

May 4, 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, May 4, 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, Gabriel Kloet, Jim Anderson, and Ken Wood.

The pledge of allegiance was stated.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to approve the April 20, 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 Groeneveld and supported by Councilmember Smeester to approve the invoices for April 17 through April 30, 2015 in the amount of \$166,414.43.  
ALL AYES. ONE NAY. MOTION CARRIED.

The consent agenda consisted of the following:

Public Works Department Report for April 2015

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld 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 a letter from Tunnel Vision. Gabriel Kloet, Operations Manager of Tunnel Vision Pipeline Services in Escanaba, MI addressed the council. He read the letter that he wrote to the council, a copy of which was included in the council packet for their consideration.

A motion was made by Councilmember Baldinelli and supported by Councilmember Groeneveld to receive and place on file the letter from Tunnel Vision Pipeline Services of Escanaba.  
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is a letter from the MDEQ regarding CEA enforcement requirements. City Manager Edlebeck explained to the council that this is a follow up to correspondence that he's had with the State of Michigan DEQ for the last couple of years regarding the city's desire to drop its MEA (Municipal Enforcing Agency) status for soil erosion and sedimentation control in the City of Kingsford. The city has been a Municipal Enforcing Agency since the beginning of this program in the 1970s (1972) as have the City of Iron Mountain and the City of Norway. The city wishes to drop its MEA status but to insure that non-permit soil erosion and sedimentation control situations will be enforced. The letter states that the county agency which is the CEA is by default the agency that is required by the State of Michigan to enforce all soil erosion and sedimentation control programs.

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

The third item under communications is the MML Upper Peninsula Education Summit. City Manager Edlebeck informed the council that the MML is requesting that municipalities in the UP provide as much representation as possible at this summit.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize any member who wishes to attend the MML Upper Michigan Education Summit on June 4 & 5, 2015 in Sault Ste. Marie and to receive and place on file the April 8, 2015 letter from the MML.  
ALL AYES. NO NAYS. MOTION CARRIED.

The next item under communications is a Notice of Hearing for Wisconsin Electric Power Company Case No. U-17312-R. The hearing will take place on Tuesday, May 29, 2015 at 9:30 a.m. in Lansing, MI. This pertains to a reconciliation of their power supply cost recovery costs and revenues.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to receive and place on file the Notice of Hearing for Wisconsin Electric Power Company Case No. U-17312-R. ALL AYES. NO NAYS. MOTION CARRIED.

The last item under communications is a letter from Breitung Township Schools regarding the UP Track Meet. This letter is to request the closing of the 600 block of Hamilton Avenue along with the alley by the Fliwver concession stand and the alley behind the 700 block of Hamilton Avenue from 6:00 a.m. to 6:00 p.m. on Saturday, May 30, 2015.

A motion was made by Councilmember Baldinelli and supported by Councilmember Dixon-Miller to authorize the closing of the 600 block of Hamilton Avenue and the alley by the concession stand and the alley behind the 700 block of Hamilton Avenue (odd-numbered side) and to receive and place on file the May 1, 2015 letter from Breitung Township Schools. ALL AYES. NO NAYS. MOTION CARRIED.

Under the manager's report, City Manager Edlebeck reported to the council that there were 4 petitions for the 3 seats for city council for the election in November. These are incumbents Cynthia Dixon-Miller, Michael Flaminio and Brian Smeester, along with new petitioner Anthony Erickson; informed the council that he received a phone call from the MDOT in Crystal Falls regarding maintenance work they will be performing on M95 this summer from Woodward Avenue south to the concrete pavement section just south of Breen Avenue. This will include a mill and resurface, drainage correction and ADA sidewalk ramps; requested a work session on the 2015-2016 budget with the city council sometime during the week of May 11. Monday evening (May 10) is the Citizens Advisory meeting, so that evening won't work, but any other evening next week would work.

A motion was made by Councilmember Flaminio and supported by Councilmember Groeneveld to hold a budget work session on Tuesday, May 12, 2015 at 6:30 p.m. in the council chambers. ALL AYES. NO NAYS. MOTION CARRIED.

Continuing with the manager's report, City Manager Edlebeck informed the council that the seasonal weight restrictions are anticipated to be lifted the first week of May. Work will be commencing soon on the sewer main extension at the Family Dollar store and the replacement of the well at Cowboy Lake Park; reported that he has reviewed the engineering proposals for the Breen Avenue Small Urban Project which were opened at the last meeting, and UP Engineers and Architect's proposal is in order. He plans to execute a standard contract with them so they can get started on the design work; advised the council that the contract for the LoDal Park Tennis Court Project has been submitted to the MDNR. UP Engineers has been allowed by the DEQ to go forward with the design work and putting together the bid packages, but advertising for bids is restricted until the contract is fully executed.

A motion was made by Councilmember Baldinelli and supported by Councilmember Smeester to receive and place on file the manager's report for May 4, 2015. ALL AYES. NO NAYS. MOTION CARRIED.

The first item under old business is the engineer's bid recommendation for the sewer cleaning and televising project. There's a letter from Coleman Engineering with a breakdown of the bids included in the council packet along with the recommendation that the low bidder and responsible bidder is Great Lakes TV Seal Inc. from Green Bay, WI, and they should receive the award. City Manager Edlebeck explained that although he sympathizes with the fact that the bidders were very close, it is the bidding process and the process that the city has adhered to for a project of this magnitude and even smaller ones.

A motion was made by Councilmember Smeester and supported by Councilmember Groeneveld to accept Great Lakes TV Seal Inc.'s bid in the amount of \$160,740.50 for the work as specified in the contract. ALL AYES. NO NAYS. MOTION CARRIED.

The next item under old business is to rescind Article IV of Chapter 16 of the Code of Ordinances.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to introduce Ordinance No. 276 repealing the city's involvement in the soil erosion and sedimentation control enforcement. ALL AYES. NO NAYS. MOTION CARRIED.

The final item under old business is an update on 101 Carpenter Avenue by the city attorney. City Attorney Brouillette informed the council that he spoke with Ron Keefe (of the law firm Kendricks, Bordeaux, Adamini, Greenlee & Keefe of Marquette, MI. He is the city attorney for the City of Marquette.) on April 28, 2015. Neither Mr. Keefe nor any member of his firm does any type of condemnation work. What they were involved in was a code enforcement situation for the City of Marquette. Mr. Keefe

doesn't know of anyone in the U.P. that specializes in condemnation. His suggestion was to try to work with the landowner to come to an amiable resolution which would involve getting the property inspected and setting a timeline to get the repairs done to make the property safe. Code enforcement can be very expensive for a municipality. Condemnation requires the municipality to actually buy the property either by negotiating a sales price with the owner or if need be going to court and asking the court to determine the fair market value. Condemnation would be very expensive for the city. Councilmember Smeester asked City Manager Edlebeck to speak with the property owner and see if she'd be willing to meet with representatives of the council.

A short discussion took place.

The only item under new business is proposed Resolution No. 2015/05/04.1 Authorizing and Directing Placement of Delinquent Water and Sewer Charges on Real Property Tax Statements.

A motion was made by Councilmember Baldinelli and supported by Councilmember Flaminio to adopt Resolution No. 2015/05/04.1 Authorizing and Directing Placement of Delinquent Water and Sewer Charges on Real Property Tax Statements.  
ALL AYES. NO NAYS. MOTION CARRIED.

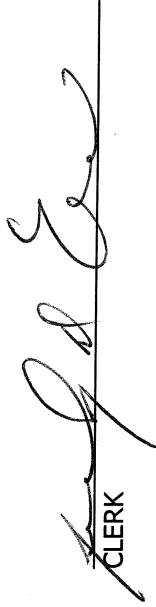
There were no hearings or public comment.

Under councilmember's privilege, Councilmember Baldinelli stated that he attended The Creation Station's open house this past Friday, May 1, 2015. It was very well attended, and the owner stated that she has had to add extra classes because the response has been so positive. There are people from Green Bay, Houghton and Escanaba and Crystal Falls attending the classes. It's a very positive new business for the city.

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



MAYOR



CLERK