

December 17, 2014  
Worksession  
6:30 p.m.

Present: Councilors Tuisku, Bauman, Hodur, McKenzie, Belej, Slivon and Blau.

Absent: None

Also present: John Haeussler, Susan Burack and Mark Dennis.

Reviewed and Discussed:

1. Gazette Article regarding 930 Summit Street owned by Brian Foreman. Considering making it into a group home for homeless men.  
-Can be rented to three unrelated people. Zoned R-3 only one unit.
2. The Auditors will be at the January meeting to present the audit report.
3. Update on the Masonic Building bids.
4. November was the 4<sup>th</sup> snowiest month in the History of the UP.
5. Update on CCISD AND HCH \$50,000 grant for security upgrade.
6. Update on the replacement of the Sisu Bridge next year on the Maasto Hiihto Ski Trail.
7. Baraga Telephone will be requesting a meeting with the City in January, they are looking for an easement on City owned property.
8. Update on Ben Jaehnig situation.
9. Mark Dennis – Hancock Fire Department  
-Need to replace our 1999 Freightliner, needs some work, value \$85,000-\$95,000. A new one will cost around \$300,000. Re-sale value \$75,000 to \$100,000. May be able to purchase a good used vehicle. There may be a local department interested in purchasing the 1999 Freightliner. Would like to start talks with the City Council Committee. Manager suggested a January meeting with McKenzie, Hodur and Tuisku.
10. John Haeussler gave a historical presentation on 117/119 Quincy Street.

Public Hearing:

December 17, 2014

7:30 p.m.

1. Public Hearing on the proposed ordinance approving amendment to the Development and Tax Increment /Financing Plan of the City of Hancock DDA.
2. Public Hearing on the proposed ordinance approving regulating open fires and burning within the City limits of the City of Hancock.

Mayor McKenzie called this Public Hearing to order at 7:30 p.m. with the following Councilors being present: Councilors Tuisku, Bauman, Hodur, McKenzie, Belej, Slivon and Blau.

Also present: John Haeussler, Susan Burack, Anton Pintar, Mike Markham, Ann Brunette, Mitch Lake and Kurt Hauglie.

No Public comment on the proposed ordinance approving amendment to the Development and Tax Increment /Financing Plan of the City of Hancock DDA.

No Public comment on the proposed ordinance approving regulating open fires and burning within the City limits of the City of Hancock.

Mayor McKenzie closed this Public Hearing at 7:33 p.m.

Regular Meeting

December 17, 2014

7:33 p.m.

The regular meeting of the Hancock City Council was held in the Council Chambers on Wednesday, December 17, 2014 at 7:30 p.m. with Mayor McKenzie presiding. The United States Flag was honored by all in attendance with the following duly qualified Councilors being present:

Councilors: Tuisku, Blau, Hodur, McKenzie, Belej, Slivon and Bauman.

Absent: None

Moved by Councilor Tuisku and seconded by Councilor Belej to approve tonight's meeting agenda as amended.

Add #10 and #11 to new business: Resolution 21-14 Transit and Public Safety Committee meeting to discuss the 1999 Pumper.

Yes: All

No: None

Motion Carried.

correspondence

2015 listing of board meetings

guests

Public Comment:

1. Anton Pintar, Houghton County Board Member.

-Update on the Houghton County Medical Care Facility (talk about privatizing)

-2016 renewal millage

-Renovation for HCMCF plans

-Dental Clinic on Quincy Hill

2. Susan Burack, Scott Building, Thank you to the residents and volunteers for work on the E. Hancock Stairway. Encourage Council Members to attend the training session on January 15<sup>th</sup> in Marquette.

minutes approval

Moved by Councilor Hodur and seconded by Councilor Belej approving the minutes of the November 19, 2014 worksession, public hearing and regular meeting as presented.

Yes: All

No: None

Motion Carried.

reports

Planning Commission minutes of October 27, 2014

DDA minutes of November 3, 2014

Development Area Citizens Council minutes of December 4, 2014

Moved by Councilor Belej and seconded by Councilor Hodur to acknowledge the reports as presented and place them on file.

Yes: All

No: None

Motion Carried.

admin. report

1. Update on DDA facade Grants.

-41 grants have been given since 2008 for a total of \$330,000 + dollars.

-Facade grants are on hold as the DDA has agreed to fund the streetscape project in the amount of \$260,000.

2. State Revenue Sharing Certification (EVIP) was submitted in November.

3. Close out of MNRTI Navy Street Park Boardwalk Project.

-Total DNR Grant \$262,500; Final payment \$26,250; DDA paid \$93,000

4. Jutila Center Business Update.

-34 active businesses

5. Elected Officials Academy, Marquette – January 15<sup>th</sup>. Let the CM know if you

would like to attend.

6. MDOT Lift Bridge Project Update.  
-Lane closures start on Monday, January 5<sup>th</sup>
7. Final Project report on the E. Hancock Stairway rehab. Project.  
-Total project \$30,000 of which \$11,000 was a grant.
8. DDA legislation Update.
9. ADT counts.  
-Study includes traffic counts from 1995, 2000, 2005, 2010 and 2013. (copy on file)
10. Gas Tax Increase Update.
11. Rural Development preliminary engineer report submitted two weeks ago.  
-New water mains in the downtown.
12. New 2015 Dodge Durango was received last week.

old business  
ordinance # 288

Moved by Councilor Belej and seconded by Councilor Blau adopting Ordinance No. 288  
“Approving Amendment to the Development and Tax Increment Financing Plan of the City of Hancock DDA and authorizing publication in the Mining Gazette as follows:

ORDINANCE NO. 288

APPROVING AMENDMENT TO THE  
DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF THE  
CITY OF HANCOCK DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the City of Hancock Downtown Development Authority (the “Authority”) has previously prepared and recommended for approval a Development and Tax Increment Financing Plan (the “Original Plan”) which was approved by the City Council of the City of Hancock (the “City”) pursuant to Ordinance No. 165 of 1984, adopted on July 5th, 1984; and

WHEREAS, the City has approved amendments to the Original Plan pursuant to Ordinance No. 207, adopted on April 21st, 1993 (together with the Original Plan, the “Amended Plan”); and

WHEREAS, the Authority has prepared and recommended for approval amendments to the Amended Plan, attached hereto as Exhibit A (the “Plan Amendment”); and

WHEREAS, on November 19, 2014, the City Council held a public hearing on the Plan Amendment pursuant to Act 197, Public Acts of Michigan, 1975, as amended (the “Act”); and

WHEREAS, the City Council has given the taxing jurisdictions subject to capture in the Downtown District an opportunity to meet with the City Council and to express their views and recommendations regarding the Plan Amendment, as required by the Act; and

WHEREAS, after consideration of the Plan Amendment, the City Council has determined to approve the Plan Amendment.

NOW, THEREFORE, THE CITY OF HANCOCK ORDAINS:

1. Findings.
  - (a) The City Council has taken into consideration the findings and recommendations of the Development Area Citizens Council.
  - (b) The Plan Amendment meets the requirements set forth in the Act.
  - (c) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.
  - (d) The development is reasonable and necessary to carry out the purposes of the Act.
  - (e) The land included within the Development Area to be acquired, if any, is reasonably necessary to carry out the purposes of the Plan Amendment and the purposes of the Act in an efficient and economically satisfactory manner.
  - (f) The development plan portion of the Plan Amendment is in reasonable accord with the master plan of the City.
  - (g) Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.
  - (h) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the Plan Amendment, are reasonably necessary for the project and for the City.
2. Public Purpose. The City Council hereby determines that the Plan Amendment constitutes a public purpose.

3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to proceed with the Plan Amendment in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote growth in the Downtown District.

4. Approval and Adoption of Plan Amendment. The Plan Amendment is hereby approved and adopted. A copy of the Plan Amendment and all later amendments thereto shall be maintained on file in the City Clerk's office.

5. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of the Ordinance are to the extent of such conflict hereby repealed, and each section of the Ordinance and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of the Ordinance.

6. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of the Ordinance.

7. Publication and Recordation. The Ordinance shall be published in full promptly after its adoption in The Daily Mining Gazette, a newspaper of general circulation in the City, qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the City Clerk.

8. Effective Date. The Ordinance is hereby determined by the City Council to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.

#### CERTIFICATES

I hereby certify that the foregoing is a true and complete copy of Ordinance #288, duly adopted by the City Council of the City of Hancock, County of Houghton, State of Michigan, at a regular meeting held on December 17, 2014, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by such Act.

I further certify that the following Members were present at said meeting Tuisku, Bauman, Hodur, McKenzie, Belej, Slivon and Blau. There were no Members that were absent .

I further certify that Member Hodur moved adoption of said Ordinance and Member Belej supported said motion.

I further certify that the following Members voted for adoption of said Ordinance Blau, Slivon, Belej, McKenzie, Hodur, Bauman and Tuisku. No Members voted against adoption of said Ordinance

Karen Haischer, CMC

City Clerk

This ordinance was introduced by the City Council of the City of Hancock, Houghton County, Michigan on the 19th day of November, 2014.

This ordinance was adopted/enacted by the City Council of the City of Hancock, Houghton County, Michigan on the 17th day of December, 2014.

This ordinance shall take effect 30 days from the date of adoption according to the Hancock City Charter.

Effective date: January 17th, 2015.

I hereby certify that the foregoing ordinance received legal publication in The Daily Mining Gazette on December 10th and December 31st, and that a public hearing was held on the 17th day of December, 2014.

Plan Amendment: (On file at the City Clerk's Office, 399 Quincy Street, Hancock)

Roll Call Vote:

Yes: Councilors Tuisku, Bauman, Hodur, McKenzie, Belej, Slivon and Blau.

No: None

Motion Carried.

ordinance #289

Moved by Councilor Tuisku and seconded by Councilor Belej adopting Ordinance No. 289 "Regulating open fires and burning within the City limits of the City of Hancock. And authorizing publication in the Mining Gazette as follows:

ORDINANCE NO. 289

REGULATING OPEN FIRES AND  
BURNING WITHIN THE CITY LIMITS  
OF THE CITY OF HANCOCK

The City of Hancock Ordains:

Section 1: PURPOSE

1.0 Purpose.

This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the City of Hancock, State of Michigan, by regulating the air pollution and fire hazards of open burning and outdoor burning.

Section 2: APPLICABILITY

2.0 Applicability.

This ordinance applies to all outdoor burning and open burning within the City of Hancock.

- 2.1 This ordinance does not apply to grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances.
- 2.2 This ordinance does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.
- 2.3 This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

Section 3: SEVERABILITY

3.0 Severability.

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Section 4: DEFINITIONS

4.0 Definitions.

- 4.1 "Open burning" means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.
- 4.2 "Outdoor burning" means open burning or burning in an outdoor setting.
- 4.3 "City" means the City of Hancock (hereinafter "City").
- 4.4 "City Manager" means the City Manager or his or her designee.
- 4.5 "Garbage" means any animal or vegetable waste resulting from handling, preparation, cooking, and consumption of food.
- 4.6 "Refuse" means any trash, including, but not limited to, plastic, exclusions, furniture, bedding, metals, tin, glass, and discarded building and household decorative materials.
- 4.7 "Stack or Chimney" means a flue, conduit, or duct designed to direct an effluent into ambient air.
- 4.8 "Yard Waste" means regular wastes produced from landscaping, gardening activities, trimming, pruning, mowing, and the maintenance of grounds.
- 4.9 "Clean wood" means natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.
- 4.10 "Construction and demolition waste" means building waste materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair and demolition operations on a house, commercial or industrial building, or other structure.

Section 5: GENERAL PROHIBITION ON OUTDOOR BURNING AND OPEN  
BURNING

5.0 General prohibition on outdoor burning and open burning.

Open burning and outdoor burning are prohibited in the City of Hancock unless the burning is specifically permitted by this

Ordinance, or is located at the city campground.

#### Section 6: RECREATIONAL FIRES

##### 6.0 Recreational fires

Recreational fires on private property are permitted so long as they meet all the following requirements:

- 6.1 The fire pit or receptacle does not exceed three (3) feet in diameter.
- 6.2 Fires are attended until extinguished and ashes are cold by a competent person of at least eighteen (18) years of age.
- 6.3 Only clean wood products or commercially produced fuel products are burned.
- 6.4 Recreational fires shall be located at least twenty feet (20) from the nearest neighbor structure which is not on the same property as the recreational fire.
- 6.5 Fire does not threaten trees, shrubs or branches that may ignite
- 6.6 Atmospheric conditions are favorable.
- 6.7 Fire is in a pit or receptacle that inhibits the spread of a fire.
- 6.8 Prohibit emission of smoke or fumes which irritate, annoy, or constitute a health nuisance to others living in the neighborhood.
- 6.9 No fires will be allowed from midnight to 6:00 a. m.
- 6.10 The fire does not endanger other buildings or structures.

#### Section 7: BONFIRES

7.0 Bonfires: Public or private bonfires in which the material wood exceed three feet in diameter require prior approval of the City Manager and/or the Fire Chief.

#### Section 8: NO BURNING ORDERS

- 8.0 No burning may be conducted on days when the Dept. or Environmental Quality, Dept. of Natural Resources, or Governor of Michigan has issued a ban applicable to the area.

#### Section 9: PENALTY:

- 9.0 Failure to abate a violation of this ordinance as prescribed by the City Manager, Code Enforcement Officer, Police Officer or other City Authorized Representative shall result in a fine of up to \$100.00 for each day during which the property owner is in violation of this ordinance and or up to 90 days in jail.

#### Section 10: PUBLICATION AND EFFECTIVE DATE.

- 10.1 This ordinance was introduced by the City Council of the City of Hancock, Houghton County, Michigan on the 19th day of November, 2014.
- 10.2 This ordinance was adopted/enacted by the City Council of the City of Hancock, Houghton County, Michigan on the 17th day of December, 2014.
- 10.3 This ordinance shall take effect 30 days from the date of adoption according to the Hancock City Charter.
- 10.4 Effective date: January 17th, 2015.

#### CLERK'S CERTIFICATION

I, Karen Haischer, Clerk of the City of Hancock, hereby certify that the above Ordinance was published in the Daily Mining Gazette, a newspaper having general circulation in the City of Hancock on the 10th day of December and the 31st day of December and that a public hearing was held on the 17th day of December, 2014.

Roll Call Vote:

Yes: Councilors Blau, Slivon, Belej, McKenzie, Hodur, Bauman and Tuisku.

No: None

Motion Carried.

new business  
november a/p

Moved by Councilor Belej and seconded by Councilor Blau approving the accounts payable for November in the amount of \$207,012.85 and authorizing payment as follows as funds ,become available.

General	\$85916.42
Major	4,097.31
Transit	4,145.74

Sewer	50,925.29
Water	41,084.76
Motor V	20,113.77
<u>DDA</u>	<u>729.56</u>
Total	\$207,012.85

Roll Call Vote:

Yes: Councilors Tuisku, Bauman, Hodur, McKenzie, Belej, Slivon and Blau.

No: None

Motion Carried.

add'l checks typed in nov.

Moved by Councilor Tuisku and seconded by Councilor Belej approving the additional checks typed in the month of November, in the amount of \$488,064.16 and authorize payment as follows:

Expenses	\$105,652.00
<u>Transfers</u>	<u>382,412.16</u>
Total	\$488,064.16

Roll Call Vote:

Yes: Councilors Blau, Slivon, Belej, McKenzie, Hodur, Bauman and Tuisku,.

No: None

Motion Carried.

resolution #20(a)-14

Moved by Councilor Hodur and seconded by Councilor Belej to approve and adopt Resolution 20(a)-14 "MERS Health Care Savings Program Uniform Resolution" and authorize the Mayor and Clerk to sign the document.

Roll Call Vote:

Yes: Councilors

Tuisku, Bauman, Hodur, McKenzie, Belej, Slivon and Blau.

No: None

Motion Carried.

mdot transportation alternative  
program grant

Moved by Councilor Belej and seconded by Councilor Hodur approving and accepting a \$787,663.00 MDOT Transportation Alternative Program Grant plus \$235,275.00 from MDOT and \$235,275.00 City Funds for the 2016 Streetscape Project on US41.

Yes: All

No: None

Motion Carried

beach dock options

Received proposals from MJO Contracting Inc.

No action at this time.

hhc appointment

Moved by Councilor Belej and seconded by Councilor Slivon to appoint Stephan Olsson to the Hancock Housing Commission to replace Mary Tuisku – term ending December 31, 2018.

Yes: All

No: None

Motion Carried.

dda appointment

Moved by Councilor Slivon and seconded by Councilor Blau to appoint John Diebel to the DDA to replace Bonnie Holland for a term ending January 31, 2018.

Yes: All  
No: None  
Motion Carried.

board appointments

Moved by Councilor Tuisku and seconded by Councilor Belej approving the following board appointments as recommended by Mayor McKenzie.

DDA 4 year term ending 1-31-2019	Steve Zutter
HHC 5 year term ending 12-31-2019	Dennis Shea
Planning 3 year term ending 2-15-2018	Tony Wilmers and Dan Lorenzetti
Cemetery 5 year term ending May, 2020	Carol Carli
BOR 3 year term ending December 2017	Mike Thornton and Tom Vichich
ZBA 3 year term ending 1-31-2017	Lisa McKenzie
Hancock Bldg. Auth. 3 year term ending 1-31-2017	Bruce Witting

Recreation Open

Yes: All  
No: None  
Motion Carried.

afscme union  
pay raise 2015 and 2016

Moved by Councilor Belej and seconded by Councilor Blau approving a 3% pay raise for the Police Dept. Supervisory employees Chapter of Local 226, Council 25, AFSCME (Lt. Hiltunen) for 2015 and 2016 effective January 1<sup>st</sup>.

Roll Call Vote:

Yes: Councilors Blau, Slivon, Belej, McKenzie, Hodur, Bauman and Tuisku.

No: None

Motion Carried.

resolution #21-14

Moved by Councilor Hodur and seconded by Councilor Slivon Transit Resolution #21-14 "FY 2016 Resolution of Intent" as follows:

RESOLUTION OF INTENT #21-14

The approved resolution of intent to apply for financial assistance for fiscal year 2012 under act 51 of the public acts of 1951, as amended.

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the City of Hancock, (hereby known as THE APPLICANT) established under Act 51, to provide a local transportation program for the state fiscal year of 2016 and, therefore, apply for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for THE APPLICANT, to name an official representative for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or Department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the past state fiscal year, and (State Operating Assistance Program only)

WHEREAS, the performance indicators for this agency have been reviewed and approved by THE APPLICANT; and (State Operating Assistance Program only)

WHEREAS, THE APPLICANT, has reviewed and approved the proposed balance (surplus) budget, and funding sources of estimated federal funds \$39,200, estimated state funds \$89.033, estimated local funds \$67,927, estimated fare box \$48,800, estimated other funds \$40, with total estimated expenses of \$245,000.

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide public transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51; and

HEREBY, appoints Glenn Anderson as the Transportation Coordinator, for all public transportation matters, who is authorized to provide such information as deemed necessary by the State Transportation Commission or department for its administration of Act 51 for 2015.



I, Karen S. Haischer, CMC, City Clerk of THE APPLICANT, having custody of the records and proceedings of THE APPLICANT, does hereby certify that I have compared this resolution adopted by THE APPLICANT at the meeting of December 17, 2014 with the original minutes now on file and of record in the office that this resolution is true and correct.

Roll Call Vote:

Yes: Councilors Blau, Slivon, Belej, McKenzie, Hodur, Bauman and Tuisku.

No: None

Motion Carried.

public safety meeting  
talks on new fire truck

Moved by Councilor Belej and seconded by Councilor Hodur that the Public Safety Committee (McKenzie, Hodur and Tuisku) work with reps. from the Fire Department to look at replacing one of our trucks. (Set up a meeting sometime January)

Yes: All

No: None

Motion Carried.

Moved by Councilor Belej and seconded by Councilor Blau that this regular meeting of the Hancock Council be adjourned. Time: 8:30 p.m.

Yes: All

No: None

Motion Carried.

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Lisa McKenzie, Mayor

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Karen Haischer, CMC City Clerk