

November 16, 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, November 16, 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, Public Safety Director Brian Metras, Public Works Superintendent Justin Wickman, Floyd Lindholm, Evan Reid, Tony Erickson, Tom Bolda, Bob Goodreau, Holly Palmer.

The pledge of allegiance was stated.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve the November 2, 2015 City Council Meeting minutes.
FOUR AYES. ONE NAY. MOTION CARRIED.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio 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 November 2 through November 16, 2015 in the amount of \$187,130.33.
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

Public Safety Department Report for October 2015

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli 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 the CUPPAD request of support for the "Regional Prosperity Initiative". City Manager Edlebeck explained to the council that this is the second time CUPPAD has requested support for this initiative. This initiative was put together by Governor Snyder in 2013 as a "Regional Prosperity Collaborative" to bring together businesses, education and government agencies to work together towards economic development in Michigan. CUPPAD was successful in receiving a grant in 2013 to implement the program in the U.P., and they're asking for support from the city council in applying for this grant. City Manager Edlebeck provided the council with a draft resolution for their review and a letter of approval to Anne Milne, Regional Planner with CUPPAD.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve Resolution No. 2015/11/16.1 concerning support for CUPPAD in making application for the Regional Prosperity Initiative.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is the CUPPAD invitation to Regional Sustainability Planning Workshops. City Manager Edlebeck explained that this is a collaborative effort between CUPPAD, Michigan State University Extension and USDA working together for stronger economics (SET program). There's a workshop in Norway on Wednesday, December 2, 2015 from 6 to 9 pm which the council is invited to. He asked that the council please let him know if they're planning to attend so he can let the City of Norway know how many to expect.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to receive and place on file the November 10, 2015 email from CUPPAD.
ALL AYES. NO NAYS. MOTION CARRIED.

Under the manager's report, City Manager Edlebeck updated the council that Bacco Construction Company has completed the paving projects for this season. The public works crew is finishing up the leaf collection and then will return to shoulder repairs and landscaping as weather permits; informed the council that the deer management archery program continues with 32 hunters currently registered, and 31 deer have been taken to date. This number reflects 4 less than a year ago; reported to the council

that Ms. Emma DeGan of CUPPAD recently met with the Citizens Advisory Committee to discuss updates to the city's recreation plan. A survey will be sent out with the tax bills and placed on the city's web page requesting citizens input regarding the City of Kingsford's recreation facilities; explained that the council has traditionally approved a \$20.00 gift certificate to be given to each regular employee at Christmas time to spend toward the purchase of a ham or turkey at one of our local grocery stores.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to provide the annual \$20 gift certificate for either hams or turkeys.
ALL AYES. NO NAYS. MOTION CARRIED.

Continuing under the manager's report, City Manager Edlebeck reminded the council that the December Board of Review Meeting is scheduled for December 15th at 3:45 p.m. CST in the council chambers. A quorum is needed for that meeting; also reminded the council that the city hall and public works facility will be closed on Thursday and Friday, November 26th and 27th in observance of the Thanksgiving Holiday. Garbage collection for Thursday, November 26th will be collected on Wednesday, November 25th. This will be published in The Daily News and posted on the city's website.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to receive and place on file the manager's report for November 16, 2015.
ALL AYES. NO NAYS. MOTION CARRIED.

Under old business, the only item is the Iron Mountain-Kingsford Sewer Authority Articles of Incorporation. City Manager Edlebeck explained to the council that he included another copy of the articles of incorporation that were provided to the council members at the last meeting. Also, he asked Attorney Steve Mann from Miller, Canfield, Paddock and Stone to provide an opinion on rate setting. Mr. Mann did provide an email which City Manager Edlebeck in turn provided to the council members which addresses the rate setting. He then read the last paragraph of Mr. Mann's email. "Clearly the purpose of the articles is to set forth terms dealing with the organizational and governmental structure of the authority. Provisions regarding rate setting and rate structures are not an organizational matter and, therefore, not an appropriate provision for the articles. In addition, such topics are premature at this stage of the authority's incorporation. After incorporation of the authority, the authority and the cities can work together towards a mutually acceptable rate structure and terms. Once the rate structure and terms are determined, implementation will be by adoption of rate ordinances and resolution - not through the articles of incorporation. Act 94, Public Acts of Michigan 1933, as amended, the act that generally governs the establishment and setting of utility rates and charges, requires that such rate structures and amounts are set by ordinance. For these reasons, the articles of incorporation should not include rate provisions." He explained that the rate structures are already set. The city councils of both Iron Mountain and Kingsford would be in charge of rate setting (as they are currently). City Manager Edlebeck provided a copy of both Public Act 94 of 1933 and Public Act 233 of 1955 to the council members.

A discussion took place.

Councilmember Smeester asked if the council was going to pass an ordinance at the next meeting stating the rates cannot be increased. City Manager Edlebeck informed him that the rate structures for each city are already set by ordinance and subsequent resolution. If there would be a recommendation for a rate change in the future, then each city would have to discuss whether or not to increase rates. Councilmember Smeester stated that he doesn't understand why there's such a barrier to including the rate structure in the Articles of Incorporation. He feels that it would be easier to locate in the Articles rather than searching through the many ordinances that are on the books. He also stated, "For 60 years, it's been a joint board. What's the rush now?" City Manager Edlebeck stated that the 58 year old plant needs repairs and upgrades. The current Board cannot borrow money, so each city would be required to borrow the money, establish a shared percentage for each city and duplicate the required notices and filings. It has been recommended by Attorney Steve Mann of Miller, Canfield, Paddock and Stone that the Iron Mountain-Kingsford Joint Sewage Board re-organize as an Authority under PA 233 of 1955. The Authority would then be able to borrow the funds to complete the improvements and pay for them using the \$125,000 per year capital improvement funds being generated by the current rates to pay back the loan over time.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to approve the Articles of Incorporation for the Iron Mountain Kingsford Joint Sewage Authority.

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

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to adopt the Resolution Approving Incorporation of the Iron Mountain-Kingsford Joint Sewage Authority—Resolution No. 2015.11.16.2.
FOUR AYES. ONE NAY. MOTION CARRIED.

Councilmember Smeester left the meeting at 6:56 p.m.

The first item under new business is the Dickinson Area Chamber Alliance Chamber of Commerce Committee ballot. There are 7 candidates and 5 to vote for. The Mayor read each name and the City Manager recorded how many councilmembers voted for each candidate by a show of hands. The majority vote getters are as follows: Daniel Freeman, Chris Hanley, Jessica Kaad, Todd Lysinger, and Allison Maloney.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to submit a ballot voting for the following 5 candidates: Daniel Freeman, Chris Hanley, Jessica Kaad, Todd Lysinger, and Allison Maloney.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under new business is an ad in the Advertiser for the Dickinson Chamber Alliance Membership Directory.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve the 3 1/4" x 2" ad in color for \$70.60.
ALL AYES. NO NAYS. MOTION CARRIED.

The final item under new business is proposed Resolution No. 2015.11/16/3 regarding delinquent water and sewer bills being placed on the tax statements.

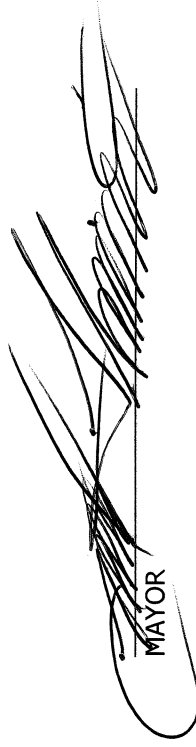
A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to approve Resolution No. 2015.11.16.3, a Resolution Authorizing and Directing Placement of Delinquent Water and Sewer Charges on Real Property Tax Statements.
ALL AYES. NO NAYS. MOTION CARRIED.

There were no hearings or public comment.

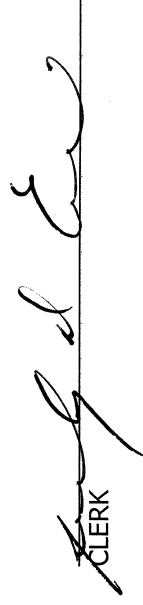
Under councilmember's privilege, Councilmember Groeneveld congratulated Councilmembers Flaminio and Dixon-Miller and newly elected Councilmember Tony Erickson on their election, and he's looking forward to working with them for the next several years.

Councilmember Baldinelli also congratulated Tony Erickson on his election and is looking forward to working with him.

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



MAYOR



CLERK