

September 5, 2017

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 Tuesday, September 5, 2017 at 6:30 p.m. in the council room in City Hall.

Roll Call: Present: Councilmember Baldinelli, Erickson, Dixon-Miller, Flaminio and Groeneveld
Absent: None

Also present were City Manager Anthony Edlebeck, City Attorney Bruce Brouillette, Public Safety Director Brian Metras, Public Works Superintendent Justin Wickman, Treasurer Holly Palmer, Jim Anderson, Dave Lee, Kristin Gendron, Frank Novak, Charlotte Novak, Suellen Inglese, Steve Inglese, Debbie Oberdorfer, Ray Valerio, Donna Sovey, Anthony Quadrani, Basil Smeester, Lori Smeester, Matthew Borchardt and Amber Borchardt. The pledge of allegiance was stated.

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to approve the August 21, 2017 City Council minutes as presented.
ALL AYES. NO NAYS. MOTION CARRIED.

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

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to approve the invoices for August 22, 2017 to September 5, 2017 in the amount of \$204,821.30.
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

Public Works Report

A motion was made by Councilmember Erickson and supported by Councilmember Dixon-Miller to receive and place on file the consent agenda.
ALL AYES. NO NAYS. MOTION CARRIED.

There was no Public Comment.

The first item under Communications is the CUPPAD 2018 Membership letter and invoice. A membership invoice for \$1027.00 was enclosed for FY18.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve the renewal of the CUPPAD membership at a cost of \$1027.00.
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to receive and place on file the CUPPAD 2018 Membership letter.
ALL AYES. NO NAYS. MOTION CARRIED.

The second item under Communications is a Notice of Hearing from Michigan Public Service Commission re: Case No. U-17941-R on September 20, 2017 at 9:00am.

A motion was made by Councilmember Erickson and supported by Councilmember Flaminio to support and to receive and place on file the Notice of Hearing from Michigan Public Service Commission re: Case No. U-17941-R.
ALL AYES. NO NAYS. MOTION CARRIED.

The third item under Communications is a Notice of Hearing from Michigan Public Service Commission re: Case No. U-18246 on September 12, 2017 at 9:30am.

A motion was made by Councilmember Baldinelli and supported by Councilmember Erickson to receive and place on file the Notice of Hearing from Michigan Public Service Commission re: Case No. U-18246.
ALL AYES. NO NAYS. MOTION CARRIED.

The fourth item under Communications is a Notice of Hearing from Michigan Public Service Commission re: Case No. U-18247 on September 12, 2017 at 10:00am.

A motion was made by Councilmember Erickson and supported by Councilmember Baldinelli to receive and place on file the Notice of Hearing from Michigan Public Service Commission re: Case No. U-18247.
ALL AYES. NO NAYS. MOTION CARRIED.

The fifth item under Communications is a training request memo from Director Metras requesting to send the range officer, Sgt. Tim Olsen to Colt Armorer School to be held at NMU on October 24-26, 2017 at a cost of \$60.00 plus meals and lodging.

A motion was made by Councilmember Erickson and supported by Councilmember Flaminio to authorize Sgt. Tim Olsen to attend Colt Armorer School at NMU on October 24-26, 2017 at a cost of \$60.00 plus meals and lodging.

ALL AYES. NO NAYS. MOTION CARRIED.

The last item under Communications is a letter from Assessor Joan Nelson thanking the City of Kingsford for the opportunity to train Amy Payant as the new assessor for the city.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to receive and place on file the letter from Assessor Joan Nelson.

ALL AYES. NO NAYS. MOTION CARRIED.

At this time, the Public Hearing scheduled for 6:45pm began, addressing the Application for Home Occupation Permit at 491 Riverhills Road. Edlebeck read the Notice of Public Hearing as it was published in The Daily News on August 17, 2017. Edlebeck provided a copy of the application filed by Mr. Borchardt, along with a petition with 41 signatures of area residents stating "As a Kingsford resident, I am opposed to the home occupation to be conducted at 491 Riverhills Road, Kingsford, MI 49802, by Matthew and Amber Borchardt." Also provided was a letter Edlebeck received September 28, 2017 from Mr. Russell Dieckman strongly opposing the approval of this application. Edlebeck also stated he spoke with three residents in the neighborhood and three others received copies of the application. Mayor Groeneveld asked if there were any comments. Lori Smeester of 380 Cass Avenue read a letter written by Brian Smeester, stating he opposes the granting of this application simply due to the fact the citizens of that area do not want this in their neighborhood. Matthew Borchardt of 491 Riverhills Road inquired as to why a name wasn't removed from the petition as requested by a resident who signed it prior to knowing accurate details. He also stated his residence would not have a storefront and his business would be done online. Mayor Groeneveld asked City Manager Edlebeck if there were any other inquiries into this application. Edlebeck stated there were none for the approval; however, there were three inquiries into the application and petition submitted. Councilman Flaminio addressed those in attendance on multiple points. Councilman Erickson stated those he spoke to were not against gun sales, yet simply against have a home-based business in a residential area. Councilman Baldinelli stated he was also given the impression that the opposition to this request was not gun related. Councilwoman Dixon-Miller feels the residents of the Riverhills Road area pay higher taxes simply to have a quiet community. Mayor Groeneveld addressed the fact that not all the signatures on the petition were Riverhills Road residents. He received no calls in support of this home-based business, nor did the City Manager.

A motion was made by Councilmember Flaminio to approve the Home Occupation Application submitted by Matthew Borchardt of 491 Riverhills Road.

No support was given; the motion dies for lack of support; therefore, the application is not approved.

At this time, the Public Hearing was concluded.

The Manager's Report was presented by Edlebeck.

- Insituform, Inc. of Howell, MI completed the sewer main repair work on Breen Avenue on Wednesday, August 23. The project went well and a video of the completed project was recorded and viewed, with a copy to be provided in the near future.
- Barley Trucking and Excavating, Inc. of Menominee, MI is scheduled to install the manhole on Westwood Avenue the first week in September. Notices of the detour have been posted in the Daily News, will be on the radio and Supt. Justin Wickman has notified the emergency department, schools, etc.
- Bacco Construction Company is planning to begin the paving program in the city on September 18.
- Dickinson County has been notified of the MDEQ approval of the 2016 Solid Waste Plan Amendments that were approved by the County Board. A letter addressed to Henry Wender, Chairman was included for the record.
- The Brownfield Redevelopment contract with the MDEQ for the Lodal, Inc. property environmental work has been signed and submitted along with the Reimbursement Agreement with the developer. The developer's engineer is expected to begin this work within the next few weeks.

A motion was made by Councilmember Erickson and supported by Councilmember Baldinelli to receive and place on file the September 5, 2017 Manager's Report.

ALL AYES. NO NAYS. MOTION CARRIED.

There was no Old Business.

The only item under New Business is the Transfer of WWTP Property to Iron Mountain-Kingsford Joint Sewage Authority. Attorney Steven Tinti of Crystal Falls, on behalf of the IMKJSA, recommended that Iron Mountain

and Kingsford, who jointly own the property at the plant, deed that property over to the IMKJSA. Edlebeck provided a map showing the included property. A brief discussion took place.


A motion was made by Councilmember Erickson and supported by Councilmember Baldinelli to authorize the transfer the property from the cities of Iron Mountain and Kingsford to the Iron Mountain-Kingsford Joint Sewage Authority, subject to the City of Iron Mountain's approval.

ROLL CALL: Ayes: Baldinelli, Erickson, Dixon-Miller, Flaminio and Groeneveld
Nays: None
MOTION CARRIED.

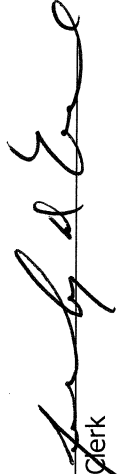
There was no Public Comment.

Under Councilmember's Privilege, Councilmember Baldinelli commented on the recent sewer repair and the benefits of the process. Mayor Groeneveld addressed Matthew Borchart to thank him for exercising his right as a citizen.

There being no further business, a motion was made by Councilmember Erickson and supported by Councilmember Baldinelli to adjourn the meeting.
ALL AYES. NO NAYS. MOTION CARRIED.



Mayor



Clerk