

September 8, 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 Tuesday, September 8, 2015 at 6:30 p.m. in the council room in City Hall.

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

Also present were City Manager Anthony Edlebeck, City Attorney Bruce Brouillette, Public Safety Director Brian Metras, Public Works Superintendent Justin Wickman, Evan Reid, Michael Stelmaszek, Tim Olsen, John Wilson, Tony Erickson, and Paul Beauchamp.

The pledge of allegiance was stated.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve the August 17, 2015 City Council Meeting minutes.
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 Baldinelli and supported by Councilmember Groeneveld to approve the invoices for August 14th through September 3, 2015 in the amount of \$214,347.62.
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

Public Works Department Report for August 2015
July 2015 Treasurer's Report

A motion was made by Councilmember Smeester and supported by Councilmember Flaminio to authorize Public Works Superintendent Justin Wickman and Dennis Nelson to attend the Michigan Rural Water Association Annual U.P. Expo on September 10, 2015 in Marquette.
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to authorize Public Works Superintendent Justin Wickman to attend the annual Drug & Alcohol Supervisor Training on October 27, 2015 at Pine Grove Country Club at a cost of \$30.00.
FOUR AYES. NO NAYS. ONE ABSTAINING. MOTION CARRIED.

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

There were no public comments.

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

The first item under communications is a Notice of Public Hearing on WE Energies Case No. U-17809. WE Energies is requesting Michigan Public Service Commission approval to reconcile its incremental renewable energy surcharge revenues. The hearing will take place in Lansing on Thursday, September 17, 2015 at 9:00 a.m.

A motion was made by Councilmember Baldinelli and supported by Councilmember Smeester to receive and place on file the Notice of Public Hearing for WE Energies Case No. U-17809.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is a thank you letter from the IM-K Community Schools for the city's contribution to their Summer Recreation Program.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to receive and place on file the thank you letter from the IM-K Community Schools.
ALL AYES. NO NAYS. MOTION CARRIED.

The third item under communications is a letter from the State of Michigan Liquor Control Commission regarding a notice of cancellation of license request (the application was submitted by Mark Caron of

Hole in 1 Virtual Golf). Apparently a liquor license cannot be issued to an LLC (Limited Liability Company). They will be reapplying on a different application.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to receive and place on file the August 28, 2015 letter from the State of Michigan Liquor Control Commission. ALL AYES. NO NAYS. MOTION CARRIED.

The final item under communications is a thank you letter from CUPPAD to thank the city for their continued partnership and membership.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to receive and place on file the thank you letter from CUPPAD. ALL AYES. NO NAYS. MOTION CARRIED.

Under the manager's report, City Manager Edlebeck updated the council on the Westwood Avenue/Pine Mountain road project. The recycling work was completed in the city's section on Thursday, August 27th. Bacco Construction will be finalizing the project with a ¾ inch top course of warm mix asphalt, completing approaches, graveling the shoulders and pavement marking in September; informed the council that the M95 project has started. Drainage structures are nearly complete and ADA sidewalk ramps will follow. The milling and repaving of the road surface, pavement marking and new signing will be completed in September; reported to the council on the SAW grant project. Great Lakes TV & Seal of Green Bay started cleaning sewers on August 10th and is working through the city. The televising work should be commencing in September; notified the council that seven lots along the Menominee River in the River Pointe Subdivision have recently sold. Two zoning permits have been issued for new homes; advised the council that the Civil Service Commission list of entry level candidates for the public safety department will become due on October 1. He recommends that the city council notify the Civil Service Commission that a new two year list needs to be established for any upcoming vacancies in the department.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to notify the Civil Service Commission that a new two year list needs to be established for any upcoming vacancies in the department.

ALL AYES. NO NAYS. MOTION CARRIED.

Continuing under the manager's report, City Manager Edlebeck stated "As you know, Brian Metras has been appointed Public Safety Director following the certification of the Civil Service Commission testing process in accordance with MCLA 38.51." He will be on probationary status for the next six months. "I would like to personally commend Lt. Michael Stelmaszek for his time spent as the Interim Director for the last two months following the retirement of Director Gussert. Lt. Stelmaszek is a very important asset to the public safety department and should be commended for his contributions overall; advised the council that the Public Safety Committee recently met with Director Metras to discuss department staffing and potential ideas that he may have regarding mutual aid with the other agencies. Director Metras recommends that the current staffing remain with 2 lieutenants and 4 sergeants, and the committee recommends that the promotions be made to fill these. Continued discussion will take place between the committee and the director and his administrative staff on other issues after they have time to settle in.

A short discussion took place.

A motion was made by Councilmember Groeneveld and supported by Councilmember Baldinelli to fill the vacancies for a lieutenant and a sergeant.

Roll Call: Ayes: Councilmember Flaminio Groeneveld, Dixon-Miller and Baldinelli

Nays: Councilmember Smeester

Absent: None

Motion Carried.

Also under the manager's report, City Manager Edlebeck informed the council that CUPPAD is hosting a residential recycling seminar in Escanaba on October 6th. He plans to attend as the chairman of the Dickinson County Solid Waste Management Planning Committee. If anyone else is interested, please let him know; reported to the council that the pavilion project at Lodal Park, built as an Eagle Scout project under the guidance of Eagle Scout candidate Jack Mitchell, Troop 510, Kingsford has been completed.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to receive and place on file the manager's report for September 8, 2015. ALL AYES. NO NAYS. MOTION CARRIED.

The first item under old business is a draft resolution regarding military service credit. City Manager Edlebeck stated that this is basically the same resolution that the council received about a month and a half ago. There's been some discussion since that time, and this draft was passed along to all of the employees that have full-time military service credit. The one item added to this draft is number 3, "Only employees hired prior to August 1, 2013 and who have served full time in the military of the United

States Government may apply. Only full time active military service time will be considered for the purchase of service time for retirement benefits and only to a maximum of four (4) years."

A discussion took place regarding this matter.

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to approve Resolution No. 2015/9/8.1 regarding the purchase of military service credit.

Roll Call: Ayes: Councilmember Flaminio, Groeneveld, Dixon-Miller and Baldinelli

Nays: Councilmember Smeester

Absent: None

Motion Carried.

The next item under old business was the city deer harvest – petitioned area reduction. City Manager Edlebeck explained the history of the archery hunt in the city. He read from his memo which was provided to the council members in their council packet. "In the fall of 2010, the city council acted in response to resident complaints of the deer population in the city following a 6 year hiatus from the 4 year sharp shoot harvests of 2000-2004. The city councils of Iron Mountain and Kingsford with the aid of the MDNR established an archery deer harvest as a way to control the population of deer in the two cities. This program was patterned after a similar program being conducted in Ironwood, MI. The City Committee along with representatives of the Michigan DNR developed guidelines for hunting within the city limits. Minimum acreage size along with the MDNR required setbacks from roads/streets and buildings were used for safety. Hunters are required to provide certification from a designated archery range for proficiency and are required to hunt from an elevated tree stand having a minimum height of 12 feet from the ground. The city council also approved the posting of specific trails regularly used by residents for recreational walking as off limits to unauthorized access during the period of October 1st through January 1st to facilitate these areas for the harvest.

Since 2010, the city has had a number of complaints by hunters of persons walking through one area and in another area ATVs and walkers using these trails during the posted dates. A number of confrontations have taken place between hunters and walkers since this program begin in 2010 and the public safety department and myself (City Manager Edlebeck) have been involved.

Residents continue to address their discontent that they are not allowed to use these areas to walk during these three months when the archery harvest is conducted.

The Harvest has been successful. In 2010, 113 deer harvested, 2011, 104 deer harvested, 2012, 61 deer harvested, 2013, 48 deer harvested and 2014, 52 deer harvested. Per resident comments, it appears that by harvesting approximately 50 deer annually, the city is able to maintain a manageable herd.

The city currently has 280 acres or 9.5% of the city's total area available for harvesting. 96 acres is City of Kingsford property and 184 acres is private property. All of these areas are located on the west half of the city.

The petition of August 17, 2015 asks that 72 acres of property along the Menominee River and owned by the City of Kingsford be removed from the hunt. This area has received the most complaints from residential walkers and from those allowed to hunt these areas. This area also has been the area of substantial harvest at approximately 25% of the totals. In 2014, one hunter, who had harvested several deer during the past 3 years will no longer participate in the city hunt, due to the continued conflicts and his inability to refrain from conflicts.

By eliminating this area, the available areas to hunt in the city will be reduced to 7% of the total area. How eliminating this entire area will affect the current status of deer populations is unknown.

I met with Mr. Beauchamp, author of the petition on September 2nd, and we visited the sites listed in the petition. It is my understanding that he is revisiting the language of the original petition and modifying it, including reducing the size of the area to have eliminated for the hunting areas. I informed him that 26 signatures were on the original petitions and all of these persons would need to have a say in the change.

We can wait until the petition is provided, but in any case, I do not recommend mixing recreational walkers and archery hunters in any particular area along the river. This city-owned property is too narrow to accommodate both. The decision should be made to only allow one or the other."

Paul Beauchamp then addressed the council regarding this issue. He stated that he met with the city manager and visited the hunting location. He is circulating a revised petition.

A lengthy discussion took place regarding this matter.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to table this matter until sometime in the future.

ALL AYES. NO NAYS. MOTION CARRIED.

The last item under old business is the bid opening for playground equipment. They are as follows:

Penchura LLC (Superior Play, Manistique, MI)	\$14,684.15
Sinclair Recreation LLC (Holland, MI)	\$14,900.00
Miller & Associates (Sauk Prairie, WI)	\$15,000.00

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to have the Parks & Recreation Committee, the city manager and the public works superintendent review the bids and specifications.

ALL AYES. NO NAYS. MOTION CARRIED.

Under new business, the first item is a resolution to approve the use of forfeiture funds. There is a need to replace critical safety equipment for the Critical Incident Response Team (C.I.R.T.). The cost of this equipment is approximately \$7,000.00.

A motion was made by Councilmember Groeneveld and supported by Councilmember Baldinelli to adopt Resolution No. 2015/9/8.2.

Roll Call: Ayes: Councilmember Flaminio, Groeneveld, Dixon-Miller, Baldinelli and Smeester
Nays: None
Absent: None
Motion Carried.

The next item under new business is a request by Director Metras for fire training for Lt. Michael Stelmaszek. There is no cost for the training. The only expenses would be meals and mileage at a cost of \$292.85.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to authorize Lt. Stelmaszek to attend this fire training.
ALL AYES. NO NAYS. MOTION CARRIED.

There were no hearings.

Under public comment, John Wilson of W8242 Sunset Drive, Iron Mountain addressed the council regarding the archery deer hunt.

Also under public comment, Lt. Mike Stelmaszek (KPSD) addressed the council regarding the military service credit purchase and regarding the selection of the new public safety director.

Under councilmember's privilege, Councilmember Baldinelli stated that there were two very good candidates for the public safety director position, and in his opinion, "the two of them make a hell of a good team."

Councilmember Dixon-Miller stated, "We are very lucky to have both of them," and she thanked them both for doing a good job.

Councilmember Groeneveld stated that he's very happy with the leadership in the public safety department and with the two of them (Metras and Stelmaszek).

Councilmember Smeester thanked Lt. Stelmaszek for speaking at the podium. He stated that it took a lot of courage to get up there, and he's "glad there's no bad blood."

Councilmember Flaminio thanked Lt. Stelmaszek for stepping up when the city needed him as the interim director. He stated that "both of you are more than qualified and either one of you would make a terrific director. I hope you both stick with the department for as long as you like, and I'd like to commend both of you."

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



MAYOR



CLERK