

1. CALL TO ORDER

The regular meeting of the Ishpeming City Council was held on Wednesday, October 9, 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, and Pat Scanlon (4). One Councilmember seat vacant (1). Also present was Interim City Manager Grant Getschow and City Attorney Caroline Bridges.

4. APPROVAL OF AGENDA

A motion was made by Councilmember Scanlon, seconded by Mayor Chapman and carried unanimously to add to the agenda item 10(g) Acceptance of Easement and approve the agenda incorporating the addition.

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

Claudia Demarest, 821 Maurice Street, talked about the discussions of a stormwater charge that took place at the October 2, 2024 special Council meeting; read information related to a storm water charge, and suggested alternatives for funding stormwater.

Jeffrey DeGabriele, 413 Vine Street, reserve time for agenda item 9a.

Mike Tonkin, 612 N. Third Street, reserve time under 9a and 10e.

Peggy Chapman, 204 Ready Street, compliment the City on how wonderful the roundabout looked with the fall decorations; and was happy to see the new playground equipment installed at Al Quaal for the children.

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 (September 4th and October 2nd)
- b. Approval of Disbursements
- c. Confirm Mayor appointment of Nichole Nelson to a vacancy on the Cemetery Board: Term Exp. 5/2029
- d. Confirm Mayor appointment of Nichole Nelson to a vacancy on the Housing Appeals Board: Term Exp 12/2026
- e. Declare 339 Library Books as surplus

7. MONTHLY REPORTS FROM DEPARTMENTS

Interim City Manager Grant Getschow reviewed the unaudited balance sheet including the General Fund, Major and Local Streets, Sewer and Garbage fund, DDA, and Police and Fire Retirement Fund for the period ending September 30, 2024. He further explained the City was beginning to research the possibility of a storm sewer fund with a possible implementation of a storm sewer charge.

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

b. DPW Report

DPW General Foreman Bill Anderson provided information on the new bucket truck that was recently purchased for \$24,000; and he explained the process for residents wishing to have a lawn/garden meter and further reviewed how

they meters are charged; he provided a brief update on the progress in the 8th addition for the CWSRF project; and noted the columbarium's have been ordered.

c. Library Report

Library Director Jesse Shirtz shared the monthly report for Council's review and pointed out some of the highlights.

d. City Clerk Report

City Clerk Cathy Smith provided information and timelines for the upcoming November 5th General Election. She noted the deadline to register to vote in any manner other than in person at the City Clerk's office is Monday, October 21st and that Early In-Person Voting will begin on October 26th and run through November 3rd at the Negaunee Township Hall from 9:00 am to 5:00 p.m. each day.

e. Police Department

Chief Chad Radabaugh thanked the Library for holding the Books and Badges reading program and added it was an outstanding program; and he provided an update on the purchase of the new vehicle.

f. Fire Department

Fire Chief Jason Annala advised he was still waiting for the second quote on the Fire Truck repair.

8. PUBLIC HEARING – There were none.

9. UNFINISHED BUSINESS

a. Substitute attorney

Jeffrey DeGabriele, 413 Vine Street, talked about the Misconduct in Office charge that would be coming up on the agenda against Councilmembers and the City Attorney. He further discussed the requirement in the Charter for a backup attorney.

City Attorney Caroline Bridges advised she had a proposal for a general appointment of a substitute attorney, versus appointing a substitute attorney when needed. She added this has been discussed a number of times and a local attorney was not able to be found. She spoke with Matthew Cross from Cummings, McClorey, Davis and Acho Attorneys from Traverse City and he was willing to be the substitute attorney if needed. She further added the Charter requires the Council to approve the appointment. She recommended Council approve Matthew Cross as the substitute City Attorney as this firm would not have conflicts with the City of Ishpeming due to their location. There would be no charge for Mr. Cross being the substitute City Attorney unless services were needed.

Councilmember Scanlon and Mayor Chapman expressed their concerns with not knowing what the charges would be if the services of Matthew Cross were needed.

Councilmember Scanlon suggested if services were needed from this firm, before this attorney was asked to step in and do work, it should be brought to Council for approval.

Councilmember Halverson was concerned with the potential cost if this firm was needed.

A motion was made by Councilmember Scanlon and supported by Mayor Chapman to follow Attorney Bridges' recommendation and appoint Attorney Matthew Cross from the firm Cummings, McClorey, Davis, and Acho as the substitute City Attorney provided that Council acts to activate this attorney if needed. Ayes: Mayor Jason Chapman, Councilmembers Elizabeth Firby and Pat Scanlon (3). Nays: Councilmember Renelle Halverson (1). Motion passed 3-1.

Mike Tonkin, 612 N. Third Street, was very disappointed with how this handled; he explained what happened in the past; and would like to see the Charter followed.

10. NEW BUSINESS

(a) State Revolving Fund

(i) Resolution 17-2024, CWSRF Payment Reimbursement

A motion was made by Councilmember Firby, seconded by Councilmember Scanlon and carried unanimously to approve the Resolution 17-2024 for the CWSRF Payment Reimbursement.

(ii) Resolution 18-2024, DWSRF Payment Reimbursement

A motion was made by Councilmember Scanlon, seconded by Councilmember Halverson and carried unanimously to approve Resolution 18-2024 for the DWSRF Payment Reimbursement in the amount of \$918,513.73.

b. Award Bids for the Second Street Storm Sewer Project

Interim DPW Director Bill Anderson advised two bids were received for the Second Street Storm Sewer project: Danielson Contracting-\$541,255 and Payne and Dolan-\$528,303.75.

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to authorize City staff to award the Second Street Storm Sewer repair to Payne and Dolan in the amount of \$528,303.75 with funds from the 2024 Public Improvement Fund.

c. Quotes for Johnson Street Clean up

Interim Manager Getschow explained a bid was received from Moyle Trucking and Excavating for the clean-up of a fire destroyed property at 338 W. Johnson Street and recommended competitive bidding be waived.

A motion was made by Councilmember Scanlon, seconded by Mayor Chapman and carried unanimously to award the bid to Moyle Trucking and Excavating to clean the fire destroyed property at 338 W. Johnson Street and per the Manager's recommendation waive competitive bidding.

d. 2008 Trackless Tractor Update

Interim DPW Director Anderson advised this piece of equipment was approved for purchase by Council. However, MacQueen was inspecting the equipment and determined the main hydraulic pump was starting to show some signs of performance issues so it was replaced at a cost of \$8,855.71. The total price would be increased to \$53,927.86 but a new trackless would be approximately \$175,000. MacQueen would split the cost of the pump with the City which would cost the City an additional \$4,427.86.

A motion was made by Mayor Chapman, seconded by Councilmember Scanlon and carried unanimously to approve the increase in dollars, of \$4,427.86, for the used trackless tractor and authorize staff to inspect the equipment before purchase.

e. Consideration of Sworn Statement

Mike Tonkin, 612 N. Third Street, felt this issue has been ignored; and added he felt no one ever listened.

Mayor Chapman read into the record Section 5.11 (f) from the City Charter related to the substitute City Attorney.

Councilmember Renelle Halverson

A motion was made by Mayor Chapman and supported by Councilmember Firby to find the charges against Councilmember Renelle Halverson to have no merit and to be dismissed. Motion passed 3-0 with Councilmember Halverson abstaining.

Attorney Caroline Bridges

A motion was made by Councilmember Scanlon and supported by Mayor Chapman and carried unanimously to find the charges against Attorney Caroline Bridges to have no merit and to be dismissed.

Mayor Jason Chapman

A motion was made by Councilmember Scanlon, supported by Councilmember Firby to find the charges against Mayor Jason Chapman to have no merit and to be dismissed. Motion passed 3-0 with Mayor Chapman abstaining.

Councilmember Pat Scanlon

A motion was made by Mayor Chapman and supported by Councilmember Firby to find the charges against Councilmember Pat Scanlon to have no merit and to be dismissed. Motion passed 3-0 with Councilmember Scanlon abstaining.

Councilmember Elizabeth Firby

A motion was made by Mayor Chapman and supported by Councilmember Scanlon to find the charges against Councilmember Elizabeth Firby to have no merit and to be dismissed. Motion passed 3-0 with Councilmember Firby abstaining.

f. Resolution of Acceptance of Junction Street Right -of-Way

Attorney Bridges explained a property owner at this location, Pat Moyle, was developing a lot with two additional duplexes. He has provided the City with an easement for an additional 20' right-of-way on a portion of Junction Street and she would recommend acceptance of the easement.

A motion was made by Councilmember Scanlon, seconded by Mayor Chapman and carried unanimously to accept the 20' right-of-way easement as presented by Pat Moyle and direct the City to Clerk to record the easement.

g. Acceptance of Easements-Washington Street

Interim DPW Director Anderson explained the need for the easements at this location. He would like to have the attorney prepare a sewer utility easement for a second main line to the Wastewater Treatment Plant and to allow the Mayor to sign after all parties have agree. This easement would be beneficial to the City.

A motion was made by Councilmember Scanlon seconded by Mayor Chapman and carried unanimously to authorize the Mayor to sign the sewer utility easement for the David Denofre property after both parties have agreed to the language up to a cost of \$100.00.

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

Mike Tonkin, 612 N. Third Street, was very disappointed, he questioned why there was no discussion under the 11-700 Misconduct in Office; residents are getting upset; and he further pointed out “shall” in the Charter under substitute attorney.

12. MAYOR AND COUNCIL REPORTS

Councilmember Halverson had no report.

Councilmember Firby sent a heartfelt thank you to Al Pierce and wished him a wonderful retirement.

Councilmember Scanlon thank Al Pierce and wished him a wonderful retirement and further thanked him for all the work he did for the City. He added he was tired of being attacked by the front row.

Mayor Chapman attended the fundraiser for the Fire Department and thanked them for their service to the City of Ishpeming; attended the Central Dispatch Policy Board meeting and noted the City of Ishpeming has been the only community to have radios that work with the new system; he enjoyed being on Council; and it was a pleasure to work with staff and Council over the last several months.

13. MANAGER’S REPORT

Interim Manager Getschow advised it has been a busy month in the Finance Office preparing for the switch in billing.

Attorney Caroline Bridge thanked Al Pierce for all the work he has done for the City and she very much enjoyed working with him.

14. ADJOURNMENT

At 7:25 p.m., a motion was made by Councilmember Scanlon, seconded by Councilmember Firby and carried unanimously to adjourn.



Cathy Smith, City Clerk