

The Regular Meeting of the Ishpeming City Council was held on Wednesday, December 5, 2018 in the Ishpeming City Hall Conference Room. Mayor Karl Lehmann called the meeting to order at 7:00 p.m.

Mayor Karl Lehmann presented Joseph Juidici with a plaque and Council thanked him for his service as Mayor and Councilmember.

ROLL CALL

Present: Mayor Karl Lehmann, Council Members Lindsay Bean, Pat Scanlon, Stuart Skauge, and Mike Tonkin (5). Also present were City Manager Mark Slown and City Attorney Bonnie Hoff.

Mayor Lehmann asked members of Council to address the Chair when they wished to speak so that all members would have an opportunity to talk on the item.

PUBLIC COMMENT

Daniel Mead, Graybill and Mead, 216 South Main Street, advised his clients were Prime Rentals LLC and Chris Kostelansky and their water bill issue was brought to Council in October with action taken by Council in November to place this bill on the tax roll. They have documentation on a master/slave set up at that location and would like this item placed back on an agenda for discussion.

APPROVAL OF AGENDA

A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve the agenda as presented.

AGENDA COMMENT – There was none.

CONSENT AGENDA

Mayor Lehmann noted Councilmember Lindsay Bean's name was misspelled in the minutes. He also asked staff to obtain a map of the complete route for the 906 Polar Roll race.

A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve the consent agenda incorporating the correction to Councilmember Bean's name in the minutes.

- a. Minutes of Previous Meeting (November 7th)
- b. Approval of Disbursements
- c. Reappoint Gabe Seelen, Angelo Bosio, and Brooke Routhier to 3 year terms on the Planning Commission
- d. Reappoint Dave Johnson to a three year term on the Housing Appeals Board
- e. Reappoint Dave Johnson to a three year term on the Zoning Appeals Board
- f. Reappoint Jim Bertucci to a three year term on the Negaunee/Ishpeming Water Authority
- g. Appoint Justin Koski to the vacant term on the Parks and Recreation Commission expiring 5/2020
- h. Special Event Application: 906 Polar Roll – February 16, 2019
- i. Special Event Application: Ishpeming Ski Club/Superiorland Ski Club: February 15/16, 2019
- j. Special Event Application: Red Earth 24: May 31-June 2, 2019
- k. Invoice for repairs to the sidewalk plow

A motion was made by Councilmember Scanlon, supported by Mayor Lehmann and carried unanimously to move item 10 after item 8.

MONTHLY FINANCIAL STATEMENT REPORT

Finance Director James Lampman reviewed the financial report for the period ending November 30, 2018 which included the General Fund, Garbage Fund, Public Improvement Fund, Major and Local Streets Funds, and the Water and Sewer Fund. There was some discussion regarding the Garbage Fund-fund balance and if there were any additional charges incurred if more garbage was placed curbside than what was allowed.

2018 BUDGET AMENDMENTS

Finance Director Lampman advised the budget amendments were for the 2018 budget in accordance with Public Act 621 of 1978. He explained there were no significant changes in the budget. He advised the invoice on the repairs to the sidewalk plow came in after the budget amendments were done, so the equipment repair line item will need to be further amended for the repairs.

A motion was made by Mayor Lehmann, supported by Councilmember Scanlon and carried unanimously to increase the equipment repair line item by \$10,000.

A motion was made by Mayor Lehmann, supported by Councilmember Scanlon and carried unanimously to approve the 2018 budget amendments incorporating the increase to the equipment repair line and approve the monthly financial report as presented.

PUBLIC HEARING FOR ALLEY VACATION BETWEEN 408 AND 412 SOUTH FOURTH STREET

Mayor Lehmann opened the public hearing at 7:37 p.m. There being no public comment, Mayor Lehmann closed the public hearing at 7:38 p.m.

RURAL DEVELOPMENT WATER PROJECT

a. Change Order #10 – Contract I – A motion was made by Councilmember Skauge, supported by Mayor Lehmann and carried unanimously to approve Change Order #10 for Contract I for a decrease of \$19,170.60.

b. Change Order #9 – Contract II – A motion was made by Councilmember Skauge, supported by Mayor Lehmann and carried unanimously to approve Change Order #9 for Contract II in the amount of \$27,600.

c. Rural Development Draw #14 – A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve Draw #14 to Rural Development in the amount of \$444,071.57.

d. Change Order #6 – Contract III - A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve Change Order #6 for Contract III for a decrease of \$2,891.25.

e. Pay Application #12 – Contract III – A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve Payment Application #12 for Contract III in the amount of \$63,029.64.

FIRST READING OF AMENDMENT TO ORDINANCE 11-600, REGULATING THE ISHPEMING CEMETERY

A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve the first reading of amendment to Ordinance #11-600, regulating the Ishpeming Cemetery.

PIPE GATE INSTALLATION AT AL QUAAL TO BE DONE BY DEER LAKE ASSOCIATION

DPW Director Carl Petersen explained the Deer Lake Association would be covering the cost for materials and installation of the pipe gate.

A motion was made by Mayor Lehmann, supported by Councilmember Bean and carried unanimously to approve the installation of the pipe gates at Al Quaal with the cost to be covered by the Deer Lake Association.

ADOPT 2019 CITY OF ISHPEMING FEE SCHEDULE

A motion was made by Councilmember Scanlon, supported by Councilmember Tonkin and carried unanimously to approve the 2019 Fee Schedule as presented.

2019 CITY HEALTH INSURANCE COVERAGE

Manager Slown explained the health insurance option as proposed from 44 North which would eliminate the True-up and would result in approximately a \$24,000 savings.

A motion was made by Councilmember Scanlon, supported by Mayor Lehmann and carried unanimously to support the City Manager's recommendation and approve the 2019 health insurance plan as proposed from 44 North with the agreement from the AFSCME Locals and Police Officers Association of Michigan Local.

RESOLUTION #14-2018 HEALTH INSURANCE PER PUBLIC ACT 152 OF 2011

Manager Slown advised opting out may not be advisable in the future, however, with the language in the current Union agreements, staff recommends Council opt out for 2019.

A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to approve Resolution #14-2018 Health Care Cost Option as set forth in Public Act 152 of 2011 adopting the opt-out option.

REVISION TO THE MERS DEFINED BENEFIT PLAN DOCUMENT FOR DIVISION 10

A motion was made by Councilmember Skauge, supported by Mayor Lehmann and carried unanimously to approve the revision to the MERS Defined Benefit Plan Document which removes the City Manager position from the Plan Document.

RESCHEDULE THE JULY 3, 2019 COUNCIL MEETING TO JULY 10, 2019

A motion was made by Councilmember Scanlon, supported by Mayor Lehmann and carried unanimously to reschedule the July 3, 2019 Council meeting to July 10, 2019 due to the Fourth of July holiday.

CITY COUNCIL COMMITTEE APPOINTMENTS

Mayor Lehmann made the following Council appointments: City/School Liaison-Lindsay Bean; Parks and Recreation Commission-Mike Tonkin; Housing Commission Liaison-Stuart Skauge; Planning Commission-Mike Tonkin; DDA-Karl Lehman; Cemetery Board Liaison-Pat Scanlon; Library Board Liaison-Lindsay Bean; Central Dispatch Policy Board-Stuart Skauge; and Commission on Aging Liaison-Pat Scanlon. He noted the Commission on Aging Liaison was a new appointment.

A motion was made by Mayor Lehmann, supported by Councilmember Scanlon and carried unanimously to accept the appointments as made by the Mayor.

ESTABLISH A BLIGHT COMMITTEE

Manager Slown advised this item was at the request of the Neighborhood Improvement Committee and the Community Foundation Assessment. The committee should consist of two Councilmembers, Anne Giroux, key staff, and a couple citizens at large.

A motion was made by Councilmember Skauge, supported by Councilmember Tonkin and carried unanimously to establish a Blight Committee with Councilmember Scanlon and Mayor Lehmann appointed to the Committee.

ESTABLISH A COMMITTEE TO DISCUSS PARKING OF COMMERCIAL TRAILERS AND TRAVEL TRAILERS

Manager Slown advised this committee was at the request of the Neighborhood Improvement Committee and Council members. The Committee should consist of two Council members, key staff, business owners, and a couple citizens at large.

A motion was made by Councilmember Skauge, supported by Councilmember Scanlon and carried unanimously to establish a Committee to discuss parking of commercial trailers and travel trailers with Council Members Stuarde Skauge and Mike Tonkin appointed to the Committee.

SCHEDULE MEETINGS ON SUSTAINABILITY

There was discussion regarding the approximate \$170,000 deficit in the General Fund; sustainability of the budget into the future; suggestions on how to reduce costs and increase revenues; and how to increase efficiency.

A motion was made by Councilmember Scanlon, supported by Councilmember Skauge and carried unanimously to table scheduling a meeting until the January meeting.

FIRST READING OF ORDINANCE 2-1600 PROHIBITING RECREATIONAL MARIJUANA ESTABLISHMENTS

Attorney Hoff explained December 6th was the effective date of Proposal 1-2018 regarding recreational marijuana. Unlike the medical marijuana statute which was an affirmative ordinance in which municipalities had to opt in, with Proposal 1-2018 if a municipality wishes to not allow retail recreation marijuana establishments then they must opt out. Recreational marijuana is not legal under Federal Law which could cause issues with Rural Development funding which the City has. She recommends, at this time, adoption of this ordinance based on the language in the act and rural development funding.

Aaron Perkins, 212 Cleveland Avenue, thanked Council for looking into the rules and felt the best route may be to wait until the State develops some rules; and he congratulated the new members of Council.

Councilmember Skauge stated the proposal was overwhelmingly approved by the voters and he was not in favor of this ordinance. There was discussion regarding the conflicts with federal law; enforcement of the use of marijuana that would need to be addressed by the State; and the ordinance could be rescinded at a future date when the State develops rules.

A motion was made by Mayor Lehmann and supported by Councilmember Scanlon to accept the recommendation from the City Attorney and approve, as an emergency ordinance, Ordinance #2-1600 prohibiting recreational marijuana establishments in the City which could be rescinded at a later date. Ayes: Mayor Lehmann, Councilmembers Bean, Scanlon, and Tonkin (4). Nays: Councilmember Skauge (1). Motion passed.

OLD BUSINESS

Councilmember Scanlon felt the one vacant DPW position should be filled as soon as possible because DPW was shorthanded.

Mayor Lehmann suggested the City consider hiring temporary full-time employees to help with plowing through the winter months, similar to the Road Commission, and they could also be used as backup. There was discussion related to the budget; staffing levels; and increasing efficiencies City-wide.

A motion was made by Councilmember Scanlon, supported by Councilmember Skauge and carried unanimously to fill the vacant mechanic position in the Public Works Department.

Councilmember Scanlon suggested construction of a carport for the Police Department and moved to authorize staff to look for grant money and obtain quotes. There was no support.

NEW BUSINESS

Councilmember Scanlon thanked Justin Koski and Joseph Juidici for their service on Council; and he would like to continue the efforts on blight elimination in the City and drug manufacturing in the City.

MAYOR AND COUNCIL REPORTS

Mayor Lehmann attended the health insurance meeting, Energy Efficiency Committee meeting with UPPCO and they would be starting to replace lights with LED fixtures.

Councilmember Bean had no report.

Councilmember Tonkin announced the new Zoning Ordinance was complete and out for review and thanked Al Pierce for all his work on the ordinance; thanked Justin Koski and Joseph Juidici for their service on Council; and welcomed new Councilmembers Pat Scanlon and Lindsay Bean.

Councilmember Scanlon had no report.

Councilmember Skauge reported Cable America would put lights on the Christmas tree at the Housing Commission.

MANAGER'S REPORT

Manager Slown provided a written report to Council.


ATTORNEY'S REPORT

Attorney Hoff thanked Justin Koski and Joseph Juidici for their service on Council and welcomed Councilmembers Pat Scanlon and Lindsay Bean.

ADJOURNMENT

At 9:20 p.m., a motion was made by Councilmember Scanlon, supported by Councilmember Skauge and carried unanimously to adjourn.

Respectfully Submitted,



Cathy Smith
Recording Secretary