

The Regular Meeting of the Ishpeming City Council was held on Wednesday, August 8, 2018 in the Ishpeming City Hall Conference Room. Mayor Joseph Juidici called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Mayor Joseph Juidici, Council Members Justin Koski, Karl Lehmann, Stuart Skauge, and Mike Tonkin (5). Also present were City Manager Mark Slown and City Attorney Bonnie Hoff.

PUBLIC COMMENT

Amy Orf, 201 Hill Street, has lived on Hill Street for 20 plus years and loves the unique features the area offers, including Jasper Knob, the many trails, and the historic stone walls on Jasper Street. Many colleges and universities have visited Jasper Knob over the years. She wanted to see the history of our area preserved and on Monday, July 30th the wall was destroyed by contractors intentionally. She questioned how this happened, who approved it, and why this was allowed. Ishpeming's history should be preserved not destroyed!

Jane Piirto, 318 Jasper Street, wanted to preserve the precious history of Ishpeming and did not want to see anything like what happened to the wall, happen again. She gave a brief overview of her research on the wall; and was saddened to see the wall destroyed. She wanted the history of Ishpeming preserved.

John Becker, Ore to Shore, was present to answer any questions regarding the Ore to Shore event. This was the 19th year for the event and there was a record number of participants.

APPROVAL OF AGENDA

A motion was made by Councilman Lehmann, supported by Councilman Skauge to table item #11 regarding sale of lots adjacent to the Royal Pub until the public hearing was held for Item #12 which relates to the same sale.

Mayor Juidici requested item #23 regarding second hand dealers be moved up on the agenda after the presentations.

Councilman Lehmann pointed out a typo under Old Business on the July 11th minutes "stripping" should be "striping".

A motion was made by Councilman Koski, supported by Councilman Lehmann and carried unanimously to approve the agenda as presented incorporating the correction to the minutes of July 11th.

AGENDA COMMENT – There was none.

CONSENT AGENDA

A motion was made by Councilman Koski, supported by Councilman Lehmann and carried unanimously to approve the following consent agenda incorporating the correction to the minutes.

- a. Minutes of Previous Meeting (July 11th and July 25th)
- b. Approval of Disbursements
- c. Special Event Application: Ore to Shore: 8/11/18
- d. Special Event Application and Parade Permit: Buzz the Gut: 8/11/18
- e. Special Liquor License Application: Ishpeming Elks Lodge: 8/11/18
- f. Special Event Application: Ojibwa Casino Company Picnic: 8/13/18
- g. Special Event Application: Marquette Marathon: 9/1/18
- h. Special Event Application and Temporary Liquor License: Rainbow Bar: 9/1/18
- i. Special Event Application and Temporary Liquor License: Paradise Bar: 9/1/18
- j. Special Event Application and Parade Permit: Labor Day Festivities: 9/3/18
- k. Lake Superior Community Partnership Agreement
- l. Declare 208 Library Books as surplus
- m. CUPPAD Notice of Intent – Head Start and Early Head Start Programs

MONTHLY FINANCIAL STATEMENT REPORT

Finance Director James Lampman reviewed the financial report for the period ending July 31, 2018 which included the General Fund, Garbage Fund, Public Improvement Fund, Major and Local Streets Funds, and the Water and Sewer Fund.

A motion was made by Councilman Skauge, supported by Councilman Koski and carried unanimously to approve the financial report as presented.

CENTRAL DISPATCH SMART 9-1-1 PRESENTATION

Gary Johnson, Central Dispatch Manager, explained the Smart 9-1-1 service which allows residents to create a free Safety Profile for their household that includes any information they want 9-1-1 and first responders to have in the event of an emergency. When someone in that household dials 9-1-1 from a phone associated with their Safety Profile, their profile is immediately displayed to the call taker which provides additional information that can be used to facilitate the proper response to the proper location. Smart 9-1-1 provides details that could impact response the second an emergency call is placed. He further advised at the end of creating a profile a resident can also sign up for Marquette Alerts which would send alerts in the event of a disaster emergency in the County. Every six months a notification is sent to update your profile, so no profile is older than six months.

PROJECT EMPIRE REPORT PRESENTATION

John Iacoangeli, from Beckett & Raeder, presented the final report for Ishpeming: Embracing our History Achieving our Potential. He provided a summary of the building assessments in the downtown which included the former Woolworth building, the Butler Theater, and the Anderson Building. He also reviewed other possible redevelopment priorities for the City.

Council thanked Mr. Iacoangeli for the presentation.

DISCUSSION ON ORDINANCE #3-1200, SECOND HAND DEALERS

Manager Slown advised staff had issued letters to the Second Hand Dealers in the City per Ordinance 3-1200. Attorney Hoff provide background information regarding the enforcement of this ordinance.

Councilman Skauge indicated, after reading the materials, he was agreeable to amending the ordinance to differentiate between pawn shops, secondhand dealers, and antique stores.

Mayor Juidici suggested a committee be established which would include two Council Members to review/amend the Ordinance.

Councilman Lehmann felt after the initial registration was completed and the fee was paid, businesses should not have to renew their registration every year.

Councilman Tonkin was disappointed in how this was handled; he felt each business should have been contacted personally and not just notified by a letter.

A motion was made by Councilman Skauge, supported by Councilman Lehmann and carried unanimously for the Mayor to appoint two Council Members to a committee along with the City Attorney, City Manager, and business owners to review the ordinance and make amendments; and in addition, put the letter received by the business owners in abeyance until a decision is made regarding possible amendments.

Councilman Skauge and Mayor Juidici would sit on the Committee.

SET PUBLIC HEARING FOR SALE OF THE N 38' OF LOT 55 NEXT TO THE ROYAL PUB

A motion was made by Councilman Skauge, supported by Councilman Koski and carried unanimously to set the public hearing for the September 5th Council meeting.

Councilman Tonkin asked that a letter be obtained from the County Treasurer addressing the conveyance clause in the deed for the S 62' of Lot 55.

VACATION OF THE NORTH/SOUTH ALLEY ACROSS FROM THE ISHPEMING HIGH SCHOOL

Councilman Skauge questioned if the adjoining property owners could be charged for the property if the alley was vacated.

A motion was made by Councilman Koski and supported by Councilman Lehmann to vacate the north/south alley between lots 97 and 98, Cleveland Iron Mining Company's Addition located across from the High School. Ayes: Mayor Juidici, Council Members Koski, Lehmann and Tonkin (4). Nays: Councilman Skauge (1). Motion passed.

USDA WATER PROJECT

Mark Stoor, GEI Consultants, reported there was a fill agreement with Lindberg and Sons for the Jasper Street Mine Pit, where the wall was located, for use during the project. There was discussion regarding the damage to the wall. Manager Slown would continue investigating the matter. Councilman Skauge reported on his conversation with the Mine Inspector and other information he found out regarding the fill agreement.

Joseph Jakubiszyn, 201 Hill Street, was happy with the new pump house and the new water lines because they were both needed; however, he expressed concern over drainage with the pit being filled in and was very upset with the damage to the wall. He wanted the history of Ishpeming preserved.

Council thanked everyone for their comments.

a. Change Order #6, Contract I

A motion was made by Councilman Koski, supported by Councilman Skauge and carried unanimously to approve Change Order #6 for Contract I in the amount of \$1,416.00 for the Water Improvement Project.

b. Change Order #5, Contract II

A motion was made by Councilman Skauge, supported by Councilman Lehmann and carried unanimously to approve Change Order #5 for Contract II in the amount of \$3,392.45 for the Water Improvement Project.

c. Rural Development Draw #10

A motion was made by Councilman Skauge, supported by Councilman Koski and carried unanimously to approve Rural Development Draw #10 in the amount of \$1,021,400.62.

d. Change Order #4, Contract III

A motion was made by Councilman Skauge, supported by Councilman Koski and carried unanimously to approve Change Order 4 for Contract III in the amount of \$19,285.75.

e. Pay Application #8, Contract III - There was no action taken.

Mark Stoor explained MDOT was planning to resurface M-28 which would add approximately 7-9 years of life to the road. He advised there is a stretch of old water main located between Pine Street and Seventh Street that should be replaced prior to resurfacing and there is also 24"-30" of brick storm sewer between Pine Street and Fourth Street that should also be replaced. There was discussion regarding possible options.

A motion was made by Councilman Lehmann, supported by Mayor Juidici and carried unanimously to establish a committee consisting of the City Manager, DPW Director, Mark Stoor and Brian Fabbri from GEI Consultants, and

bring back to Council with a preliminary timeline of the project, including what MDOT's plans are, and determine what areas in the project scope should not be done in order to get this area done.

MERS DISCUSSION

Manager Slown advised much research has been done regarding the retro enrollment of the City Attorney into MERS.

Councilman Lehmann summarized the MERS Committee meeting held with staff, union representatives, two members of Council, and administrative staff regarding unfunded liability and possible plan changes that could be include in a Corrective Action Plan that would need to be submitted to Department of Treasury in February.

Councilman Koski stated MERS was requiring the retroactive enrollment of the City Attorney because the position met the day of work definition in the MERS Plan document. The previous City Attorney was enrolled in MERS.

Council Lehmann advised he met with Councilman Tonkin and the MERS representative to discuss this issue. He requested from staff assurance that the City Attorney filled out all the necessary paperwork for a part time employee which she did. He felt the Attorney was an employee of the City, met the formula required by MERS, and should be retroactively enrolled into MERS.

Councilman Skauge questioned if the Attorney was initially hired as an employee and if the agreement stated the number of hours to work. There was discussion regarding the employment agreement and the number of hours currently being worked. Attorney Hoff pointed out she does a detailed summary every month of her hours.

Councilman Tonkin provided some background information on a meeting held in 2015 regarding the salary and liability insurance coverage for the City Attorney; expressed his concerns over the City Attorney being classified as a part time employee; and questioned what would be requested next.

There was further discussion regarding the retro enrollment of the City Attorney into MERS, the approximate cost for the retro enrollment and the continued enrollment; and the current employment contract.

A motion was made by Councilman Skauge and supported by Councilman Koski to develop a new employment agreement for the City Attorney and bring it back to Council. Ayes: Council Members Koski and Skauge (2). Nays: Mayor Juidici, Council Members Lehmann and Tonkin (3). Motion failed.

Manager Slown advised the retro enrollment would be done.

AGREEMENT FOR REPAIR OF SIDEWALK AT 117 SOUTH FIRST STREET

Aaron Carr, A. Lindberg and Sons, advised this issue was resolved and work was completed.

SECOND READING OF AMENDMENT TO ORDINANCE #2-400, REGULATION OF FIREWORKS

A motion was made by Councilman Lehmann, supported by Councilman Koski and carried unanimously to approve the amendment to Ordinance #2-400, Regulation of Fireworks as of the second reading.

ADOPT POLICY #117, CONFINED SPACE ENTRY POLICY

A motion was made by Mayor Juidici, supported by Councilman Koski and carried unanimously to adopt Policy #117, Confined Space Entry Policy as presented.

RESOLUTION #11-2018, OPPOSING BILLS HB6049 AND SB1025

Manager Slown advised these bills related to assessing services.

A motion was made by Councilman Skauge, supported by Councilman Lehmann and carried unanimously to approve Resolution #11-2018, Opposing Bills HB6049 and SB1025 as presented.

RECOMMENDATION FROM PARKS AND RECREATION COMMISSION FOR FEE CHANGES

Manager Slown advised the Parks and Recreation Commission was suggesting increases to the large event fees for Al Quaal and the Lake Bancroft and also changed the fee structure for the Tube Slide Group rates.

A motion was made by Councilman Koski, supported by Councilman Lehmann and carried unanimously to approve the fee changes as presented from the Parks and Recreation Commission.

RECOMMENDATION FROM PLANNING COMMISSION TO REZONE PARCEL ON THIRD STREET

Manager Slown advised the Planning Commission has recommended the rezoning of Lot 1, Assessor's Plat of Bessemer Street from General Residential to General Commercial for a proposed coffee shop.

A motion was made by Councilman Skauge, supported by Mayor Juidici and carried unanimously to approve the rezoning from General Residential to General Commercial as recommended by the Planning Commission.

SCHEDULE ISHPEMING BUSINESS RESOURCE EVENT WITH THE LSCP

Manager Slown asked Council to contact him with dates and times that would work with their schedule.

DISCUSSION OF AUDIT SERVICES

Jim Lampman, Finance Director, asked for direction from Council for auditing services for the City as the five year contract with Anderson Tackman has expired. He questioned if a Request for Proposal should be developed or if the City should renew with Anderson and Tackman.

A motion was made by Councilman Lehmann, supported by Councilman Koski and carried unanimously to waive competitive bidding and allow the City Manager and Finance Director to negotiate a contract with Anderson Tackman and Company.

OLD BUSINESS

Councilman Tonkin thanked staff for getting the striping completed on the major streets.

Councilman Skauge questioned if the striping and the parking spaces would be painted, as part of the water project, on areas where work was completed. He also asked for a price on paving the one and half blocks of Empire Street, that connects Second Street to Thirds Street, because it is in very bad shape; and also asked for a price for paving the section of First Street from Canda Street to approximately North Street where the pavement is also bad.

NEW BUSINESS

Councilman Tonkin expressed concern over the number of hammocks being used at Al Quaal Recreation Area.

MAYOR AND COUNCIL REPORTS

Councilman Tonkin attended the Planning Commission meeting and reported the zoning ordinance was close to completion; and, attended the Council meetings.

Councilman Lehmann attended the meeting with the Lake Superior Community Partnership to discuss revisions to their agreement; and attended the MERS Committee meeting.

Mayor Juidici attended the MERS Committee meeting and thanked Linda Andriacchi and the beautification workers for all their work on the flower beds and the hanging baskets, he has received many compliments.

Councilman Koski also thanked the beautification workers, and Bob and Cheryl Marietti, for all their beautification efforts; and, thanked Gary Johnson for his presentation on Smart 9-1-1. He would like to get this information out to citizen.

Councilman Skauge advised the Rotary Club cleaned up around Lake Bancroft; reminded everyone of the Buzz the Gut event on August 11th, the Bean Bag Toss Tournament on August 18th and the Labor Day Festivities on September 3rd, and thanked the beautification workers for all their work.

MANAGER'S REPORT

Manager Slown provided a written report to Council. He also advised the retro-enrollment of the City Attorney into MERS would take place.

A motion was made by Councilman Lehmann and supported by Councilman Koski to proceed with the retro enrollment of the City Attorney into MERS. Ayes: Mayor Juidici, Council Members Koski, Lehmann, and Skauge (4).

Nays: Councilman Tonkin (1). Motion passed.

ATTORNEY'S REPORT

Attorney Hoff advised she continued to work on ordinance amendments; and was researching establishing a Municipal Civil Infraction Bureau.

ADJOURNMENT

At 10:03 p.m., a motion was made by Councilman Koski, supported by Councilman Skauge and carried unanimously to adjourn.

Respectfully Submitted,



Cathy Smith
Recording Secretary