

September 16, 2019

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, September 16, 2019 at 6:30 p.m. in the council room in City Hall.

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

Also present were City Manager Anthony Edlebeck, City Attorney Bruce Brouillette, Public Safety Director Brian Metras, Public Works Superintendent Jeff DeMuri, Treasurer Holly Palmer, Maggie Lanthier [The Daily News], Tanya Hiltonen and Alexander Erickson.

The pledge of allegiance was stated.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve the September 3, 2019 City Council Meeting minutes as presented.
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Flaminio and supported by Councilmember Groeneveld 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 September 4, 2019 through September 16, 2019 in the amount of \$249,319.47.
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

- Public Safety Report
- August Treasurer's Report

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to receive and place on file the consent agenda.
ALL AYES. NO NAYS. MOTION CARRIED.

There was no Public Comment.

The only item under Communications was a Michigan Public Service Commission Notice of Hearing for the Gas Customers of DTE Gas Company Case No. U-20369 to be held in Lansing, Michigan on September 17, 2019 at 9:30am.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Groeneveld to receive and place on file the Notice of Hearing for the Gas Customers of DTE Gas Company Case No. U-20369.
ALL AYES. NO NAYS. MOTION CARRIED.

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

The Manager's Report was presented by Edlebeck.

- A total of 1095 tires have been disposed of at the Dickinson County Solid Waste Transfer Station to date under the 2019 Scrap Tire Grant.
- Bacco Construction Co. continues work on the Woodward Avenue portion of the city's paving projects. They have removed and replaced the curbing along the section between Balsam Street and Westwood Avenue. Following the curb installation, paving is planned for later in September or early October.
- Edlebeck was notified by Northern Initiatives that 51st State Brewing Company has met its requirement to close out its Revolving Loan with the City. It has been requested that a loan closeout hearing be set for the October 7th meeting.

A motion was made by Councilmember Groeneveld and supported by Councilmember Flaminio to set a public hearing for October 7, 2019 at 7:00pm to address the 51st State Brewing Company Revolving Loan closeout.

ALL AYES. NO NAYS. MOTION CARRIED.

- BS&A is hosting a Tax User's Group Meeting in Marquette on October 23rd. Treasurer Palmer requested permission to attend. There is no cost for the meeting.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize Treasurer Palmer's attendance to the BS&A's Tax User Group Meeting on October 23rd. ALL AYES. NO NAYS. MOTION CARRIED.

- o The 2019 Fall Asset Management Conference will be held on October 30th at the Holiday Inn in Marquette for a cost of \$65.00. Edlebeck requested that DPW Supt Jeff DeMuri attend.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to authorize DPW Supt. Jeff DeMuri's attendance to the 2019 Fall Asset Management Conference on October 23rd.

ALL AYES. NO NAYS. MOTION CARRIED.

- o NMPSA is holding a MIOSHA Trenching and Confined Space Safety Training on October 10th in Marquette for a cost of \$35.00. Edlebeck requested 2 individuals from the DPW crew attend this workshop [either Supt. Jeff DeMuri or Asst. Supt. Dennis Nelson and a second crew member].

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize two members of DPW to attend the MIOSHA Trenching and Confined Space Safety Training. ALL AYES. NO NAYS. MOTION CARRIED.

- o DCHS is holding its annual Supervisor Training for Agencies with Drug & Alcohol Testing Programs. Edlebeck requested that Supt. DeMuri attend. The cost is \$50.00.

A motion was made by Councilmember Groeneveld and supported by Councilmember Dixon-Miller to authorize Supt. DeMuri's attendance to DCHS's Supervisor Training for Agencies with Drug & Alcohol Testing Programs.

ALL AYES. NO NAYS. MOTION CARRIED.

- o Edlebeck had requested, on behalf of the City and the new owners of Lodai, LLC, an extension of the Brownfield grant for environmental work at their property. He was notified that the grant has been extended for an additional year to September 1, 2020. This will allow them and their engineer time to complete the Due Care Plan for the facility.

- o Due to the chronic leaking issues of the north section of the KPS building roof, Edlebeck requested proposals from three local contractors for repairs. Those proposals were included in the packet. Edlebeck recommended the City enter into an agreement to have Okler Roofing go through the entire roof of the KPS building and properly seal for a cost of \$3,200.00. A brief discussion took place.

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to authorize Okler Roofing to repair the KPS roof for an amount of \$3,200.00. ALL AYES. NO NAYS. MOTION CARRIED.

- o The UP Manager's meeting is scheduled for Thursday afternoon and Friday morning, October 10th and 11th. Edlebeck plans to attend Friday morning's meeting. The agenda was included with the Manager's Report.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Baldinelli to authorize Edlebeck's attendance to the UP Manager's meeting in October. ALL AYES. NO NAYS. MOTION CARRIED.

- o The Auditor plans to start the 2018-2019 fiscal year audit this coming week.
- o A reminder of the DAEDA Annual Investor Meeting will be held at Pine Mountain Resort on September 26th at 7:30am. This meeting will begin with a light breakfast at 7:30am with the program to begin at 8:00am. The program will provide an update of the DAEDA activities during the past year along with updates from the Task Force Committees. Edlebeck asked for anyone planning to attend to RSVP to him by September 19th.

- o Reminder of the DAEDA hosted tour of Dickinson Homes Inc. for City of Kingsford council members on Monday, October 7th at 2:00pm.

A motion was made by Councilmember Groeneveld and supported by Councilmember Flaminio to receive and place on file the September 16, 2019 Manager's Report. ALL AYES. NO NAYS. MOTION CARRIED.

The only item under Old Business was Ordinance 286 Prohibiting Marijuana Establishments. At the last meeting, a draft ordinance similar to Claire, MI was introduced. The City Attorney has since written the ordinance in which the City Council may take action. A discussion took place. Councilmember Erickson stated at the last meeting he went on record that he was opposed to this ordinance. After that meeting, Councilmember Flaminio explained further to Erickson it would be wise to allow the state to develop all

the regulations and that passing this ordinance now does not permanently disallow it in the future; it is more of allowing it to happen on our terms should we decide to allow marijuana establishments at a later date. Councilmember Groeneveld stated it will be easier to opt-out now while still having an option to opt-in later. This is the direction the council prefers at this time; however, the council is not opposed to revisiting this topic in the future should the residents want it changed. Erickson stated the citizens of Dickinson County, specifically Kingsford, voted against this in the November 2018 election and it's the council's duty to be the voice of the people. Ultimately, by opting out now, it gives the city control on how to move forward in the future.

A motion was made by Councilmember Flaminio and supported by Councilmember Erickson to adopt Ordinance 286 Prohibiting Marijuana Facilities in the City of Kingsford.

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

The first item under New Business was a Request for a Waiver/Exception for Pit Bull Service Dogs. Ms. Melissa Nicolls submitted an application for a waiver/exception for her two pit bull service dogs, along with all the required documentation. Edlebeck stated the city council has approved two of these waivers in the past for other residents. Councilmember Flaminio made two statements: 1. He doesn't understand the need for two service dogs; however, he stated he is not a physician.; 2. He also thought Michigan had passed a law that the state could no longer be breed-specific. City Attorney Brouillette stated this has only been extensively discussed at the state level, but no law has been passed yet. Councilmember Groeneveld had some concerns, but had already spoken to KPS Director Metras.

A motion was made by Councilmember Groeneveld and supported by Councilmember Flaminio to authorize the Mayor and City Manager to sign the documents approving the pit bull waiver/exception request by Ms. Nicolls.
ALL AYES. NO NAYS. MOTION CARRIED.

The second item under New Business was MML Board of Directors Election Ballot. There was one incumbent on the ballot, Jean Stegeman, Mayor of Menominee.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to vote for the incumbent listed, Ms. Jean Stegeman.
ALL AYES. NO NAYS. MOTION CARRIED.

The last item under New Business was an Application to Display Fireworks at KHS Football Game on Friday, October 11, 2019. The location on the application needed to be amended to state Kingsford High School, along with providing proper photo identification for Mr. Dooley.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Groeneveld to approve the Request for Fireworks Display at the KHS Football Game on Friday, October 11th pending requested amendments.
ALL AYES. NO NAYS. MOTION CARRIED.

There was no Public Comment.

Under Councilmember's Privilege, Councilmember Groeneveld stated he may not be available for the next scheduled council meeting. He also went on, with regards to the recent disturbance at the Immaculate Conception Church, thanking Director Metras and the KPS officers for making their presence known at The Queen of Peace church last weekend. Councilmember Flaminio asked if Bacco could clean up the gravel and tar along Woodward Avenue for those people that are walking in the area of the paving project. Edlebeck stated he would speak to them in the morning.

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