

Worksession
May 19, 2010
6:30 p.m.

DRAFT

Present: Councilors McKenzie, Laitila, Belej, Slivon and Hainault.

Absent: Councilor Gemignani (excused)

Note: City Clerk Haischer received a letter from Councilor Rick Freeman, Ward II, that he resigned effective immediately. (Received Tuesday, 5-18-2010)

Reviewed and Discussed.

1. Update on the downtown ad campaign. "It's All Here"
2. Reviewed and discussed the letter from SS&G regarding the Maasto Hiihto Ski Trail.
3. Update on the Osceola Twp. RD grant that voters turned down.
4. Franklin Twp. is applying for a 3 M grant from RD for sewer in the Ripley area.
5. Doug and Mike will be here quarterly to give a verbal report.
6. Tourangeau Property update.
7. The Personnel Committee should meet in June to discuss the proposed purchasing ordinance and non-union wages.
8. Still working on finding a spot for our Community Garden. Maybe Finlandia University Property.
9. Tori Market meeting was held and they plan to start on June 2nd.
 - Finlandia is hosting the Tori and allowed it to relocate to the middle school lawn on Quincy Street.
 - event is growing and may need another tent.
10. Mild winter has cause the revenue in the Major Street Fund to drop for routine main.
11. Street sign replacement update.
 - Plan by 2012
 - High intensity signs 2015
 - All street signs 2018
12. Frank Fiala looking to relocate his Dunstan Street Business 5th & Elm to downtown Houghton to the Hellman Transit Building.
13. Chuck Palosaari (Bridge School) Rain Garden on the corner of Dunstan/Quincy Street. City to dig out a patch of blacktop for garden when the students are ready.
14. Fire Department Update.
 - Named the ladder truck after Scott Dickson, will be naming the other two trucks after Jim Ahola and John Fallon.
15. Pat's site plan should be ready for planning commission review for the new car wash.
16. New restaurant at the Scott Building will be opening in July.
17. OHM is moving to 424 Hancock Street the last week in August.
 - needs a new service line at this site.
18. Vollwerth's also needs a new service line.
19. City Manager will be out of the office next week. Back in the office on June 1st or 2nd.
20. Annual Council clean-up day on May 8th had 21 participants. Down from last year.
21. Update on water financing. Possible to combine the water and sewer projects to bid out as one project.
22. Lisa McKenzie:
 - Canal Weekend
 - Consider cutting Bridgefest donation from \$2000 to \$1000 and the other \$1000 to the Canal Run Weekend.
 - New street and is there buried electrical?
23. William Laitila:
 - Litter and glass on Beach along with complaints of dogs in the area.
 - It is posted no glass or dogs on beach.
 - Need better policing of the area by the Hancock Police Department. Need more Police presence. Maybe they can get out of the car and walk down by the beach or even bike.
24. Jim Hainault: Didn't receive new proposed budget.

Public Hearing:
7:30 p.m.
May 19, 2010

Present: Councilors McKenzie, Laitila, Belej, Slivon and Hainault
Also present: City Manager Anderson, City Clerk Haischer, Chuck Johnson, Traci Williams, John Haeussler, Bill Baxendall, Louise Pardini, and Mitch Lake.

Mayor Laitila called this Public Hearing to order for the following purpose.

1. Proposed Ordinance #275 "AN ORDINANCE ESTABLISHING RULES AND REGULATIONS ON FEEDING BIRDS AND WATERFOWL".
2. Proposed Ordinance #276 "AN ORDINANCE ESTABLISHING RULES AND REGULATIONS ON DOG RESTRAINT AND DOG DEFICATING".
3. Citizen comment on the proposed 2010/2011 Budget FYE 6-30-2011.

Ordinance #275

Bill Baxendall, N. Elevation Street

Can't stop the pigeons from coming into the yard to eat at the birdfeeders.

Louise Pardini, W. Atlantic Street

Does this mean I can't feed the pigeons in my driveway?

Ordinance #276

No citizen comment on dog ordinance.

Proposed 2010/2011 Budget

No Public Comments

Mayor Laitila closed this Public Hearing at 7:49 p.m.

Regular Meeting

May 19, 2010

7:49 p.m.

The regular meeting of the Hancock City Council was held in the Council Chambers on Wednesday, May 19, 2010 with Mayor Laitila presiding. The United States Flag was honored by all in attendance with the following duly qualified Councilors being present: Councilors McKenzie, Laitila, Belej, Slivon and Hainault.

Absent: Councilor Gemignani. (excused)

Note: City Clerk Haischer received a letter from Councilor Freeman on Tuesday, May 18th filing his resignation effective immediately.

Moved by Councilor McKenzie and seconded by Councilor Belej to amend the May 19, 2010 Agenda as follows:

New Business: add

5. Accept resignation of Councilor Rick Freeman and advertise for a replacement.

6. OHM final design bill.

Yes: All

No: None

Motion Carried.

correspondence

Letter from Central States Pension Fund

Hancock presents Canal Rocks

Letter from Department of Treasury re: Policy regarding annual inspection of property.

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

Yes: All

No: None

Motion Carried.

guests

1. John Budd, 127 E. Water Street

Bird Ordinance - concerns. The City doesn't need a Bird Ordinance to take care of any

bird problem. Just do better signage stating the problem, so the public is aware there is a problem.

2. Mary Kaminski presentation "Life gets better in Hancock...growing healthier every day"
3. Tom Casperson running for 38th State Senate seat.

minutes approval

Moved by Councilor Hainault and seconded by Councilor Belej approving the minutes of the April 21, 2010 worksession, public hearing and regular meeting and the April 28, 2010 budget worksession as presented.

Yes: All

No: None

Motion Carried.

reports

HCH, May 4, 2010 election results
Hancock NSP Summary
2009 Water Supply System Update
PLWSA Update
- new plant operator is being hired this week

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

Yes: All

No: None

Motion Carried.

administrative report

1. Tori opens up on June 2, 2010.
-moving from Montezuma Street to the middle school lawn on Quincy Street.
2. Update on 1 block Campus Drive reconstruction project.
-ARRA funds
-Paving will be completed next week.
3. Update on NSP Grant Project.
-\$150,000 for demolition eight (8) homes
-922 Summit Street (fire damaged home) has already been demolished.
- the remainder of the homes will take about 2-3 weeks for the environmental review to be completed with demolition in the summer.
4. 2010 Census Count Update.
Hancock had about 76% return
-down about 4% from the last census
-have until April 15th to mail in forms
-follow up is 3 site visits and 3 phone calls before they can contact the neighbors
5. Phase 2 water project RD loan and grant offer.
RD would provide \$3,745,000 in loan funds and \$500,000 in grant funds
Refinance existing debt 4.5% down to 2.5% interest rate in early fall. Bid in the fall for Water Project and bid early summer for the Sewer Project.
6. May 21st is Bike2Work Day in the City of Hancock.
7. Transit Facility Grant funding update.
-approve contract tonight
-MJO is doing site work for foundation work
-waiting for MDOT approval
8. Quincy Haven Apts. project update.
-possible closing 5-27-2010 in Lansing
-start date is mid June, 2010
9. Canal weekend update.
July 16-18th in conjunction with the Hancock Canal Run
Co-Sponsors Citizens Bank-Portage Health-Finlandia University
10. MSHDA Update
-Single Family, Rental Rehab Programs
-May want to use some of the program income to off-set homeowners portion of the

grant for those residents that have no funds available to them. Up to \$20,000.00

11. Water Project Easements

- 5 of the 8 easements were received for the water project
- 17 of the 22 easements were received for the sewer project

12. Bridgefest 2010 Update

- looking to fundraise for the fireworks display.
- 50th Anniversary of the Bridge
- Will have a Bridge history presentation
- DDA approved \$500 donation towards fireworks.

old business
proposed ordinance #275

Moved by Councilor Hainault and seconded by Councilor Belej to adopt proposed ordinance #275 and authorize publication in the Gazette as follows:

CITY OF HANCOCK
CITY ORDINANCE #275

An ordinance establishing rules and regulations on Feeding Birds and Waterfowl.

THE CITY OF HANCOCK ORDAINS:

Section 1. Purpose

It has been determined that the presence of large numbers of certain species of birds and waterfowl cause a public health nuisance by contaminating beaches, shorelines, parks, buildings, sidewalks and pathways used by the public. Accordingly, this ordinance is adopted to prevent such conduct as may attract and concentrate certain species on and around Portage Lake and Waterway, beaches, shorelines, parks, highway, buildings, sidewalks and streets and pathways in the City of Hancock.

Section 2. Definitions

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Domestic waterfowl means nonnative ducks and geese not retained in agricultural operations.

Feed or feeding means the act of feeding or furnishing of food or other substance to any form of bird and/or waterfowl species regulated by this ordinance.

Migratory waterfowl means ducks, and geese, native to North America.

Pigeon means any of the various birds of the widely distributed family of columbidae, characteristically having plump bodies, small heads and short legs, especially the rock dove or any of its domesticated varieties.

Section 3. Prohibition on Feeding

A. Migratory and domestic waterfowl

1. No person shall feed, cause to be fed or provide food for domestic or migratory waterfowl located in the City of Hancock.
2. No person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion of domestic or migrating waterfowl in the City of Hancock.

B. Pigeons

1. No person shall feed, cause to be fed or provide food for pigeons located in the City of Hancock.
2. No person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion within the City of Hancock.

Section 4. Songbird Feeders.

Within the boundaries of the City of Hancock in which feeding of waterfowl and pigeons is prohibited, birdfeeders may be erected and maintained for other avian species.

Section 5. Enforcement

The City Police Department and other city staff as designated by the City Manager are hereby authorized and directed to enforce this ordinance.

Section 6. Penalties.

Any person violating any provision of this ordinance is guilty of a misdemeanor punishable by a fine not exceeding one hundred dollars (\$100) or by imprisonment in the county jail for a period not exceeding ninety (90) days, or in both such fine and imprisonment.

Section 7. Invalidity

If part of this ordinance shall be held invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 8. This ordinance was introduced by the city council of the City of Hancock, Houghton County, Michigan, on the 21st day of April, 2010.

Section 9. This ordinance was enacted and adopted by the City Council of the City of Hancock, Houghton County, Michigan, on the day of , .

Section 10. This ordinance shall take effect on the day following its adoption.

Effective day of , .

Roll Call Vote:

Yes: Councilors Belej and Hainault.

No: Councilors McKenzie, Laitila and Slivon

Motion Failed.

Proposed Ordinance #275 was not adopted.

Moved by Councilor Hainault and seconded by Councilor Belej appointing Councilors McKenzie and Slivon to re-draft the above ordinance for the next meeting.

Yes: All

No: None

Motion Carried.

proposed ordinance #276

Moved by Councilor Belej and seconded by Councilor Hainault to adopt proposed ordinance #276 and authorize publication in the Gazette as follows:

CITY OF HANCOCK
CITY ORDINANCE #276

An ordinance establishing rules and regulations on dog restraint and dog defecating.

THE CITY OF HANCOCK ORDAINS:

Section 1. Purpose

It has been determined that the owning or harboring of a dog in the City of Hancock that is not restrained or under control of the owner or allowing dogs to deposit wastes outside the owners property control is deemed a public nuisance. It is deemed by the city that the ownership of a dog is a privilege which carries with it responsibilities to the city and its residents with regard to the custody of said dog.

Section 2. Definitions

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Owner means when applied to proprietorship of a dog shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his or her care, and every person who permits such dog to remain in or about any premises occupied by him or her.

Reasonable control means keeping a dog on a suitable leash or under the oral control of the owner or custodian or some other person with the permission of the owner or custodian, in all cases other than while upon private property, or unless the dog is confined in a closed automobile, or shipping receptacle.

Section 3. Restraint Required

A. All dogs shall be secured by a leash under control of a responsible person or obedient to that person's commands.

Section 4. Animal Waste

The owner of every dog shall be responsible for the prompt removal of any defecation/ excreta deposited by their dog on public sidewalks, streets, highway, parks, beaches, recreation areas, or other property not under ownership of the dog's owner.

Section 5. Enforcement

The City's Police Department and other city staff as designated by the City Manager are hereby authorized and directed to enforce this ordinance.

Section 6. Penalties

Any person violating any of the provisions of this ordinance is guilty of a misdemeanor punishable by a fine not exceeding one hundred dollars (\$100) or by imprisonment in the county jail for a period not exceeding ninety (90) days, or both such fine and imprisonment.

Section 7. Invalidation

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 8. This ordinance was introduced by the City Council of the City of Hancock, Houghton County, Michigan on the 21st day of April, 2010.

Section 9. This ordinance was enacted and adopted by the City Council of the City of Hancock, Houghton County Michigan, on the day of , .

Section 10. This ordinance shall take effect on the day following its adoption.

Effective day of , .

Roll Call Vote:

Yes: Councilors Hainault, and Belej.

No: Councilors Slivon, Laitila and McKenzie

Motion Failed

Proposed Ordinance #276 was not adopted.

Moved by Councilor Belej and seconded by Councilor Hainault appointing Councilors McKenzie and Slivon to delete and add language for above ordinance for the next meeting.

Yes: All

No: None

Motion Carried.

proposed 10/11 budget
fye 6-30-11

Tight Budget

Revenues 6.6 million

Expenses 6.4 million

Property Taxes declined under 1%

Millage rate is down

Grader and dump truck in place for this year, budgeted for land payment in the general fund
EPA Grant for storm water at the beach is up in the air. If approved the City needs a match of \$10,000.00.

Moved by Councilor Hainault and seconded by Councilor Belej adopting the 2010/2011 Budget as presented and approving Resolution #13-10 as follows:

BUDGET ADOPTION RESOLUTION #13-10

City of Hancock Financial Plan

2010/2011

Adopted 05-19-2010

Pursuant to the laws of the State of Michigan governing Home Rule Cities, the State Budget Act, and the City Charter, the following Budget Resolution for Fiscal Year July 1, 2010 to June 30, 2011, is hereby submitted for adoption;

Whereas, it has been determined that the attached (revenues) Property Taxes, State Shared Revenues, Rates, Charges and Transfers shall be available and necessary for the 2010-2011 Budget Year, and

Furthermore, it is ordered that the attached level of expenditures are approved for each of the below Activities and Funds;

It is further ordered that the City Council approve the required millage rate of **13.4215** for the General Fund and **.7806** for the Fire Department for the Fiscal Year July 1, 2010 to June 30, 2011 for a total levy of **14.2021**.

It is further ordered that upon setting the City Tax Rate, the City Treasurer shall proceed to collect the sums ordered in accordance with the City Charter and the Laws of the State of Michigan.

Further, it is ordered that the City Manager shall be designated the Chief Financial Officer of the City of Hancock in accordance with the State Uniform Budget Act and shall implement this Financial Plan as adopted or amended in accordance with generally accepted accounting principals and the State Budget Act.

The above Resolution was offered by Councilor Hainault and seconded by Councilor Belej to adopt the Budget Resolution presented above for Fiscal Year July 1, 2010 to June 30, 2011.

Roll Call Vote:

Yes: Councilors McKenzie, Laitila, Belej, Slivon and Hainault.

No: None
Absent: Councilor Gemignani (note; Council Freeman resigned)
Motion Carried.

transit facility construction
to mjo \$654,249.07

Moved by Councilor McKenzie and seconded by Councilor Slivon to approve to issue the Transit Facility Construction Project to MJO Contracting subject to final MDOT approval in the amount of \$654,249.07.

Roll Call Vote:

Yes: Councilors Hainault, Slivon, Belej, Laitila and McKenzie.

No: None

Motion Carried.

street naming between forest
and birch tentative
"lake side drive"

Moved by Councilor Belej and seconded by Councilor McKenzie to name the street on the waterfront between Forest and Birch Streets "Sunset Drive".

Yes: All

No: None

Motion Carried.

new business
april, 2010 accounts payable

Moved by Councilor Hainault and seconded by Councilor Belej approving the April, 2010 accounts payable in the amount of \$132,899.47 and authorizing payment as follows as funds become available:

General	\$55,521.77
Major	689.05
Local	624.60
Transit	2,895.30
Sewer	40,595.89
Water	17,048.00
Motor V	10,624.86
<u>DDA</u>	<u>4,900.00</u>
Total	\$132,899.47

Roll Call Vote:

Yes: Councilors McKenzie, Laitila, Belej, Slivon and Hainault.

No: None

Motion Carried.

add'l checks typed in april

Moved by Councilor Hainault and seconded by Councilor Belej approving the additional checks typed in April, 2010 in the amount of \$498,960.00 and authorize payment as follows:

Expense	\$124,702.51
<u>Transfers</u>	<u>374,257.49</u>
Total	\$498,960.00

Roll Call Vote:

Yes: Councilors Hainault, Slivon, Belej, Laitila and McKenzie.

No: None

Motion Carried.

snb - driving park scoreboard

Moved by Councilor McKenzie and seconded by Councilor Belej directing the City Manager to send a thank you to Superior National Bank for donating the new hardball field scoreboard at the Driving Park.

Yes: All
No: None
Motion Carried.

indian trail support

Moved by Councilor Hainault and seconded by Councilor Slivon directing the City Manager to send a letter of support to MDOT for continued subsidy for the Indian Trail Bus Daily Service.

Yes: All
No: None
Motion Carried.

Moved by Councilor McKenzie and seconded by Councilor Belej to accept the resignation of Councilor Freeman as Ward II Councilor with regret.

Yes: All
No: None
Motion Carried.

Moved by Councilor Hainault and seconded by Councilor Belej authorizing the Clerk to advertise for a Ward II Councilor position with applications due by Wednesday, June 9, 2010 by 5:00 p.m.

Yes: All
No: None
Motion Carried.

ohm bill

Moved by Councilor McKenzie and seconded by Councilor Hainault approving the final design bill for the City Transit Transportation Facility to OHM in the amount of \$2490.00 and authorize payment.

Roll Call Vote:
Yes: Councilors Hainault, Slivon, Belej, Laitila and McKenzie.
No: None
Motion Carried.

Moved by Councilor Belej and seconded by Councilor McKenzie that this regular meeting of the Hancock City Council be adjourned. Time: 9:00 p.m.

Yes: All
No: None
Motion Carried.

William Laitila, Mayor

Karen Haischer, CMC City Clerk