

CITY OF HANCOCK
COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 6, 2022
HANCOCK CITY HALL, 399 QUINCY STREET
Public viewing available via ZOOM.com - Meeting ID: 821 4402 1682
or via phone: 1-312-626-6799

Regular Meeting at 6:00 PM

Call to order and pledge of allegiance led by Mayor Paul LaBine

Roll Call and verification of quorum

Present: Councilors, Blau, Freeman, LaBine, Rickard, Warstler, Haeussler

Absent: Councilor McKenzie

Also Present in person: Michael Markham, John Zurcher, John Erickson, Thomas Fournier, Glenn Anderson, Nick Wilson, Jay Ruohonen, Zack Osborn, Bill Lepisto, community.

Also Present via Zoom: Lisa McKenzie, Kevin Kalinec, Michele Blau, Bob Baratono, Sadiq Edo-Abdi and other members of the public.

Motion by Councilor Haeussler and supported by Councilor Freeman to excuse Councilor McKenzie from tonight's meeting.

Yes: All

No: None

Motion Carried

Review and approval of agenda – Motion by Councilor Rickard and supported by Councilor Warstler to approve the Agenda.

Yes: All

No: None

Motion Carried

Public Comment- None

Communications

Kristine Weidner

Michigan Public Service Commission – Notice of Hearing

Environment, Great Lakes, and Energy – Public Notice of Water Boil

Adams Township – Water Rate increase

MSU – Renewable Energy

Hancock Public Schools – Hancock

Motion by Councilor Freeman and supported by Councilor Blau to accept and put on file the communications as presented.

Yes: All

No: None

Motion Carried

Review and approval of meeting minutes

Regular City Council meeting, March 16, 2022

City Council, DDA, Planning Commission meeting, March 28, 2022

Motion by Councilor Haeussler and supported by Councilor Rickard to approve and accept the meeting minutes of the Regular City Council meeting of March 16, 2022 and the City Council, DDA, Planning Commission Joint Meeting of March 28, 2022.

Yes: All

No: None

Motion Carried

Review and acceptance of meeting minutes

DDA 2-7-2022

Motion by Councilor Rickard and supported by Councilor Warstler to receive and put on file the meeting minutes as presented.

Yes: All

No: None

Motion Carried

Administrative Report

- Adams Township water rate increase of \$.10 per thousand gallons of wholesale water, other than that no formal impact or increase for residents.
- Water Boil processes and procedures meeting on May 4th with EGLE, Adams Township, the Western UP Health Dept and Portage Township in response to letter received from EGLE regarding the watermain break on Friday, March 4, 2022 to discuss a more standardized distribution of information when Adams Township has a break.
- Veteran's Banner Campus Dr. last year, able to work with MDOT to put them on Hancock Ave this year. Contact the Copper Country Veterans' Association.
- Veterans Ride for Free received funding to continue for next 4 months, getting more rides than expected.
- ZBA meeting scheduled for April 21, residential home in Spruce Haven at 6:00 pm reduce setback.
- Housing Foundation Board meeting appointed Dean Woodbeck to the board. Currently working on a senior housing project with the foundation.
- April 11th, first City Council zoning work session.
- Recycling grant is in the works to supply the rest of the city with recycling bins; we received 400 containers a couple years ago through a grant program also. The new grant is a 20% match, we are also working on a separate grant to assist us with the 20%.
- Photo Contest for the Quincy Street Banners, many photos submitted, next step will be selecting the photos to be placed on the banners.
- Reviewed the Priority Summary information gathered from the joint meeting held at the Finnish American Heritage Center.

New Business

1. Motion by Councilor Blau and supported by Councilor Rickard to approve Resolution 22-05 to authorize issuance of Superior National Bank debit card in the name of Linda Kalinec for City of Hancock purchases.

Yes: All
No: None
Motion Carried

2. Motion by Councilor Blau and supported by Councilor Haeussler to approve Resolution 22-06 as required by MDOT for purposes of issuing an Individual permit for use of State Highway Right of Way and/or annual application and permit for miscellaneous operations within State Highway Right of Way.

Yes: All
No: None
Motion Carried

3. Motion by Councilor Blau and supported by Councilor Haeussler to approve the payment application #1 for Erico Electric, Inc for the work completed on the Hancock Fire Hall Generator in the amount of \$28,515.00.

Roll Call
Yes: Haeussler, Warstler, Rickard, LaBine, Freeman, Blau
No: None
Motion Carried

Public Comment-None

Council Member Comments

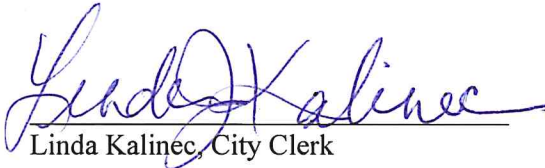
Time was provided for council members to promote, discuss and/or comment on items not on the agenda.

Motion by Councilor Freeman and supported by Councilor Rickard to adjourn the meeting at 6:21 p.m.

Yes: All
No: None
Motion Carried



Paul LaBine, Mayor



Linda Kalinec, City Clerk

CITY OF HANCOCK

RESOLUTION #22-05

WHEREAS, this resolution shall approve the authorization of issuance of Superior National Bank cards for City of Hancock purchases.

NOW, THEREFORE, be it resolved that Linda Kalinec, City Clerk/Treasurer of the City of Hancock, is authorized to be issued a Superior National Bank card on behalf of the City of Hancock.

Motion offered at a regular meeting of the Hancock City Council on Wednesday, April 6, 2022 by Councilor BLAU and seconded by Councilor RICKARD.

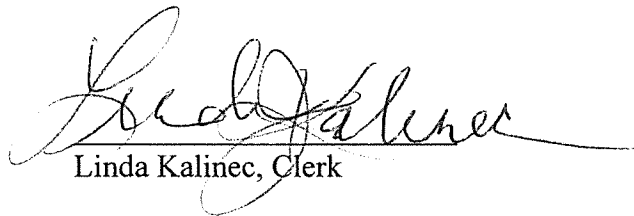
Yes:

No:

Motion Carried



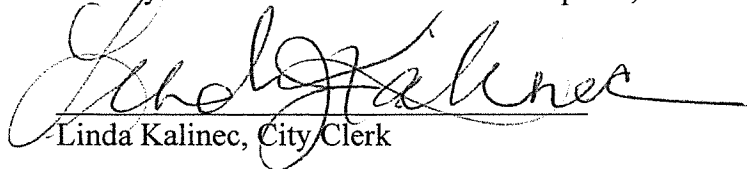
Paul LaBine, Mayor



Linda Kalinec, Clerk

CERTIFICATION

The undersigned duly qualified City Clerk of the City of Hancock certifies the foregoing is a true and correct copy of a resolution adopted at a legally convened regular meeting of the City of Hancock Council held on April 6, 2022.



Linda Kalinec, City Clerk

**PERFORMANCE RESOLUTION FOR
MUNICIPALITIES**

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ City of Hancock
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

DPW Director / John Erickson

Leadman / Matt Freeman

City Manager/ Mary Babcock

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____ City Council

(Name of Board, etc.)

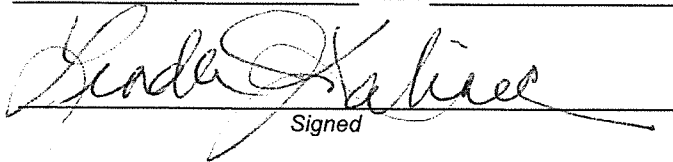
of the _____ City of Hancock _____ of _____ Houghton

(Name of MUNICIPALITY)

(County)

at a _____ Regular City Council _____ meeting held on the _____ 6th _____ day

of _____ April _____ A.D. _____ 2022 _____



Signed

City Clerk

Title

Linda Kalinec

Print Signed Name