionally the city of Kingsford has participated with the condition that Community Schools provides a financial report. This year they have provided a 2010 projected budget. The \$3,000 is in this year's budget.

After discussion, a motion was made by Councilmember Baldinelli and supported by Councilmember Pearson to receive the Community Schools letter, place it on file and table action until further financial information is received.  
ALL AYES. NO NAYS. MOTION CARRIED.

The letter from the Michigan Liquor Control Commission was read. Several local legislative bodies have submitted "blanket approval" resolutions authorizing special licenses at the military installations located within their unit of government. A form for such a blanket approval is attached to the letter.

A motion was made by Councilmember Pearson and supported by Councilmember Miller to support the "blanket approval" and adopt the resolution for the Kingsford Armory as suggested by the Michigan Liquor Control Commission.  
ALL AYES. NO NAYS. MOTION CARRIED.

The Public Works Department report was read. In it was notice that the annual spring rubbish and compost collection is scheduled to begin April 14, 2010. Residents are advised to have items ready for collection by that date as the city crews will make only one (1) pass through the city. Following the spring collection, anything other than normal weekly household garbage will be collected only by request and the resident will be charged the city's cost for collection and disposal.

The superintendent informed the council that the Hog Wild committee has requested the installation of gates at the entrance and exit to LoDal Park for this and future year events. To supply and install two (2) double swing gates would cost approximately \$4,000 at the city's expense.

Mayor Novara and Council members Baldinelli and Pearson are opposed to spending \$4,000 to improve security for one annual festival. Mayor Novara noted that the city previously assisted the festival through electrical upgrades and the installation of a sprinkler system.

Councilmember Flaminio suggested contacting the Hog Wild Committee regarding sharing the cost of these gates.

A motion was made by Councilmember Flaminio to table this matter for further information on other types of less expensive gates and if Hog Wild would be willing to pay a portion of the costs. The motion died for lack of support.

A motion was made by Councilmember Baldinelli and supported by Councilmember Pearson to contact the Hog Wild Committee informing them that the council has denied the request for gates at LoDal Park.

Roll Call: Ayes: Councilmember Baldinelli, Miller, Novara, and Pearson.

Nays: Councilmember Flaminio.

Absent: None.

Carried.

The final item on the Public Works Department report was a request by the superintendent for authorization to hire two (2) city of Kingsford college students to perform parks and city grounds maintenance through the summer months.

A motion was made by Councilmember Baldinelli and supported by Councilmember Miller to authorize the Public Works superintendent to hire two (2) city of Kingsford college students for this summer season.  
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Flaminio and supported by Councilmember Miller to receive and place on file the March 2010 Public Works Department report.  
ALL AYES. NO NAYS. MOTION CARRIED.

The city manager gave his report updating the council on the Mutual Aid Agreement that was signed in 1998 and was in effect until 2004; the budget; the Revolving Loan Fund Regionalization; and the Kingsford Commemorative Field Lease Agreement. In regard to the deer committee, the meeting that was scheduled for this week has been cancelled until possibly the end of this month.

A motion was made by Councilmember Baldinelli and supported by Councilmember Miller to receive the Manager's report and place it on file.  
ALL AYES. NO NAYS. MOTION CARRIED.

There was no old business, new business, or public hearings.

Under public comment, Leland Crandall stated he is one of the public safety officers who would be sent to Iron Mountain under an automatic aid agreement and he is opposed to such an agreement.

Brian Metras stated he is the union president for the Public Safety Department and met with the union safety committee and the city's safety committee when the mutual aid was removed and it was a negotiation process. It was agreed at that time that the director would draw up a new agreement between the two cities and the officers would honor it and they have done that. Mr. Metras feels it is working so does not see any reason to change it. He asked that the union be given the opportunity to negotiate the mutual aid agreement back in prior to doing anything so that there will not be any legal ramifications or paper work with filing grievances.

Under council member's privilege, Councilmember Baldinelli, in regard to mutual aid, said he would support changes only if they are equitable for both cities. He agreed that the council should obtain input from the public safety officers.

Councilmember Pearson asked if the City of Iron Mountain is planning to provide us with an automatic aid proposal. The city manager said Iron Mountain has suggested something other than that which was discussed at the last committee meeting but they are not ready to put it on their agenda and implied that it need not go onto our agenda. It appears that Iron Mountain is now talking about full automatic aid. The former agreement was partial and only under certain circumstances was it considered automatic aid.

Mayor Novara feels the current agreement is working well and he is totally opposed to an automatic aid agreement. He said there are economic issues involved with the number of fire calls Kingsford responds to versus what Iron Mountain responds to for Kingsford. He said there would have to be a financial issue resolved with Iron Mountain before he would consider automatic aid.

A motion was made by Mayor Novara and supported by Councilmember Baldinelli to adjourn and enter into an executive session to discuss a collective bargaining issue and a pending litigation matter.

Roll Call: Ayes: Councilmember Baldinelli, Flaminio, Miller, Novara, and Pearson.

Nays: None.

Absent: None.

Carried.

Regular council session resumed following the executive session.

In regard to the collective bargaining issue, a motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to authorize the city manager to submit a settlement to resolve the Public Works grievance by the city paying the secondary bill in the amount of \$89.87 and the union agrees, in writing, that this will not be precedent setting and the matter will be addressed at the next contract negotiations.

ALL AYES. NO NAYS. MOTION CARRIED.

In regard to the pending litigation matter, a motion was made by Mayor Novara and supported by Councilmember Flaminio to authorize the city attorney to accept the offer to settle the litigation – the offer is to dismiss the prejudice through adversarial complaint against the city and that the city would agree to amend its claim so that the entire claim is unsecured.

ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Miller and supported by Councilmember Baldinelli to adjourn the meeting at 7:44 p.m.

ALL AYES. NO NAYS. MOTION CARRIED.