

A regular meeting of the Ishpeming City Council was held on Wednesday, December 16, 2009 at the Ishpeming Senior Center. Mayor Gary Nelson called the meeting to order at 7:00 p.m.

Present: Mayor Gary Nelson, Council Members Patricia Bureau, Claudia Demarest, Pat Scanlon and John Stone. Present: Five (5). Absent: None (0). Also present were Interim City Manager Jim Bjerne and City Attorney David Savu.

PRESENTATION TO SETH JOHNSON

Mayor Nelson regretfully announced that Mr. Seth Johnson passed away on December 15, 2009. Mayor Nelson stated that Mr. Johnson had served on several boards and commissions over the last three decades. Mayor Nelson stated that Mrs. Karen Johnson will attend the January meeting of the City Council to accept the presentation in honor of her late husband.

PUBLIC COMMENT

Mr. Alan Heikkinen, 713 E. Empire Street, questioned the snow plowing policy for the alleys. Mr. Heikkinen stated that the alley behind his house had been plowed for many years, but has not been plowed this year. Mr. Heikkinen stated that he was told by the DPW that his alley will no longer be plowed. Mr. Heikkinen stated that this is an inconvenience for him and his neighbors who rely on access to the alley for parking.

Mr. Maurice Hansen, 757 Michigan Street, thanked the Ishpeming City Council, local residents and area businesses for their support of the Kiwanis' annual candy and fruit cake sales.

AGENDA COMMENT

Mrs. Joni Gleason, 255 Water Street, Negaunee, reserved time for comment on Agenda Item No. 10.

CONSENT AGENDA

A motion was made by Councilman Scanlon and seconded by Councilwoman Bureau to approve the Consent Agenda as presented:

- a. Minutes of Previous Meetings (November 4 and 12, and December 1, 2009)
- b. Approval of Disbursements
- c. Monthly financial report
- d. Appoint Jim Bertucci to fill a vacancy on the Negaunee-Ishpeming Water Authority

Ayes: Five (5). Nays: None (0). Motion carried.

PUBLIC HEARING ON MEDC INFRASTRUCTURE CAPACITY ENHANCEMENT GRANT APPLICATION FOR THE SECOND, THIRD, AND FOURTH STREETS FLOOD CONTROL PROJECT

Mayor Gary Nelson opened the public hearing at 7:08 p.m. to hear and received comments regarding the MEDC Infrastructure Capacity Enhancement Grant Application for the Second, Third, and Fourth Streets Flood Control Project. Hearing no comments, Mayor Nelson closed the public hearing at 7:09 p.m.

RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR THE SECOND, THIRD, AND FOURTH STREETS FLOOD CONTROL PROJECT

A motion was made by Councilman Scanlon and seconded by Councilwoman Bureau to approve the *Resolution to Authorize the Submittal of a Michigan Community Development Block Grant Infrastructure Capacity Enhancement Grant*, as presented, and to authorize Mayor Nelson and the City Clerk to sign the resolution on behalf of the City of Ishpeming. Ayes: Five (5). Nays: None (0). Motion carried.

A motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to amend the FY2010 budget in the amount of \$100,000 to reflect the City's match for the CDBG Infrastructure Capacity Enhancement Grant; funding for the project will come from the Water Fund. Ayes: Five (5). Nays: None (0). Motion carried.

DISPOSAL OF TWO PARCELS OF PROPERTY IN THE HEMATITE HEIGHTS AREA, EAST OF WABASH HEIGHTS

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to approve the terms of the sale, as presented, for the two parcels of property located east of Wabash Heights and to authorize the City Attorney to prepare the purchase agreement between the City of Ishpeming and Joni and Phil Gleason. Ayes: Five (5). Nays: None (0). Motion carried.

DISPOSAL OF PROPERTY AT 407 ELY STREET

A motion was made by Councilman Scanlon and seconded by Councilman Stone to authorize the Interim City Manager and the City Attorney to negotiate the terms of a purchase agreement with Mr. and Mrs. Robert Corradina for the sale of the property located at 407 Ely Street. Ayes: Five (5). Nays: None (0). Motion carried.

CONVERSION OF WEBSITE / EMAIL SYSTEM

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Stone and seconded by Councilman Scanlon to enter into a contract with iSec Group, Inc. for the conversion of the City's web host and email accounts to *Bluehost*, approve the initial set-up fees in the amount of \$1,900.00, and to authorize the City staff to provide a 60-day cancellation notice to the current web host, *Avenet Web Solutions*. Ayes: Five (5). Nays: None (0). Motion carried.

CITY MANAGER HIRING UPDATE

Interim City Manager Bjorne reported that the City Manager search committee reduced the number of candidates from twenty-three down to seven. Interim City Manager Bjorne stated that the City had contracted services with Mr. Alan Bakalarski to conduct the preliminary background investigations. The Interim City Manager stated that based on Mr. Bakalarski's findings, the list of seven candidates has been reduced to five. Interim City Manager Bjorne stated that three of those candidates have requested confidentiality.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Bureau to authorize the Interim City Manager to schedule the City Manager interviews with the five candidates on Monday, January 11, 2009, in

the City Hall Conference Room, beginning at 8:15 a.m. Ayes: Five (5). Nays: None (0). Motion carried.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilman Stone to authorize the Interim City Manager to send letters to the applicants who had not been invited for an interview. Ayes: Five (5). Nays: None (0). Motion carried.

OLD BUSINESS

Interim City Manager Bjorne reported that a meeting was held on Monday, December 14, 2009 to discuss the potential funding sources for the Partridge Creek Diversion Project. Interim City Manager Bjorne reported that CCI has agreed to pay \$8,400.00 for AECOM to help the City submit a grant application to the EPA.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilwoman Bureau and seconded by Councilman Scanlon to authorize Interim City Manager Bjorne to draft a letter to AECOM requesting that they submit a grant application to the EPA-GLRI, on behalf of the City of Ishpeming, for the Partridge Creek Diversion Project; subject to the condition that CCI will pay \$8,400.00 to AECOM for the preparation and submission of the grant application. Ayes: Five (5). Nays: None (0). Motion carried.

NEW BUSINESS

At the recommendation of Interim City Manager Jim Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to approve the *Cost Agreement for Traffic Signal Control: Traffic Signal Modernization at US41/M28 at 2nd Street, Ishpeming, Marquette County*, MDOT Plan No. 52041-01-007, as presented, and to authorize Interim City Manager Bjorne to execute the documents necessary to proceed with the project, per the letter from the Department of Transportation dated December 7, 2009. Ayes: Five (5). Nays: None (0). Motion carried.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Bureau to approve the following committee appointments:

Jim Bertucci	Negaunee-Ishpeming Water Authority Term to expire December 2012
Angelo Bosio	Ishpeming Area Joint Wastewater Treatment Board Term to expire December 2010
Jim Bertucci	Zoning Board of Appeals Term to expire November 2011
John Healey	Housing Appeals Board Term to expire December 2010

Ayes: Five (5). Nays: None (0). Motion carried.

COUNCILWOMAN DEMAREST

Councilwoman Demarest reported that she attended the Cemetery Board meeting.

Councilwoman Demarest reported that she attended the tree lighting ceremony at the US Ski Hall of Fame. Councilwoman Demarest reported that she attended the downtown Christmas parade.

COUNCILWOMAN BUREAU

Councilwoman Bureau reported that she participated in the downtown Christmas parade. Councilwoman Bureau reported that she attended the Ski Club breakfast and had the opportunity to meet the ski jumping coach. Councilwoman Bureau reported that she attended the tree lighting ceremony at the US Ski Hall of Fame.

Councilwoman Bureau reported that she attended the District Library Committee meeting.

COUNCILMAN STONE

Councilman Stone offered his condolences to the family and friends of Mr. Seth Johnson.

Councilman Stone reported that he attended the Central Dispatch meeting.

Councilman Stone reported that he attended the Ishpeming Housing Commission meeting. Councilman Stone reported that due to the efforts of Housing Director Evelyn Valente-Heikkila and members of the Housing Board, the Ishpeming Housing Commission is one of the best financially run commissions in the State of Michigan.

Councilman Stone reported that he and his wife attended the Ishpeming Housing Commission's annual Thanksgiving dinner and Christmas dinner.

Councilman Stone reported that he attended the downtown Christmas parade. Councilman Stone reported that he attended the tree lighting ceremony at the Ski Hall of Fame.

COUNCILMAN SCANLON

Councilman Scanlon expressed his condolences to the family and friends of Mr. Seth Johnson.

Councilman Scanlon reported that he attended the annual downtown Christmas parade. Councilman Scanlon stated that the Christmas tree at Old Ish Park appears to be in rough shape and the City may need to consider replacing the tree.

Councilman Scanlon thanked the DPW crews for an outstanding job of cleaning up the streets and sidewalks after the last storm.

MAYOR NELSON

Mayor Nelson offered his condolences to the family and friends of Mr. Seth Johnson.

Mayor Nelson reported that he attended the downtown Christmas parade and stated that he enjoyed helping with the lighting of the Christmas tree.

Mayor Nelson stated that 2010 will be a challenging year for local governments as they face additional reductions in funding.

MANAGER'S REPORT

Interim City Manager Bjorne reported that he had a phone conversation with Brian Zaplitny regarding the wind turbine project at the Ishpeming Hi-Rise. Interim City Manager Bjorne stated that Mr. Zaplitny indicated that there are some issues pertaining to the rigging system that is needed to properly lift the blades. The Interim City Manager stated that Mr. Zaplitny will give the City a definitive installation date once these issues are resolved.

Interim City Manager Bjorne reported that the environmental review for the Everlast Industries project has been completed. The Interim City Manager stated that Mr. Airaudi, Everlast Industries, has been authorized to proceed with the project beginning Friday, December 18, 2009.

Interim City Manager Bjorne reported that the City has received several complaints regarding snow plowing and snow removal. Interim City Manager Bjorne stated that the complaints started last Wednesday, December 9, 2009. Interim City Manager Bjorne provided a detailed account of the events that occurred over the past week.

Interim City Manager Bjorne stated that the City does not receive the same level of funding that was received in the past and stated that the City also has fewer employees to do the work. The Interim City Manager stated that with less funding and fewer employees, the City has had to make adjustments in the snow plowing and snow removal procedures.

Interim City Manager Bjorne stated that there are several downtown areas where businesses push snow into the City's right-of-way. Interim City Manager Bjorne stated that in the past, the City had removed the snow at no cost to the business owner. The Interim City Manager stated that in consideration of our current budget situation, the City must re-evaluate how the snow is removed from these areas.

A lengthy discussion ensued.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to authorize the Interim City Manager to approach the DDA and request funding assistance for snow plowing removal in the downtown area for this winter season. Ayes: Five (5). Nays: None (0). Motion carried.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to authorize the Interim City Manager to immediately notify all property owners in the offending areas and advise them that the City will no longer remove snow, free of charge, that the property owner has moved from private property into the City's right-of-way. Property owners must decide whether or not they want the City work crews to remove the snow and pay the associated costs or hire their own contractor to remove the snow. Ayes: Four (4). Nays: None (0). Abstained: Mayor Nelson. One (1). Motion carried.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Bureau to approve the amendments, as presented, to Ordinance No. 6-400, *An Ordinance to Prohibit the Placing of Snow and Ice upon the Fire Hydrants, Streets, Alleys, and Sidewalks in the City of Ishpeming*, as of the first reading. Ayes: Four (4). Nays: None (0). Abstained: Mayor Nelson. One (1). Motion carried.

At the recommendation of Interim City Manager Bjorne, a motion was made by Councilman Scanlon and seconded by Councilwoman Bureau to adopt Ordinance No. 6-401, *An Ordinance to Impose Fees and Charges for the Removal of Snow and Ice Placed upon Fire Hydrants, Streets, Alleys, or Sidewalks in the City of Ishpeming*, as of the first reading. Ayes: Four (4). Nays: None (0). Abstained: Mayor Nelson. One (1). Motion carried.

Interim City Manager Bjorne reported that he attended a meeting last week with the Bell Hospital's Chief Operating Officer, Bell Hospital's EMS Acting Director, and Fire Chief Anderson to discuss call out procedures for the Ishpeming Fire Department. The Interim City Manager stated that an agreement was reached and Bell EMS will no longer dispatch Ishpeming's Fire Department for non-emergency related situations.

PUBLIC WORKS DIRECTOR / CITY ENGINEER REPORT

Public Works Director Kangas presented his written, monthly report to the City Council.

Public Works Director Kangas asked the City residents for their patience as the DPW works out the snow plowing issues.

ATTORNEY'S REPORT

City Attorney Savu recommended that a committee be created to review the snow plowing issues. City Attorney Savu stated that a comprehensive plan for snow plowing should be developed over the next few months and be in place for the next winter season.

CLOSED SESSION TO DISCUSS STATUS OF UNION NEGOTIATIONS AND CONFIDENTIAL WRITTEN ATTORNEY / CLIENT COMMUNICATION

A motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to enter into closed session at 8:35 p.m. to discuss status of labor negotiations and confidential written attorney/client communication. Roll Call Vote: Ayes: Councilwoman Bureau, Councilwoman Demarest, Councilman Scanlon, Councilman Stone and Mayor Nelson. Ayes: Five (5). Nays: None (0). Motion carried.

A motion was made by Councilman Scanlon and seconded by Councilwoman Demarest to return to open session at 9:27 p.m. Ayes: Five (5). Nays: None (0). Motion carried.

ADJOURNMENT

A motion was made by Councilman Scanlon and seconded by Mayor Nelson to adjourn the meeting at 9:30 p.m. Ayes: Five (5). Nays: None (0). Motion carried.

Jenifer M. Rajala
City Clerk