

April 6, 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, April 6, 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 Tim Gussert, Public Works Superintendent Justin Wickman, Floyd Lindholm, John Benzie, Julie Benzie, Ken Wood and Jim Anderson.

The pledge of allegiance was stated.

A motion was made by Councilmember Groeneveld and supported by Councilmember Dixon-Miller to approve the March 16, 2015 City Council Meeting minutes with the date correction from March 17 to March 16 on page 1.
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to approve the agenda with the addition of Item D. under Old Business: Hosking Tire Building.
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Smeester and supported by Councilmember Flaminio to approve the invoices for March 13 through April 2, 2015 in the amount of \$259,081.66
ALL AYES. NO NAYS. MOTION CARRIED.

The consent agenda consisted of the following:

Public Works Department Report for February 2015

A motion was made by Councilmember Smeester and supported by Councilmember Baldinelli to approve the hiring of two college students for summer 2015.
ALL AYES. NO NAYS. MOTION CARRIED.

City Manager Edlebeck noted that the compost site will be open on Saturday mornings beginning Saturday, April 11. Also, the tentative date for spring cleanup to begin is Monday April 20 provided the weather cooperates.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller 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 an ad request for the Michigan High School Athletic Association (MHSAA) UP Track and Field Championships to be held on May 30 in Kingsford. A copy of the ad that was run last year is included in the council packet. It's a 1/4 page ad, and the price is the same as last year (\$275).

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to approve a 1/4 page ad for the MHSAA UP Track and Field Championships.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is the Community Schools request for 2015 summer recreation program funding. They're requesting \$2,000.00, which is the same request as prior years.

A motion was made by Councilmember Groeneveld and supported by Councilmember Smeester to provide funding of \$2,000.00 for the 2015 Community Schools summer recreation program via contract.
ALL AYES. NO NAYS. MOTION CARRIED.

The third item under Communications is the ISO Public Protection classification report letter. City Manager Edlebeck explained that the last time this was done was in 1987. There was a very extensive study done this past summer with the aid of Director Gussert and Superintendent Wickman. ISO made some changes in their classifications. This year the areas that are not serviced by fire hydrants have a

lesser classification. The classification is 6/6X, 6 is the area serviced by hydrants and this classification remains the same as in 1987.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to receive and place on file the ISO Public Protection classification report letter.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under Communications is the CUPPAD invitation to the Rural Transportation planning meeting on April 21. City Manager Edlebeck explained that he and Justin Wickman will be attending a soil erosion and sedimentation control certification exam in Marquette on this date, so they will be unable to attend the CUPPAD meeting. He stated that if any of the council members would like to attend, please let him know. Councilmember Baldinelli stated that he'd like to attend.

A motion was made by Councilmember Groeneveld and supported by Councilmember Smeester to authorize City Manager Edlebeck and Superintendent Wickman and any interested councilmember to attend.
ALL AYES. NO NAYS. MOTION CARRIED.

A motion was made by Councilmember Flaminio and supported by Councilmember Smeester to receive and place on file the CUPPAD invitation to the Rural Transportation planning meeting.
ALL AYES. NO NAYS. MOTION CARRIED.

The last item under communications is an MDOT letter regarding PA 298 of 2012. City Manager Edlebeck explained that this is a notification that there was a Public Act passed in 2012 regarding MDOT's auditing system, and through the cooperation with MML and the Association of County Road Commissions, MDOT is willing to work with individual auditors (certified public accountants) to establish additional audit testing in lieu of MDOT hiring auditors to comply with the new performance audit requirements. This would begin October 1, 2015, so for the city it would begin with the audit of the 2015-16 fiscal year.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to receive and place on file the MDOT letter dated March 27, 2015.
ALL AYES. NO NAYS. MOTION CARRIED.

Under the manager's report, City Manager Edlebeck is requesting permission to dispose of four pieces of equipment through a competitive bid sale. They are as follows: 1994 John Deere front mower, 1999 Chevrolet pickup truck, 1994 LoDal EVO garbage truck, and a 2008 Dodge Charger patrol vehicle.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to authorize the city manager to dispose of the above-mentioned equipment through a competitive bid sale via regular advertising and Craig's list (if allowed by law).
ALL AYES. NO NAYS. MOTION CARRIED.

City Manager Edlebeck also asked permission for himself and Superintendent Wickman to attend the Soil Erosion and Sedimentation Control training in Marquette on April 14 and the certification exam on April 21.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize the city manager and the superintendent of public works to attend the soil erosion and sedimentation control training in Marquette on April 14 and the certification exam on April 21.
ALL AYES. NO NAYS. MOTION CARRIED.

The last item under the manager's report is a reminder that there are three positions on the city council that are up for election this year. Notices have run in The Daily News on March 25 and April 1 and will run again on April 8 and April 15. The notice is also located on the city's web page. Petitions are available at the clerk's office at City Hall and must be returned by Tuesday, April 21 at 4:00 p.m. CDT.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to receive and place on file the manager's report for April 6, 2015.
ALL AYES. NO NAYS. MOTION CARRIED.

Under old business, the first item is the bid opening for the window replacement project at KPSD. Only one bid was received, and it was from St. George Glass Company of Iron Mountain. Total bid price is \$15,000.00. City Manager Edlebeck stated that he had \$11,000.00 budgeted for this project.

A discussion took place.

A motion was made by Councilmember Groeneveld and supported by Councilmember Baldinelli to authorize City Manager Edlebeck to review the bid to determine if it meets specifications and report back at the next regular council meeting.
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under old business is the Cost Share Agreement with the Dickinson County Road Commission for the Pine Mountain Road/Westwood Avenue Project. Appendix I – Estimate of Costs was missing from the draft language previously agreed upon. The city's cost including engineering is \$29,006.69.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize the mayor and city manager to sign the Cost Sharing Agreement between the City of Kingsford and the Dickinson County Road Commission regarding the Pine Mountain Road/Westwood Avenue Project.

ALL AYES. NO NAYS. MOTION CARRIED.

The third item under old business is the contract with the MDNR for the Lodal Park Passport grant project. City Manager Edlebeck explained that the contract (along with a resolution and insertions) is included in the council packet.

A motion was made by Councilmember Flaminio and supported by Councilmember Baldinelli to approve Resolution No. 2015.4.6.1 and to authorize the city manager to sign the contracts on behalf of the city for the passport grant.

ALL AYES. NO NAYS. MOTION CARRIED.

The next item under old business is the PEG Channel Committee report. Councilmember Smeester explained that the committee has met with Breitung Township School personnel, and they've determined that it's futile to try to get the channel moved back to 25. He sent a letter to the CEO of Charter Communications and didn't hear anything back. It is his opinion that the PEG Channel Committee be dissolved.

A short discussion took place.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to dissolve the PEG Channel Committee.

ALL AYES. NO NAYS. MOTION CARRIED.

The final item under old business is the Hosking Tire Building at 101 S. Carpenter Ave. Councilmember Smeester has been researching condemnation and eminent domain. He stated that the city should contact an attorney that specializes in this area.

A lengthy discussion ensued regarding this issue.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to have the city attorney contact a firm that specializes in condemnation and eminent domain and provide the council information as to what it would cost and what it would take to do it.

FOUR AYES. ONE NAY. MOTION CARRIED.

Under new business, the first item is a presentation from Unified Employee Benefits, John and Julie Benzie were present at the meeting to make a presentation to the council. They're interested in providing a voluntary supplemental employee benefit program to the employees. Unified is an independent broker, so they work with many different insurance companies. The main plan that they're discussing this evening is one by Transamerica. Mr. Benzie discussed several different policies that Transamerica provides.

A motion was made by Councilmember Groeneveld and supported by Councilmember Baldinelli to authorize the city manager to set up meetings with the employees and Unified personnel to explain the policies to the employees.

ALL AYES. NO NAYS. MOTION CARRIED.

The next item under new business is to modify or rescind the soil erosion and sedimentation control code. City Manager Edlebeck explained that for the last several years the city has contemplated passing along its municipal enforcing agency status for soil erosion and sedimentation control to Dickinson County. The City of Iron Mountain and the City of Norway have allowed this to revert back to the county. Edlebeck recommends that the City of Kingsford revise its ordinance and rescind its Municipal Enforcing Agency Soil and Sedimentation Control status under Article IV, Chapter 16.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize the city attorney to draw up language to modify the ordinance with input from the city manager and the MDEQ.


ALL AYES. NO NAYS. MOTION CARRIED.

There were no hearings or public comment.

Under Councilmember's Privilege, Councilmember Smeester feels that he had his civil rights violated. There was a law enforcement officer from the Michigan State Police, not the Kingsford Public Safety Department at his door claiming that Charter said someone with his IP address was hacking gmail

accounts. When he contacted Charter, they told him that nothing was going on with his account. He feels it was an intimidation tactic due to an article in The Daily News in which he was quoted regarding the proposed smoking ban in local parks.

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


MAYOR
CLERK