

1. CALL TO ORDER

The regular meeting of the Ishpeming City Council was held on Wednesday, May 8, 2024, in the Ishpeming City Hall Council Chambers. Mayor Jason Chapman called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Mayor Jason Chapman, Council Members Elizabeth Firby, Renelle Halverson, Pat Scanlon (4). Absent: Councilmember Lindsay Bean (1). Also present was Manager Craig Cugini and City Attorney Caroline Bridges.

4. APPROVAL OF AGENDA

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

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

Ryan Reichel, 123 E Lincoln St, Negaunee, discussed the basketball court at Wabash Heights being in terrible shape and would like to see it repaired. He believes that it is a good opportunity to inspire the children in the community to get involved in the sports.

Ray Olds, 1165 9th Street, offered his support for the park in the Wabash area and thanked the Police Department for helping him with a special request on Malton Road.

Valerie Poutanen, 122 New York Street, discussed her disapproval of the cannabis expansion within the City and with the recent survey that was published online.

Craig Heikkila, 137 W. Superior St, discussed blight in the City, specifically in his neighborhood. He is concerned with the safety issues and is hoping that they can be resolved in the near future.

6. CONSENT AGENDA

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

- a. Minutes of Previous Meeting (April 10, 2024)
- b. Approval of Disbursements
- c. Reappoint Kevin Corkin to a 3-year term on the Parks and Recreation Commission with term expiring: 5/2027

7. MONTHLY REPORTS FROM DEPARTMENTS

a. Financial Statement Report

Finance Director Grant Getschow reviewed the unaudited balance sheet including the General Fund, Major and Local Streets, Sewer, and Garbage fund, and Police and Fire Retirement Fund for the period ending April 30, 2024. He explained the revenue and expense report.

A motion was made by Councilmember Scanlon, seconded by Mayor Chapman and carried unanimously to approve the unaudited monthly financial statement report as presented.

i. Public Act 2, Section 19 Authority

Finance Director Grant Getschow explained as outlined in PA 2, Section 19, the Chief Administrative Officer is permitted to make transfers, within limits, between appropriation funds without prior approval of the Legislative body. He explained how allowing the Chief Administrative Officer would work and what paperwork would be sent to Council following any transfers.

There was further discussion related to Public Act 2, Section 19.

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to amend the general appropriation act for 2024 in order to authorize the Chief Administrative Officer to execute transfers between appropriations within the act as permitted by the Uniform Budgeting and Accounting Act, Section 19 (2); subject to the following limits:

1. Transfer between appropriations occur within the same fund
2. Transfers between appropriations do not create a new deficit in existing appropriations
3. Transfers between appropriations have a net zero effect on total appropriations.

b. Department of Public Works Updates

Bill Anderson, DPW General Foreman, advised a quote from PK Contracting would be brought to the next meeting; bids for patching Main Street and Seventh Streets would be going out within the next week; provided an update on the CWSRF project; and the progress of the meter installations.

8. PUBLIC HEARING – There were none.

9. UNFINISHED BUSINESS

a. Amendment to the Traffic Control Orders per Uniform Traffic Control Code: Handicapped Parking Spaces in parking lot on southwest corner of Main Street and Division Street

General Forman Anderson explained staff recommendation was to put one handicapped parking space in the lot; however, at the last meeting, Council moved to put two spaces in the lot. He advised this lot was used for permitted parking in the winter and the location of the handicapped space, as recommended by staff, would allow for the additional width required for a handicapped space. Staff did not recommend putting two handicapped spaces in the lot.

There was discussion related to, Active Physical Therapy, a new business at that location, and it was pointed out they would also have handicapped spaces in their lot on the east side of the building when the lot was redone.

A motion was made by Councilmember Scanlon, seconded by Councilmember Halverson and carried unanimously to approve the traffic control order as recommended by staff and place one handicapped parking space in the lot on the corner of Main and Division.

b. Reschedule Public Hearings for (2) Alley Vacations for the June regular Council meeting

Manager Cugini explained the public hearing notices could not get published 10 days prior to the public hearing as required by the City Charter and asked Council to reschedule the hearings to the June regular meeting.

A motion was made by Mayor Chapman, seconded by Councilmember Halverson and carried unanimously to move the public hearings for the two alley vacations to the June regular Council meeting.

10. NEW BUSINESS

a. Special Event Applications

Ishpeming Community Events Festival of Treasures: 7/5/24 and Music in the Park 6/22-9/5

Italian Fest and Fireworks: 7/27/2024

A motion was made by Councilmember Scanlon, seconded by Mayor Chapman and carried unanimously to approve both special event applications as presented.

Manager Cugini advised Ishpeming Community Events has no changes; however, Italian Fest would be having fireworks this year. Staff was working with Italian Fest for a firework plan.

b. Resolution 5-2024, Award Construction Contract for Water Service Line Inventory Potholing Project

A motion was made Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to approve Resolution 5-2024, Award Construction Contract for Water Service Line Inventory Potholing Project as presented.

c. Proposal for Engineering Services from UPEA for FY 2025 Small Urban Grant

Chris Holmes, UPEA, advised their recommendation was to do Washington Street from Greenwood to Old Washington for the Small Urban Grant funding. He understands Councils desire to redo Third Street, however, there is a lot of old storm sewer under Third Street that needs replacement, so repaving Third Street at this time, without replacing infrastructure, would not comply with a pave once philosophy which has been followed by Council.

There was further discussion related to the condition of Third Street and any possible partial repairs that could be checked into.

A motion was made by Councilmember Scanlon, seconded by Mayor Chapman and carried unanimously to adopt the Proposal for Engineering Services from UPEA for FY 2025 Small Urban Grant as presented.

d. Anderson Tackman and Company

2023 Audit Engagement Letter

2023 Audit Preliminary Comment with Council

Manager Cugini explained the engagement letter authorizes Anderson Tackman to begin the 2023 Audit. There was discussion with the issues in the 2022 audit.

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to approve Anderson Tackman as the audit firm for the 2023 audit and authorize the Mayor and the Manager to sign accordingly.

e. First Reading of Ordinance #5-1400, Recreational Vehicles, Trailers, and Campers

Manager Cugini and Mayor Chapman advised there have been some changes made by Chief Radabaugh that were on track to solving some of the issues of the Ordinance. There was a discussion related to the language in the proposed ordinance and considering holding a public meeting to receive more public input.

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to schedule a special City Council Meeting to be held at the Senior Center and it should take place on a Wednesday evening.

f. Second Reading of Amendment to Ordinance 8-100, Zoning Ordinance

Ordinance Map Amendment RZ-2024-01, Error Correction: Industrial to General Residential

A motion was made by Councilmember Scanlon and seconded by Mayor Chapman and carried unanimously to approve the second reading of Ordinance RZ-2024-01 as presented.

Ordinance Text Amendment ZTA 2024-01 for Garden Definitions and Amendments to Zoning Districts for Permitted and/or Conditional Uses

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to approve the second reading of Ordinance ZTA 2024-01 as presented.

g. PFM Financial Advisors Engagement Letter: DWSRF Financing-Water Supply System Revenue Bonds

Sean Wahl, PFM Financial Advisors, discussed the role of PFM, the engagement letter, and the financing for the DWSRF Financing.

A motion was made by Councilmember Scanlon, seconded by Councilmember Firby and carried unanimously to execute the engagement letter with PFM Financial Advisors for the DWSRF #7708-01 Project as presented.

h. Mutual Aid Agreement – Fire Department: Michigan Mutual Box Alarm System Association

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to accept the Mutual Aid Agreement as presented pending legal review by the City Attorney.

i. Confirm Fill Agreement with Payne and Dolan: CWSRF Project – Northwest portion of the Cemetery
Manager Cugini discussed how the material from the roadway would be put in storage at the Cemetery for future projects.

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to confirm Fill Agreement with Payne & Dolan for the CWSRF Project as presented.

j. FOIA – Appeal of a Denial of Records

Attorney Caroline Bridges reviewed the FOIA Appeal procedures for the denial of records and explained the procedure used for the evaluations. She further reviewed the Act and the options available to Council.

Mike Tonkin, 612 N. Third Street, explained his FOIA requests and the number of requests that he made through FOIA. He thought the Mayor could make the decision alone, without Council action.

A motion was made by Mayor Chapman, seconded by Councilmember Firby to direct Councilmember Bean to provide the Council's individual evaluations to the City Clerk for public records and release to a FOIA. Ayes: Mayor Jason Chapman, Councilmembers Renelle Halverson and Elizabeth Firby (3). Nays: Councilmember Pat Scanlon (1). Motion passed 3-1.

There was discussion related to upholding the denial and reversing the denial. Councilmember Firby questioned how records were going to be provided if there were not records available.

A motion was made by Mayor Chapman, seconded by Councilmember Firby to reverse the denial of public records to an approval. Ayes: Mayor Jason Chapman and Councilmember Halverson (2). Nays: Councilmembers Pat Scanlon and Elizabeth Firby (2). Motion failed 2-2.

k. Authorize City Manager's travel to Houghton for U.P. Manager's Conference

Manager Cugini advised he was requesting to attend the U. P. Managers Conference in Houghton.

A motion was made by made by Councilmember Scanlon, seconded by Councilmember Firby and carried unanimously to authorize the City Manager travel to attend the U.P. Manager's Conference in Houghton as requested.

l. Cliff's Shaft Mine Museum - Miner's Memorial Cross Lighting

Mayor Chapman discussed adding lights at the Miner's Memorial Cross at a minimal cost of \$16 annually.

A motion was made by Councilmember Scanlon, seconded by Councilmember Halverson and carried unanimously to authorized the additional expenditures to add lights to the Miner's Memorial Cross.

Addition to New Business

Councilmember Scanlon suggested that we use the \$120,000.00 in unallocated tax revenue from the Marijuana Tax for repairs on Third St. There was additional discussion on how the funds should be allocated.

A motion was made by Councilmember Scanlon, seconded by Councilmember Halverson and carried unanimously to direct the City Manager to use the \$120,000.00 from the Marijuana Tax for repairs on Third St.

Mayor Chapman called for the resignation of Manager Cugini; Manager Cugini did not resign.

A motion was made by Mayor Chapman, seconded by Councilmember Halverson to call for the termination of Manager Cugini for cause and he had a list of items prepared by two Councilmembers. Motion was rescinded.

Attorney Bridges questioned what items were going to be discussed and a potential of being an Open Meetings Act Violation, if the employee requests closed session.

Manager Cugini called for closed session.

Mayor Chapman thought this should be discussed in open session as some of the items on the list were from the public and should be discussed in public. Attorney Bridges and Mayor Jason Chapman discussed the OMA in a sidebar.

Mayor Chapman rescinded the previous motion, and moved to go into closed session, seconded by Councilmember Halverson pursuant to MCL 15.268(a) requested by the City Manager at 8:26 p.m. Ayes: Mayor Jason Chapman, Councilmember Renelle Halverson and Elizabeth Firby (3). Nays: Councilmember Pat Scanlon (1). Motion passed 3-1.

Returned to open session at 9:18 p.m.

A motion was made by Mayor Chapman, seconded by Councilmember Halverson to terminate the City Manager. Ayes: Mayor Jason Chapman and Councilmember Renelle Halverson (2). Nays: Councilmembers Elizabeth Firby and Pat Scanlon. Motion failed 2-2.

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

Claudia Demarest, 821 Maurice Street, questioned the status of Prairie Street and commented on the poor condition of 7th Street.

Phil Carter, 601 N Main Street, has attended many of the City Council meetings but is concerned with the discourse of the Council. He would like to see the community thrive and urged the Council to work together.

Peggy Chapman, 204 Ready St, discussed her disappointment with the recent survey that was publicized online about the cannabis expansion in the city.

Ray Chapman, 204 Ready St, discussed his disappointment with the recent survey that was publicized online about the cannabis expansion in the city.

Kevin Corkin, 604 N Pine Street, addressed his concerns with the discourse of Council. He would like to see the Council and the City work together and support each other. He is a new member of the community and appreciates the Council and members of the City staff.

May Tsupros, 925 Main St, thanked the Council for all that they do for the City but did not like what was happening and expressed her concerned with the discourse of the Council. She added the Mayor needs to step up and be the leader.

12. MAYOR AND COUNCIL REPORTS

Councilmember Firby advised the Facebook pages mentioned were not operated by the City. She inquired on the status of the South Third Street water report from UPEA and the status of Empire Street. Manager Cugini advised UPEA was coordinating with Trimedia for the test wells and the Empire Street project was complete.

Councilmember Scanlon has been working with the Senior Center and they have a plan to offer basic life support training for staff and to get them a new AED. Would like to look at making some of the blight ordinances a little stronger to help with enforcement.

Councilmember Halverson advised the Housing Commission received bids for the new windows and the would be replacing as many as possible with funds available. She asked about the tennis court grant application; Manager Cugini advised the grant application was submitted and he has been working with the DNR and providing the additional information that was being asked for after the DNR preliminary review.

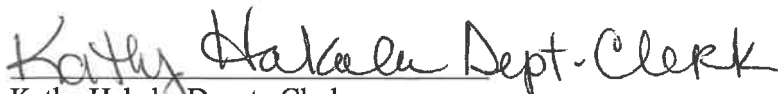
Mayor Chapman wants to make our community better and to do that Council needs to be better. He respects the City Manager, the Council and all City employees; he added transparency is important; he attended the ribbon cutting at Milano Smokehouse Meats; and wished all the moms a Happy Mother's Day.

13. MANAGER'S REPORT

Manager Cugini provided an update on the roundabout project; announced the City was Certified Essentials with the Redevelopment Ready Communities; and gave an update on the construction project around the City.

14. ADJOURNMENT

At 9:44 p.m., a motion was made by Councilmember Scanlon seconded by Councilmember Firby and carried unanimously to adjourn.


Kathy Hakala, Deputy Clerk