

October 21, 2015
Worksession
6:30 p.m.

Present: Councilors Bauman, Hodur, McKenzie, Belej, Slivon and Blau.
Absent: Councilor Tuisku
Also Present: Susan Burack, Bill Marlor and Mary Lepisto, Wayne Butler(late).

Reviewed and Discussed:

1. Mary Tuisku had surgery yesterday October 20th and is doing well.
2. Lift Bridge Updates.
3. Update on the sale of 200 Quincy Street
 - offices and labs
4. Request for PLDL millage
 - 2 mills on the November 2016 ballot
5. 2009 Rhino ATV sold for \$9900
 - purchasing a new 2015 CAMAM – should be here in December
 - cost sharing with the Ski Club
6. Pat's IGA is considering putting an expansion on in May to their building.
7. Ray Gerhart has been ill. At home and now on oxygen.
8. Steve Palowoski is looking for a liquor license for the Elks Building.
9. Police Department Update.
 - police vehicle grant for 2016
10. 805 Pine Street Update.
 - SNB took over the property on 6-22
 - Craig Brewer is still in one of the apartments
 - Looking into a MSHDA grant for renovations
11. Portage Health
 - starting on their new clinic in Calumet this month
12. City hired Allan Provost as a mechanic/heavy equipment operator.
13. John Gedda sold his trailer to Wayne Ohtonen
 - Wayne finished off the season as the campground host and will try it next summer
14. American Legion is getting a new sign.
15. Mid-West Loan Service donated workstations for the police department.
16. We will be demolishing the Swedetown House this fall or early spring.
17. Superior Sand and Gravel and a parcel of land for sale 1.2A for \$54,000
18. 119 Quincy Street Update.
 - Siding the second story this week
 - Window replacement
 - 70% completed with 4 apartments
 - Completed the last grant draw
 - Need to schedule a Public Hearing to close out Grant.
19. Chief of Police Quarterly Report (July, August, September 2015)
44 medical assists, assist other agency 39 times, PDA 33, Lost and Found 29, Arrests 21, Harassing complaints 22, 26 alarms, 4 deaths, 28 noise complaints, 3 child custody, 24 civil matters, 140 general, 5 hit and run, 7 parking, 7 domestics, 3 bad checks, 2 ID theft and Fraud, 146 misc calls, 54 concerned citizens, 15 disorderly, 30 court ordered PBT's, 14 traffic citations, 64 traffic warnings. Total blotter entries 758.
 - New firearm training
 - One officer to school for training
 - Chief gone to Chicago
- Guests: Traci Williams, Kurt Hauglie and Mitch Lake
20. Recycling and Dumpster Update.
 - 2 dumpsters at City garage
 - crew will no longer pick-up recycling in bags
 - will not pick up leaves in clear bags this month – leaving a note to bring to garage

Regular Meeting
October 21, 2015
7:47 p.m.

The regular meeting of the Council City Council was held in the Council Chambers on Wednesday, October 21, 2015 at 7:47 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: Blau, Slivon, Belej, McKenzie, Hodur, and Bauman.

Absent: Councilor Tuisku

Moved by Councilor Belej and seconded by Councilor Hodur to excuse Councilor Tuisku from tonight's meeting as she just had surgery yesterday.

Yes: All

No: None

Motion Carried.

Moved by Councilor Belej and seconded by Councilor Hodur to approve the agenda as presented.

Yes: All

No: None

Motion Carried.

correspondence

Annual Organizational Meeting

Letter from Superior Sand & Gravel, Inc. re: land for sale

UPPCO re: Notice of Hearing

Charter re: tier changes

Moved by Councilor Belej and seconded by Councilor Slivon to place the correspondence on file as presented.

Yes: All

No: None

Motion Carried.

guests

Public Comments:

1. Susan Burack – Scott Building

-Delighted that HCH is participating in recycling

-City web site should be updated to bring recycling to City garage

-Recycling Task asked for numbers for participation

-Support with Houghton for tire recycling

minutes approval

Moved by Councilor Hodur and seconded by Councilor Belej approving the minutes of the September 23, 2015 worksession, public hearing and regular meeting.

Yes: All

No: None

Motion Carried.

Reports

Moved by Councilor Belej and seconded by Councilor Blau accepting the June 30, 2015 Financials for all funds.

April and May Financials are on file.

Yes: All

No: None

Motion Carried.

Cemetery Board of Trustees minutes of October 13, 2015

DDA minutes of September 14, 2015

US-41/M-26 Corridor Advisory minutes of September 10, 2015

PLWSA minutes of September 15, 2015

Hancock Bike and Pedestrian notes of October 8, 2015

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

Yes: All

No: None

Motion Carried.

admin report

1. Update on the Ferguson Water Leak Survey
 - cost \$8500 found 5 problem areas
 - usually do this every 5-6 years
2. Campground Revenue and use.
 - total for 2015 \$88,675.00
 - started slow but finished high
3. Sounds and Motion, 106 E. Quincy Street. Brian Scott – owner
 - remote car, showroom and new sign
 - smart foam spray insulation
4. Driving Park hardball field upgrade project
 - Almost complete, City purchased materials – need for sod
 - Need to put in dug-out fences
 - Little League field is working with the DPW to put in magic mix on field
5. Update on 2016 Water project
 - Feb 12, 2016 bid date
 - \$2.23 million construction budget
6. Update on 2016 MDOT project
 - review design sections
 - February 12, 2016 bid date
 - overall construction budget \$7.2 million
 - \$4,722 million MDOT
 - \$1.09 million Streetscape
 - \$1.07 million Downtown water
 - 3% admin fee.
7. City participating costs for projects.
 - \$240,000 streetscape grant match (DDA)
 - \$12,870 seer
 - \$55,714 Front Street light relocation (12 poles)
8. Update on MDOT 15% deposit policy.
 - State has dropped the deposit requirement
9. GatorBar
 - City is the State pilot project on curbs for use of this new product.
 - special provision, 200 feet of curb rebar
10. Hancock Street Traffic Detours ADT's Update.
11. Middle bridge replacement project over Swedetown Creek completed.
12. Central States pension update. RE: pension reform.
 - participating members could lose part of their pension
13. Make a Difference Day, October 24th
14. ADT Traffic Counts
15. Update on tennis courts
 - fence completed
 - new posts and nets

old business

mdeq saw grant

City received notice of grant application approval for a SAW grant of \$1,419,043. No local match for this grant.

new business
september 15 a/p

Moved by Councilor Belej and seconded by Councilor Blau approving the accounts payable for September 2015 in the amount of \$190,706.85 and authorizing payment as follows as funds become available.

General	\$41,891.65
Local St.	3,489.00
Transit	2,752.26
Sewer	74,308.70
Water	59,527.73
Motor V	8,232.65
DDA	235.50
Local St Tifa	269.36
Total	\$190,706.85

Roll Call Vote:

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

No: None

Motion Carried.

add'l checks typed in august

Moved by Councilor Hodur and seconded by Councilor Tuisku approving the additional checks typed in the month of August, in the amount of \$548,012.90 and authorize payment as follows:

Expenses	\$ 135,024.33
Transfers	412,988.57
Total	\$ 548,012.90

Roll Call Vote:

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

No: None

Motion Carried.

resolution #10-15
fioa policy

Moved by Councilor Hodur and seconded by Councilor Bauman adopting Resolution #10-15 as follows:

RESOLUTION #10-15
CITY OF HANCOCK

ADOPTING AFREEDOM OF INFORMATION ACT POLICY:

BECAUSE, a 1996 PA 553 requires the CITY OF HANCOCK (the "City") to designate an individual as the City's Freedom of Information Act ("FOIA") coordinator; and

BECAUSE, the FOIA allows the City to make reasonable rules necessary to protect its public records; now, therefore, be it

RESOLVED, the following FOIA Policy is hereby adopted:

1. Purpose. It is the intent of this policy to provide clear-cut procedures for citizens and City officials in disclosing public records. The intent of this policy is to comply in all respects with the FOIA, but in the unintended event of a conflict, the FOIA shall control and be deemed a part of this policy.

2. FOIA Coordinator. The City Manager is hereby designated and delegated duties as the FOIA Coordinator. With the exception of Section 4 of this Policy, all City officials and employees receiving document disclosure inquiries shall immediately transfer them to the FOIA Coordinator. All written requests for public records shall be forwarded to the FOIA Coordinator to keep for no less than one year.

3. Procedure. With the exception of information requested described in Section 4 of this Policy, all responses to requests for information under the FOIA shall be forwarded to and reviewed by the FOIA Coordinator prior to granting the request according to the following procedure:

A. Requests to review and for copies of records under the FOIA shall be in writing.

B. The request shall be date-stamped by the receiving department.

- C. The request shall immediately be forwarded to the FOIA Coordinator.
- D. The FOIA Coordinator shall distribute the request to all applicable departments, who shall return information to the FOIA Coordinator.
- E. The FOIA Coordinator shall prepare the response, with review by the City Attorney when appropriate.

4. Exceptions.

A. Police Department Information. Request for information from the Hancock Police Department shall be handled pursuant to the City of Hancock FOIA Policy and forwarded to the FOIA Coordinator.

B. Routine Information. Requests for information from other departments shall be handled by that department if the request is not submitted as a FOIA request and/or the requester withdraws their request as a FOIA request and:

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- a. The request is for records that are routinely provided to the public by that department;
- b. The records are readily available; or on the City's website;
- c. The records are not exempt from disclosure under the FOIA;
- d. The records exist at the time of the request;
- e. The record is sufficiently described; and
- f. No other department would be likely to have the requested records.

The fees described in Section 7 of this policy shall be applicable to such requests.

5. Rules to Prevent Excessive and Unreasonable Interference with City Functions.

A. Records may be personally examined only during normal business hours, i.e., between 8:00 a.m. and 5:00 p.m. on City business days and such requests shall be routed through the FOIA Coordinator.

B. City staff shall be given ample opportunity to review files for exempt or privileged records prior to allowing public examination.

C. City staff may defer a request to personally examine records within the time limits indicated in the FOIA.

6. Rules to Protect Records. To protect records from loss, unauthorized alteration, mutilation, or destruction, each department may adopt rules to protect the records of his or her department. The following are general records protection rules for all departments:

A. Records are to remain in the departmental vicinity while being reviewed.

B. Records are not to be altered in any manner.

C. Pens are not allowed in record review rooms.

D. Copies of records are to be made by City staff or its designee, with the exception of microfilmed records.

E. For documentation purposes, staff shall keep copies of or a list of documents released or copied.

F. Records may not be removed from binders.

G. Records within files shall be kept intact and in order.

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H. Copies of City computer records shall be made on computer discs or flash drives provided by City.

I. Copies of tapes shall be made on tapes provided by the City.

J. Records to be copied may be identified by tape flags or "Post-It" notes, by separate written description, or by inserting loose paper between pages.

K. Copyrighted material shall not be photocopied.

7. Fees.

A. Copies.

10 cents per page for 8 1/2" x 11" and 8 1/2" x 14"

Actual costs for all other sized pages

Non-Paper Physical Media such as computer discs, flash drives or other digital

Resolution Adopting A Freedom of Information Act Policy

media devices - Actual Cost

If duplication requires outside services, actual cost

Double-sided copies shall be made when possible and is cost saving

B. Mailing. Actual mailing and packaging costs shall be charged at the reasonable economical and justified rate.

C. Labor. The labor cost to locate, separate exempt from non-exempt, and copy/duplicate records, including 40% overhead, of the lowest paid employee capable of performing such work regardless if that employee is available.

D. Costs set by Law. Documents which are required to be prepared and sold for a specific fee under Michigan or federal law shall be sold in accordance with the applicable Michigan or federal law.

The FOIA Coordinator is authorized to establish such other fees and charges in situations not covered by this policy. The City may require a deposit from the person requesting the public record or series of public records if the fees will exceed \$50.00 as determined by a good faith estimate prepared by the FOIA Coordinator. The deposit shall not exceed one-half of the total fee for the request.

The City may require a deposit of 100% of the estimated processing fee before beginning to search for a public record if the following conditions exist:

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- the final fee for a prior written request is not more than 105% of the estimated fee;
- the public records made available contained the information sought in the prior written request and remain in the City's possession;
- the public records were made available to the individual, subject to payment, within the time frame estimated by the City to provide the records;
- 90 days have passed since the FOIA Coordinator notified the individual in writing that the public records were available for pickup or mailing;
- the individual is unable to show proof of prior payment to the City; and
- the FOIA Coordinator has calculated a detailed itemization that is the basis for the current written request's increased estimated fee deposit.

The FOIA Coordinator shall not require an increased estimated fee deposit if any of the following apply:

- the person making the request is able to show proof of prior payment in full to the City;
- the City is subsequently paid in full for the applicable prior written request; or
- 365 days have passed since the person made the request for which full payment was not remitted to the City.

A copy of a public record shall be furnished without charge for the first \$20.00 of the fee for such request if the individual requesting such information submits an affidavit demonstrating that the individual is receiving public assistance, or if not receiving public assistance, is unable to pay the cost because of indigence consistent with the provisions of FOIA.

8. Appeals.

Resolution Adopting A Freedom of Information Act Policy

A. Mayor. A requesting person before filing an appeal with the Circuit Court pursuant to Section 10 of the FOIA may file a written appeal to the Mayor. The Mayor shall respond to the written appeal not more than 10 business days after receiving a written appeal. The Mayor may take any of the following actions in response to the filing of an appeal:

- a. Reverse the denial.
- b. Issue a written notice to the appellant affirming the denial.
- c. Reverse the denial in part and issue a written notice to the appellant affirming the denial in part.

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d. If necessary due to unusual circumstances, issue a notice extending for not more than 10 business days the period during which the Mayor may respond to the appeal.

9. Exemptions. The FOIA Coordinator is authorized to exempt from disclosure a public record pursuant to Section 13 of the FOIA, and on appeal, the Mayor is authorized to so exempt a public record.

BE IT FURTHER RESOLVED that this policy shall be effective immediately.

I hereby certify that the above Resolution was adopted on October 21st, 2015, at a meeting of the Hancock City Council held in the Council Chambers, 399 Quincy Street, Hancock, MI 49930; and hereby supersedes any or all prior adopted policies.

Yes: All

No: None

Motion Carried.

resignations

Moved by Councilor Hodur and seconded by Councilor Blau to accept with regret the resignation of City Clerk, Karen Haischer from the Cemetery Board of Trustees.

Yes: All
No: None
Motion Carried.

Moved by Councilor Blau and seconded by Councilor Belej to accept with regret the resignation of Carol Fischer from the DDA.

Yes: All
No: None
Motion Carried.

deq tire mini-grant

Discuss an application to the MDEQ for a tire mini-grant that is due by October 30, 2015.
City Manager recommendation: not to proceed, no need for this type of grant.
No action taken.

resolution #11-15

Moved by Councilor Belej and seconded by Councilor Bauman adopting Resolution #11-15
“Resolution Authorizing Notice of Intent to Issue Revenue Bonds and Declaration of Intent to Reimburse (Water Supply System Improvements, Phase, II) and authorize ad in the Mining Gazette for the 2016 Water Project.

Roll Call Vote:

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

No: None

Motion Carried.

Moved by Councilor Belej and seconded by Councilor Bauman that this regular meeting of the Hancock Council be adjourned. Time: 9:05 p.m.

Yes: All:

No: None

Motion Carried.

Lisa McKenzie, Mayor

Karen Haischer, CMC City Clerk