

June 1, 2015

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, June 1, 2015 at 6:30 p.m. in the council room in City Hall.

Roll Call: Present: Councilmember Baldinelli, Dixon-Miller, Groeneveld, and Smeester.
Absent: Councilmember Flaminio.

Also present were City Manager Anthony Edlebeck, City Attorney Bruce Brouillette, Public Safety Director Tim Gussert, Public Works Superintendent Justin Wickman, Floyd Lindholm, Dale Cook, Jim Anderson, Ken Wood and Dean Hulce.

The pledge of allegiance was stated.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to approve the May 18, 2015 City Council Meeting minutes.
ALL AYES. NO NAYS. MOTION CARRIED.

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

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli to approve the invoices for May 15 through May 28, 2015 in the amount of \$234,341.87.
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

Public Works Department Report for January 2015

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to approve the consent agenda.
ALL AYES. NO NAYS. MOTION CARRIED.

There was no public comment.

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

The first item under communications is Public Safety Director Tim Gussert's notification of pending retirement. He will be retiring effective June 30, 2015. He has 33 years, 9 months of service with the city.

A motion was made by Councilmember Groeneveld and supported by Councilmember Dixon-Miller to receive and place on file Director Gussert's letter, refer the matter of selecting a new director to the civil service commission and to authorize a resolution in honor of Director Gussert's years of service with the city.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is a memo from Director Gussert regarding staff training. He would like to send two officers to NMU in Marquette for a Child Forensic Interview class on June 16 & 17, 2015.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to authorize two public safety officers to attend the Child Forensic Interview class on June 16 & 17, 2015 in Marquette and to receive and place on file the memo from Director Gussert.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is a letter from the Sons of the American Legion Squadron 50 regarding a contribution for the the 4th of July fireworks.

A motion was made by Councilmember Groeneveld and supported by Councilmember Dixon-Miller to receive and place on file the letter from the Sons of the American Legion Squadron 50 and authorize the city manager to provide a \$400 contribution toward the July 4th fireworks.
ALL AYES. NO NAYS. MOTION CARRIED.

The final item under communications is a letter dated May 22, 2015 from Charter Communications detailing channel changes that will take place effective June 23, 2015.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Groeneveld to receive and place on file the May 22, 2015 letter from Charter Communications.
THREE AYES. ONE NAY. MOTION CARRIED.

A public hearing was scheduled at 6:45 pm to accept public comments regarding the proposed 2015-2016 budget. The City Manager read the notice that was posted in The Daily News. There were no comments from the public.

City Manager Edlebeck read his May 28, 2015 memo to the council members regarding the budget which was included in the council packet.

Councilmember Smeester made a motion to reduce the budget by 1 mil. The motion died for lack of support.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli to approve the budget as presented.

Roll Call: Ayes: Councilmember Groeneveld, Dixon-Miller and Baldinelli
Nays: Councilmember Smeester
Absent: Councilmember Flaminio
Motion Carried.

Under the manager's report, City Manager Edlebeck explained to the council that included in their packet is a proposed budget amendment for the 101 General Fund and 202 Major Street fund. The general fund amendment total is slightly less than the original budget, and the 202 fund is slightly more, but the 202 fund revenues increased due to the winter.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli to approve the budget amendments for the 2014-2015 budget.

Roll Call: Ayes: Councilmember Groeneveld, Dixon-Miller and Baldinelli
Nays: Councilmember Smeester
Absent: Councilmember Flaminio
Motion Carried.

Continuing under the manager's report, the new well at Cowboy Lake Park was placed into operation on May 20, 2015 following passing bacteriological samples; the sewer main construction project that extends sanitary sewer service from the main sewer tube east to M95 has been completed. Final testing has been completed and restoration work is nearly complete; City Manager Edlebeck has been notified that the Contract Agreement for the Lodal Park Tennis Court project with the MDNR was approved on May 22, 2015. He met with Nancy Helgren of UPEA, and they are finalizing the plans and bid documents required to be submitted to the MDNR for approval. Once approved, the city can then move forward with the advertising, bidding and construction of the project.

The next item is a draft of a resolution increasing the wastewater treatment rate (Resolution No. 2015/06/01.2) by \$0.34 per thousand gallons. The Iron Mountain-Kingsford Joint Sewage Board requested an increase of \$0.05 per thousand, and the city manager recommends a \$0.29 per thousand increase for the city's maintenance.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve Resolution No. 2015/06/01.2.
THREE AYES. ONE NAY. MOTION CARRIED.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to receive and place on file the manager's report for June 1, 2015.
ALL AYES. NO NAYS. MOTION CARRIED.

Under old business, the only item is Ordinance No. 276 to Rescind Article IV of Chapter 16 of the Code of Ordinances. This ordinance is to eliminate the city's Municipal Enforcing Agency status and administration of the Soil Erosion and Sedimentation Control Act. It will now be handled entirely by the county.

A short discussion took place.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli to adopt Ordinance No. 276 which is to Rescind Article IV of Chapter 16 of the Code of Ordinances.
ALL AYES. NO NAYS. MOTION CARRIED.

Under new business, the first item is the Revolving Loan Fund Application Notice. City Manager Edlebeck explained that the city has an application which he's been working on with Dale Cook of Northern Initiatives. The application is for Prime Pasty King which is looking at relocating their business from 1212 Breen Ave. to 1160 Carpenter Ave.

Dale Cook of Northern Initiatives addressed the council. Prime Pasty King has made an application through Northern Initiatives for a loan of \$82,000 from the city's revolving loan fund. The application has been approved by the respective committees and now requires a public hearing followed by a resolution acknowledging the hearing and application. If a municipality does not provide a loan through the revolving loan fund within a period of one year, the entire balance in the loan fund could revert back to the state.

City Manager Edlebeck stated that there is a requirement that the city hold a public hearing on this matter, which will be set for July 6, 2015.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli to conduct a public hearing on the revolving loan fund loan at 6:45 pm on July 6, 2015.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under new business is a resolution regarding the 2015 FOIA requirements. City Attorney Brouillette explained that the new guidelines need to be in effect by July 1, 2015.

A discussion took place regarding this matter.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to adopt Resolution No. 2015/6/1.3 (Resolution to Comply with the Provisions of Public Act 563 of 2014 The Michigan Freedom of Information (FOIA) Act).

ALL AYES. NO NAYS. MOTION CARRIED.

The final item under new business is regulating the discharge of consumer fireworks. City Manager Edlebeck provided the council a memo that discusses Public Act 256 of 2011 (Michigan Fireworks Safety Act). The city has received several complaints and concerns from residents regarding the discharging of consumer fireworks since 2012. In order for the city to enforce the concerns of the residents regarding the discharging of consumer fireworks in the city, it is recommended that the city council consider passing an ordinance to restrict the discharge of consumer fireworks to only the days exempted by the Act, which is the day preceding, the day of, or the day after a national holiday and to further restrict the discharge of consumer fireworks on these days from 1:00 am to 8:00 am local time. City Attorney Brouillette has drafted an ordinance for the council's consideration and introduction.

A motion was made by Councilmember Groeneveld and supported by Councilmember Smeester to introduce Ordinance No. 277 an Ordinance Regulating the Ignition, Discharge and Use of Consumer Fireworks in the City of Kingsford.

ALL AYES. NO NAYS. MOTION CARRIED.

There was no public comment.

Under councilmember's privilege, Councilmember Groeneveld congratulated Director Gussert on his upcoming retirement.

There being no further business, a motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to adjourn the meeting.

ALL AYES. NO NAYS. MOTION CARRIED.