

The regular meeting of the Ishpeming City Council was held on Wednesday, September 6, 2023, in the Ishpeming City Hall Council Chambers. Mayor Jason Chapman called the meeting to order at 6:00 p.m.

ROLL CALL

Present: Mayor Jason Chapman, Council Members Lindsay Bean, Elizabeth Firby, Renelle Halverson and Pat Scanlon (left the meeting at 9:08 p.m.) (5). Also present was City Manager Craig Cugini and City Attorney Caroline Bridges.

PUBLIC COMMENT – Public comment was offered through Zoom and in person.

Hugh “Bud” Hart, 105 Arch Street, explained he has been subject to three episodes of flooding over the last few years, which he felt was caused by the blocked/slow drain at Maple and Arch Street due to debris and ice pack. He further reviewed the history of what occurred on his property and highlighted his conversations with DPW staff regarding the issue. He explained he attempted to resolve the problem by placing sandbags at their driveway to divert water; and he asked the Council to please address his property issues with short- and long-term plans.

Tony Bachmann, 318 S. Fourth Street, advised he had a water issue in his basement and explained since 2020 he has had storm sewer back-ups during the spring melt and the rain storms with, at times, approximately 24” of water in the basement. He further explained the measures he has taken to prevent damages; however, he could not continue to replace damaged item such as water heaters, washers/dryers. He asked the Council to continue working on this problem.

Joe Gagliardi, 412 E. Division Street, has also had water issues at this residence resulting in damage to appliances in the basement and the structure of the building. He notified the City of Ishpeming and submitted a claim to the City’s insurance carrier. He read the letter he received from the MMRMA attorney. He asked the City to reimburse for all his damages and further asked the Council to come up with a plan moving forward.

Cathy Sylvester, 410 E. Division Street, advised they have had a dry basement for 30 years and since the Partridge Creek Diversion and since Negaunee was added to the stormwater, there has been a substantial increase of water in their basement. She reviewed measures they have taken to prevent damages in their basement. In addition, they have also had sewer backups. She felt the City and the residents should work together to come up with a solution.

Todd Kauppinen, 409 S. Third Street, was happy to see there was a catch basin installed at the end of the alley by his residence, however, his concern was diverting the water to the catch basin. He explained his porch has sunk approximately 2” over the past year. He has had raw sewage come up from the floor drains; and he would like to have something done in this area of the community.

Mike Tonkin, 612 N. Third Street, advised he sent in a FOIA pertaining to a substitute City Attorney as outlined in the City Charter; since there was no substitute attorney this was a Charter violation. He would be contacting the State Attorney General regarding this Charter violation; and stated the City Council cannot override the Charter. He further expressed concern over the sewer issues talked about this evening and discussed his concerns with the conditions of the roads.

Claudia Demarest, 821 Maurice Street, asked if the volume on YouTube could be check because it was not working during the audit presentation; thanked the DPW for repairs to the pot holes on Maurice Street; expressed her concerns with the 2022 audit presentation and the state of the budget; she felt the wage increases to the non-union full and part time staff should be rescinded; and City Manager’s Cugini should be terminated.

Mark Wilhite, 802 N. Third Street and owner of the property on the corner of Third Street and East Empire Street, advised his property was consistently flooding. He asked what the plan was to improve the situation in that area.

John Schooler, 772 Michigan Street, reported he contacted the City's insurance carrier and expressed his disagreement with the denial of the claim. He pointed out there were a number of pot holes on Third Street and would continue with the next steps if his claim was not paid.

Mary Farmer, 415 S. Lake Street, questioned why residents were paying so much for water; and expressed her concerns with the junk cars and unregistered cars in the alley by her residence.

#### APPROVAL OF AGENDA

Mayor Chapman would like to add two items to the agenda: the status of the sealed bids requested at the last meeting for the paving on Main Street and Seventh Street and discussion on the various issues presented tonight during public comment related to water and sewer backups.

A motion was made by Mayor Chapman, supported by Councilmember Bean and carried unanimously to add item 22 status of the sealed bids for paving of Main Street and Seventh Street.

Councilmember Bean expressed concern over having discussions related to the issues presented during public comment tonight related to water and sewer backups, particularly with staff not having the chance to research the issues first.

A motion was made by Mayor Chapman and supported by Councilmember Firby to add discussion related to the water issues presented during public comment as item #23. Ayes: Mayor Chapman, Councilmembers Elizabeth Firby, Renelle Halverson, and Pat Scanlon (4). Nays: Councilmember Lindsay Bean (1). Motion passed 4-1.

A motion was made by Councilmember Scanlon, supported by Mayor Chapman and carried unanimously to approve the amended agenda incorporating the above additions.

#### CONSENT AGENDA

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

- a. Minutes of Previous Meeting (August 9<sup>th</sup> and August 16<sup>th</sup>)
- b. Approval of Disbursements
- c. Confirm appointment of Brice Sturmer to fill vacancy on DDA: Term Expiring 7/2025
- d. Reappoint Craig Cugini to the Building Authority: Term Expiring 6/2026
- e. Appoint Grant Getschow to fill vacancy on the Building Authority: Term Expiring 6/2025
- f. Declare 497 Library Books as surplus

#### MONTHLY FINANCIAL STATEMENT REPORT

Finance Director Grant Getschow reviewed the various funds for the period ending August 2023.

A motion was made by Councilmember Scanlon, supported by Councilmember Bean, and carried unanimously to accept the monthly financial report as presented.

#### 2023 BUDGET AMENDMENTS

Finance Director Getschow reviewed the budget amendment for the General Fund which included the fringe benefit allocations and provided a brief analysis of the wage costs in the general fund. He briefly summarized the other funds including Major and Local Streets, Sewer Fund, Water Fund, Motor Pool Fund; Public Improvement Fund; and Senior Center Construction Fund. He advised he was still analyzing the Brasswire Campground budget and would have further information once the Campground was closed for the year.

A motion was made by Councilmember Scanlon, supported by Councilmember Halverson and carried unanimously to approve the 2023 budget amendments as presented.

INVOICE FROM ANDERSON TACKMAN AND COMPANY (ATC) FOR EXTRA AUDIT TIME

Finance Director Getschow advised there was an additional \$7,200 on the ATC invoice for extra time spent during the audit. He advised this extra time was very valuable while he was going through the audit process and recommended approval of payment in the total amount of \$18,300.

A motion was made by Councilmember Scanlon, supported by Mayor Chapman and carried unanimously to authorize payment of the invoice from ATC for the audit in the amount of \$18,300.

CONFIRM 2023 L-4029

A motion was made by Councilmember Scanlon, supported by Councilmember Bean and carried unanimously to approve the L-4029 as presented and authorize the Mayor and Clerk to sign.

SPECIAL EVENT APPLICATION

Ishpeming High School 2023 Homecoming Parade: October 6<sup>th</sup> – A motion was made by Councilmember Firby, supported by Councilmember Scanlon and carried unanimously to approve the special event application as presented.

FIRST READING OF ORDINANCE 11-2600, PARKS AND RECREATION COMMISSION ORDINANCE

Councilmember Bean advised the Parks and Recreation Commission has struggled to have a quorum over the last year so reducing the number of members from 9 to 7 would be very beneficial. The Parks and Recreation Commission are in support of the new Ordinance.

A motion was made by Councilmember Scanlon supported by Councilmember Halverson and carried unanimously to approve Ordinance 11-2600, Parks and Recreation Commission Ordinance as of the first reading.

AMENDMENT TO POLICY #304, UTILITY BILLING AND PAYMENT PROCESS POLICY

Finance Director Getschow reviewed the proposed changes to the Utility Billing policy which would streamline the process. He advised instead of placing two door hangers, the first notice would be a mailed letter and the second notice would be a door hanger advising service had been shut off.

A motion was made by Councilmember Scanlon, supported by Councilmember Bean and carried unanimously to approve the proposed amendments to the Policy #304, Utility Billing and Payment Process Policy as presented.

POLICE DEPARTMENT REQUEST TO PURCHASE A NEW PATROL VEHICLE

A motion was made by Councilmember Scanlon, supported by Councilmember Halverson and carried unanimously to approve the purchase of the 2023 Ford F-150 for the Police Department as requested in the amount of \$48,689.00.

CONSIDER QUOTE FOR CITY HALL – EMPLOYEE ENTRANCE – DOOR REPLACEMENT

General Foreman Bill Anderson advised the only company that provide a bid prior to the meeting was Stonehouse Window and Door. Three other companies declined to bid when asked; however, he had just received a second bid before the meeting from The Window Store.

Mike Tonkin, 612 Third Street, provided his opinion on the City Hall door replacement. He felt the project could be done for less cost.

Councilmember Scanlon, supported by Councilmember Halverson and carried unanimously to table this item and have an engineer review at the project.

QUOTE FROM MCCOY CONSTRUCTION FOR REPAIRS TO JOHN DEER LOADER 544K

A motion was made by Councilmember Scanlon, supported by Mayor Chapman and carried unanimously to approve the repairs to the John Deer Loader as requested in the amount of \$6,448.26.

REQUEST FROM DPW TO PURCHASE EXCAVATOR ATTACHMENT

General Foreman Anderson reviewed the request to purchase a mounting bracket for a jack hammer for the excavator. This would allow expanding the uses of the excavator.

A motion was made by Councilmember Scanlon, supported by Councilmember Bean and carried unanimously to approve the purchase of the attachment as requested in the amount to \$6,921.74.

MMRMA RISKCONTROL ASSESSMENT OF CITY PLAYGROUND LOCATIONS

Manager Cugini advised this was the report from MMRMA providing a risk assessment of City playground locations.

APPOINTMENT TO THE VACANT LIAISON POSITION FOR THE ISHPEMING HOUSING COMMISSION

A motion was made by Mayor Chapman, supported by Councilmember Bean and carried unanimously to appoint Councilmember Halverson to the liaison position with the Ishpeming Housing Commission.

RECOMMENDATIONS FROM THE CEMETERY BOARD

- a. Consider approval of years 3, 4, and 5 of the GIS Cemetery Project
- b. Consider quote for repair/replacement of a portion of the Cemetery Fence
- c. Authorization to begin purchasing process for columbarium's in 2024

Finance Director Getschow advised items (a) and (c) would be in the 2024 budget proposal. The Cemetery fence was in the Public Improvement Fund for 2023. General Foreman Anderson would like to see the fence repair done this year.

A motion was made by Councilmember Scanlon, supported by Mayor Chapman, and carried unanimously to approve the request by the Cemetery Board for the fence repair and including items (a) and (c) in the 2024 budget.

UPDATE ON PURCHASE OF USED PISTON BULLY FOR PARKS

General Foreman Anderson provided an update on the piston bully for the Parks and noted the equipment should arrive on September 7<sup>th</sup> or 8<sup>th</sup>.

NEW BUSINESS ITEMS

UPDATE ON THE BIDS FOR THE TWO LOCATIONS

General Foreman Anderson advised an engineer has been contacted to develop a request for proposals for the two locations.

WATER ISSUES DISCUSSED UNDER PUBLIC COMMENT

Mayor Chapman asked if it would be possible to add work to the CWSRF project for the area south of the Ishpeming High School, which was brought up by several residents in public comment. There was discussion related to the scope of work for the CWSRF and the processes followed in determining the project scope; Manager Cugini reported on the various project and grants currently being worked on related to water and sewer which included the CWSRF for sewer and DWSRF for water, and the emergency Section 19 funding for the two storm events.

Discussion continued related to the problems occurring in the area south of Division Street; having an engineering evaluate that area, doing excavation on a vacant lot in that area that is not owned by the City to determine if ground water was causing an issue; the water runoff, the damage that was occurring at some of the residences; what mitigation efforts could be done in that location; and insurance claims.

Marilyn Hart 105 Arch Street explained her interactions with the after-hours phone number during the rain even and with the Department of Public Works.

A motion was made by Councilmember Scanlon, supported by Councilmember Bean and carried unanimously to contact an engineer to investigate the area in question, if needed schedule a special meeting, but if excavation on the vacant lot, that is not owned by the City, is a possible solution then move forward.

Discussion turned to employee performance and a closed session was requested by the City Manager.

CLOSED SESSION PURSUANT TO MCL 15.268(a) REQUESTED BY THE CITY MANAGER

A motion was made by Councilmember Scanlon and supported by Councilmember Bean to go into closed session pursuant to MCL 15.268(a) requested by the City Manager and to include City staff Grant Getschow, Bill Anderson, and Justin Bianco 8:37 p.m. Ayes: Mayor Jason Chapman, Council Members Lindsay Bean, Elizabeth Firby, Renelle Halverson, and Pat Scanlon (5). Nays: None (0). Motion passed 5-0.

Returned to open session at 9:30 p.m. Councilmember Scanlon left closed session at 9:08 p.m.

PUBLIC COMMENT – Public comment was offered on zoom and in person.

John Schooler, 772 Michigan Street, discussed the playground evaluation by MMRMA and questioned why they do not come up to evaluate streets and to review insurance claims.

Claudia Demarest, 821 Maurice Street, felt Mayor Chapman was being disrespected particularly by Manager Cugini and Councilmember Bean; questioned Siren Communications and where the results from the survey were.

Mike Tonkin, 612 N.Third Street, asked when the snow plow meeting was going to take place.

Jeff DeGabriele, 413 Vine Street, expressed concerns over insubordination.

Mary Farmer, 415 S. Lake Street, expressed concerns with interruptions at the meeting, she felt some Council and some staff should be terminated.

MAYOR AND COUNCIL REPORTS

Councilmembers Firby and Halverson had not report.

Councilmember Bean provided a short report on the Parks and Recreation Commission; three new playgrounds have been constructed in Ishpeming; at Birchview School, the Middle School, and at the Mining Heritage Pavilion; was very happy to see Brice Sturmer appointed to the DDA; and she advised information on junk vehicles should be brought to the attention of the Police Department for them to check into.

Mayor Chapman report the City has been working on various blighted areas around the City; the Labor Day Festivities were in Negaunee and went well, however, he would like the event to return to Ishpeming.

MANAGER'S REPORT

Manager Cugini advised there would be a community listening session at the Senior Center on September 23<sup>rd</sup> at 2:00 p.m. and the State of the City on September 26<sup>th</sup> at 6:00 p.m. at the Senior Center; he reported the playground at the Lake Bancroft Pavilion was dedicated to Ray Leverton; pointed out the City's roads are rated through a Pavement Surface Evaluation and Rating (PASER) system they are not rated through MMRMA; and he was continuing to apply for grants.

ADJOURNMENT

At 9:55 p.m., a motion was made by Councilmember Firby supported by Councilmember Scanlon and carried unanimously to adjourn.

Respectfully Submitted,



Cathy Smith  
City Clerk