

November 2, 2020

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 on Monday, November 2, 2020 at 6:30pm in the council room in City Hall.

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

Also present were City Manager Anthony Edlebeck, Public Safety Director Brian Metras, Public Works Superintendent Jeff DeMuri, Treasurer Holly Palmer, Asst City Manager Mike Stelmaszek, Maggie Lanthier [The Daily News], Floyd Lindholm, Dean Guldswog and Michelle Guldswog.

The pledge of allegiance was stated.

A motion was made by Councilmember Flaminio and supported by Councilmember Groeneveld to approve the October 19, 2020 City Council Meeting minutes as presented.
ALL AYES. NO NAYS. MOTION CARRIED.

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

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Remer to approve the invoices for October 20, 2020 through November 2, 2020 in the amount of \$153,924.22.
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

- Public Works Report – October

Councilmember Flaminio stated he has received multiple complaints about the gravel left behind on Breitung Avenue and Woodward Avenue stemming from the recent patching. Residents have concerns once it snows that the snowplows will be throwing the gravel into the neighboring yards and property. He asked Supt. DeMuri if this issue could be addressed at the earliest opportunity.

A motion was made by Councilmember Dixon-Miller and supported by Councilmember Remer 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 letter of engagement from the Auditor dated October 28, 2020. This is an annual confirmation of the services rendered to the City by Scott Kenney, CPA. Stelmaszek noted this will be the last year Mr. Kenney will provide the auditing services to the City, as he has intentions to retire. The City will need to solicit bids for future auditing services.

A motion was made by Councilmember Groeneveld and supported by Councilmember Remer to receive and place on file the auditor's letter of engagement.
ALL AYES. NO NAYS. MOTION CARRIED.

The Manager's Report was presented by Assistant Manager Stelmaszek.

- Last Friday (10/30/2020), the city received confirmation from the State Department of Treasury approving the grant funding for Hazard Pay for the Public Safety employees. The checks were distributed that day.
- The 2020 Fall Archery Hunt started October 1st and runs through January 1st. Currently, 6 people have registered, with 12 deer taken. Harvest updates will be provided at the council meetings.
- The photo copier service provider has advised us that the multi-function photo copier at KPS is at the age that replacement parts are no longer readily available. As this item was planned in this year's budget, Edlebeck requested permission to advertise and accept bids for a replacement copier/scanner/fax machine for the Public Safety Department.

A motion was made by Councilmember Groeneveld and supported by Councilmember Flaminio to authorize the City Manager to solicit and accept bids for a replacement copier/scanner/fax machine for KPS.
ALL AYES. NO NAYS. MOTION CARRIED.

- City representatives [Edlebeck, DeMuri & Stelmaszek] have met with Jeff Bal and Brett Bajj of GEI Consulting on 10/22/2020 and 10/30/2020 to discuss the Kingsford Heights Water Main project (#2001888). The initial cost estimate is \$3,000,000 to \$3,500,000. Financial options are being

reviewed with USDA-RD and Michigan SWRF, among others. City representatives have spoken with Attorney Steve Mann of Miller Canfield to initiate the dialog on funding options and to get his perspective. The best financing option currently offered to the City is through the Michigan Rural Development at 1.75%. Further information and recommendations will be provided to the councilmembers in the near future.

- Due to the changes implemented by the Emergency Rules on the Coronavirus pandemic by MIOSHA, Stelmaszek and Edlebeck will be revisiting the current procedures for employer and employee practices to maintain a safe environment for all.
- Kingsford staff is anticipating a busy election day with unusual procedures added due to the coronavirus and the election hype. The entrance doors of both precinct locations will have door greeters to provide guidance to voters prior to entering the buildings and while electors are within the 100-foot area of the poll entrance. Additional coronavirus protection protocol will be provided for the election workers, and disinfection of the poll and public areas will be completed prior to and following the election. With the assistance of CARES Act funding, the City has purchased two disinfecting foggers to be utilized by all three departments.

At this time, the public hearing scheduled for 6:45pm began addressing the variance request for a detached garage at 429 Dickinson Blvd.

A motion was made by Councilmember Flaminio and supported by Councilmember Groeneveld to recess as the regular City Council to the Zoning Board of Appeals.
ALL AYES. NO NAYS. MOTION CARRIED.

Stelmaszek gave a brief description of the request. A copy of The Daily News ad published on 10/10/2020 was provided, along with a photo and sketch of the proposed garage construction. Notices were sent to area residents within 300 feet of the property. The property owners were in attendance at the meeting. Edlebeck offered additional explanation to the councilmembers. Edlebeck and Stelmaszek received no comments, verbally or in writing, for or against this request.

Councilmembers Flaminio and Baldinelli voiced concerns of line of sight and the variance encroaching into the City's right-of-way. It was requested the homeowners sign a Hold Harmless Agreement relinquishing the City from responsibility should any damage or injury occur in this area. The homeowners engaged in conversation with the City Council pertaining to their previous garage and its functionality.

A motion was made by Councilmember Groeneveld and supported by Councilmember Dixon-Miller to approve the zoning variance request for the garage at 429 Dickinson Blvd, contingent on the Hold Harmless Agreement to be included with the variance.

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

A motion was made by Councilmember Remer and supported by Councilmember Dixon-Miller to adjourn as the Zoning Board of Appeals and to reconvene as the regular City Council.
ALL AYES. NO NAYS. MOTION CARRIED.

The public hearing was concluded.

Stelmaszek continued with the Manager's Report.

- The City of Kingsford has worked with MediaPro of Hermansville for the city's website since the site's inception. Mr. Mark Whitens, owner of MediaPro, has informed the city that he is phasing out of the website business and will assist with transitioning the site to any new provider. Proposal discussions are taking place with a reputable UP company to provide us with this service.
- The application deadline for the Public Safety Department ended Friday. Stelmaszek noted this timeframe will need to be extended to avoid repeating the application process and incurring the associated costs for a second time. Edlebeck stated the City would have to follow the procedures for Civil Service Public Act 78. The Civil Service Commission will have to address this issue in the near future.

A motion was made by Councilmember Groeneveld and supported by Councilmember Baldinelli to receive and place on file the November 2, 2020 Manager's Report.
ALL AYES. NO NAYS. MOTION CARRIED.

The only item under Old Business was to review the Planning Commission recommendation pertaining to shipping containers located in residential areas of the City. After multiple complaints received by City Manager Edlebeck, this issue was referred to the Planning Commission for review and recommendation. After research and lengthy discussion by the PC, an addition to the City's Code of Ordinances was drafted to address Storage Containers. The purpose was to regulate the use of shipping containers on residentially zoned properties within

the city. These regulations are to protect the public health, safety and welfare, as well as to promote positive aesthetics in the City. This draft is currently being reviewed by the City Attorney; any revisions will be passed along to the City Council when available. A public hearing will need to be set. A discussion took place.

A motion was made by Councilmember Remer and supported by Councilmember Dixon-Miller to schedule a public hearing for December 7, 2020 at 6:45pm to address the issue of shipping containers located in residential areas of the City.

ALL AYES. NO NAYS. MOTION CARRIED.

The first item under New Business was a DRAFT resolution 2020/11/2.1 to ratify and confirm actions approved by the City of Kingsford during remote meetings. On October 2, 2020, the Michigan Supreme Court agreed by majority vote that Executive Orders issued after April 30, 2020 were invalid, as the law under which they were issued, allowed an unconstitutional delegation of authority to the Governor. This resolution recognizes council meetings that were held after April 30, 2020 are binding and will confirm the validity of any actions taken by the City Council during that time. Public Act 228 of 2020 acknowledges this action.

A motion was made by Councilmember Groeneveld and supported by Councilmember Flaminio to adopt Resolution No. 2020/11/2.1 To Ratify & Confirm Actions Approved by the City of Kingsford during Remote Meetings.

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

The last item under New Business was a DRAFT resolution 2020/11/2.2 to sell Parcel 100 Evergreen Court to RZ Real Estate, LLC. A purchase and development agreement for the first of ten lots to be purchased by RZ Real Estate, LLC was prepared by the City Attorney and provided to the City Council for review. The status of the title insurance is in process and will need to be received prior to completion of the sale.

A motion was made by Councilmember Flaminio and supported by Councilmember Remer to adopt Resolution No. 2020/11/2.2 To Approve the Sale of Parcel 100 Evergreen Court to RZ Real Estate, LLC for a sum of \$9,000.00, contingent on the receipt of the title insurance.

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

There was no Public Comment.

Under Councilmember's Privilege, Councilmember Flaminio and Councilmember Groeneveld both simply stated "VOTE".

There being no further business, a motion was made by Councilmember Remer and supported by Councilmember Dixon-Miller to adjourn the meeting.

ALL AYES. NO NAYS. MOTION CARRIED.


Mayor


Clerk