

Worksession
April 21, 2010
6:30 p.m.

Present: Councilors McKenzie, Freeman, Laitila, Slivon and Hainault.
Also present: Glenn Anderson, Karen Haischer, Doug Hayrynen and Mike Beaudoin.

Reviewed and Discussed.

1. RD 2nd phase water update.
3.7 million down to 3.0 million
2. Quincy Haven Apts.
 - environmental review
 - release of funds Saturday
 - closing the end of may
 - maybe june construction
3. 35th Annual Canal Run July 17, 2010
 - co-sponsors Citizens-Portage Health-Finlandia
 - making it a canal weekend event pertaining to fitness, maybe Friday and Saturday
4. Police Grant
 - Police building security upgrades
 - cameras
5. Draft budget for the next meeting for Council review.
6. Transit Garage
 - execute contract with MJO
 - Nov-Dec building open
7. DDA May 3rd meeting
 - 3 facades
 - new restaurant open in May or early June
8. Doug Hayrynen, Monthly DPW Report
 - extend warranty on the garbage truck to five years at a cost of \$1600.00
 - April 30th and May 1st is spring clean-up
 - Speed bumps will be installed after final sweeping of the streets
 - Consider no speed bump Sigsbee/Ash but replace with a 3 way stop
 - Take down the Scott Street barricade
 - Repairing yard damage done by plowing this winter
 - New garbage cans at the beach
 - Arrow Board Sign damaged in accident. Waiting to hear insurance findings.
9. Mike Beaudoin, Monthly Police Report
193 complaints. MDOP (random), 6 larcenies (3 buildings, 3 cars), 2 home invasions, 1 other possible, 1 bad check, 1 ATV stolen from M&M Sports, snowmobile fraud, remains found on Quincy Hill, 1 out of state warrant, 9 traffic accidents, 1 DD, 8 medical assists, Howie Marcotte out, St. Patrick's Day Parade. Hired Jack Swift to work on parking program. Would like to hire the FU student for the summer months 12-16 hours per week.

Public Hearing
7:30 p.m.

Mayor Laitila called this public hearing to order at 7:30 p.m. for the following item:

1. Public Hearing on proposed grant and loan application for \$180,000 to the U.S. Department of Agriculture to finance the purchase of a new 4 wheel drive sander truck and a new tandem dump truck.

Present: Councilors McKenzie, Freeman, Laitila, Slivon and Hainault.
Also present: Manager Anderson, City Clerk Haischer, Mitch Lake, Kurt Hauglie, Mark Wilcox, Barb Herres, Peggy Germaine, John Gedda, Mr. Curnard.

No public comment.

Mayor Laitila called this Hearing closed at 7:32 p.m.

Regular Meeting
April 21, 2010
7:33 p.m.

The regular meeting of the Hancock City Council was held in the Council Chambers on Wednesday, April 21, 2010 at 7:33 p.m. with Mayor Laitila presiding. The United States Flag was honored by all in attendance with the following duly qualified Councilors being present: Councilors McKenzie, Freeman, Laitila, Slivon and Hainault.
Absent: Councilors Gemignani and Belej.

Moved by Councilor Hainault and seconded by Councilor Freeman to excuse Councilor Gemignani and Councilor Belej from tonight's meeting.

Yes: All

No: None

Motion Carried.

Moved by Councilor Hainault and seconded by Councilor McKenzie to amend the April 21, 2010 Agenda as follows:

New Business: add

11. consider purchasing additional 3 year warranty for the Allison transmission on the garbage truck for \$1600. 12. Consider adopting resolution to accept MDOT bus federal operating grant for \$14,632. 13. Consider adopting resolution proclaiming June 12th as Gerald George Lehman Day.

Yes: All

No: None

Motion Carried.

correspondence

Paulette Archambeau - Timber Trails request to use the Four Seasons Chalet
MI Liquor Control Commission re: transfer of license
DNR Public Notice
Letter from Charter re: EPIX Megaplex
Letter from Joan Ruotsala re: Warran Street

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

Yes: All

No: None

Motion Carried.

guests

Public Comment

- 1.
- 2.

minutes approval

Moved by Councilor Hainault and seconded by Councilor McKenzie approving the corrected March 17, 2010 worksession, public hearing and regular minutes and the corrected April 14, 2010 budget worksession minutes and place them on file.

Yes: All

No: None

Motion Carried.

reports

Finnish Theme Committee minutes of November 16, 2009
DDA minutes of March 1, 2010
Planning Commission minutes of February 22, 2010
Recreation Commission minutes of March 9, 2010
Cemetery Board of Trustees minutes April 13, 2010

Due to/from report February, 2010
Revenue/Expense Report, February, 2010
Cash Balances, February, 2010
Interest Report, February 2010
HBPA minutes March 9, 2010
US41/M26 Corridor minutes March 11, 2010
PLWSA minutes March 9, 2010
Hancock Housing Commission minutes of December 22, 2009, February 25, 2010
and March 17, 2010
Draft 2010/2011 Budget for Council review

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

Yes: All

No: None

Motion Carried.

administrative report

1. Hancock Fire Department 2009 Annual Fire Report (Chief John Gedda)
(on file)
2. Receive presentation from Chuck Palosaari, Bridge School teacher on stewardship project for storm water.
-Spring & Fall of 2010
-storm drain stenciling, rain garden and store front posters.

Moved by Councilor Hainault and seconded by Councilor Slivon to endorse the Bridge School Three Phase Plan as presented and authorize the City manager to work with the group to select a property location for the rain garden and provide assistance to implement all three aspects of the plan.

Yes: All

No: None

Motion Carried.

3. Bid results on one block reconstruction of Campus Drive funded with a \$90,000 AAR Grant.

Engineering estimate \$115,178.15

Eight Bidders

MJO Contracting \$92,666.55

Moyle Contracting 109,000.59

Bill Siler Const. 110,244.71

Tony Burcar Cont. 117,599.45

Hebert Const. 122,823.99

Yalmer Mattila Cont. 123,401.75

Bacco Const. 132,177.40

Oberstar, Inc. 137,818.55

*tentative low bidder is MJO

4. Survey participation in the City Recreation Plan Update.

-Walking response 80

-Bicycling 72

-Rec Plan 76

5. Transit Project.

Eight Bidders (Base Bid)

DP Const. \$730,000.00

Grand Traverse

Const no bid

Gundlach Champion \$747,000.00

LLJ Const. no bid

Martineau & Morris \$849,983.00

MJO Contracting \$690,994.00

Moyle Const. \$731,500.00

Yalmer Mattila \$706,300.00

*tentative low bidder is MJO

Possible \$5206 funding on left over admin vehicle budget.

6. NSP MSHDA Project.

-House Demolition Proposal

Eight Bidders

Nordic Construction \$220,000.00

Tony Burcar Cont. 168,817.00

Mohawk Sand & Gravel no bid

Moyle Const. no bid

John Hendrickson Ex. 96,442.00

MJO 95,916.00

Julio Cont. 170,132.00

Bill Siler Cont. 112,951.21

*tentative low bidder is MJO

7. Spring Clean Up

-April 30th and May 1st

8. 3rd Annual Council Clean Up is scheduled for May 8th

Saturday, 8 to Noon

9. Campground License for 2010

10. PLWSA Budget.

City rate will increase this year with the July 1, 2010 billing

11. Water and Sewer Easements

9 water 22 sewer

1 back 9 back

Peggy Germaine addressed the Council regarding the proclamation for Gerald George Lehman Day in the City of Hancock on June 12, 2010.

Moved by Councilor Freeman and Seconded by Councilor McKenzie adopting Resolution #10-10 as follows:

CITY OF HANCOCK
Resolution #10-10
PROCLAIMING SATURDAY, JUNE 12, 2010

as

GERALD GEORGE LEHMAN DAY

WHEREAS, Gerald George Lehman was born in Antigo, Wisconsin on Armistice Day, November 11, 1923, the fourth Child of Delia and Harry Lehman, the family moved to Calumet and then made their home on Dakota Street in Hancock, and

WHEREAS, Gerald George Lehman attended Junior High and High School at Hancock Public Schools, graduating in the Spring of 1940, when he joined the Navy attending Basic Training at the Great Lakes Naval Training Center, and

WHEREAS, he was assigned as a Fireman Third Class aboard the U.S.S. Oklahoma, which was attacked at Pearl Harbor, Hawaii in the early morning of December 7, 1941 by Japanese forces, and

WHEREAS, that morning he was killed in service to his country along with 428 other shipmates on the U.S.S. Oklahoma, less than one month after his 18th Birthday, and

WHEREAS, due to vast improvements in DNA science, Lehman's remains were identified and will be returned to his beloved Copper Country for a funeral and memorial on June 12, 2010, 70 years after he left Hancock to serve his Country:

NOW THEREFORE BE IT RESOLVED, that Mayor William Laitila and the Hancock City Council does hereby honor **Lehman** in his service to his Country by **proclaiming June 12, 2010** as **GERALD GEORGE LEHMAN DAY** in the **CITY OF HANCOCK**.

Yes: All

No: None

Motion Carried

Resolution declared ADOPTED on Wednesday, April 21, 2010.

old business
RD USDA sander/dump

Moved by Councilor Hainault and seconded by Councilor McKenzie to accept the USDA RD Grant of \$50,000.00 and loan of \$130,000.00 for 15 years to purchase a new sander and dump truck.

Roll Call Vote:

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

No: None

Motion Carried.

resolution #8-10
financing for tonne
property

Moved by Councilor Hainault and seconded by Councilor McKenzie to adopt Resolution #8-10 "Installment purchase contract resolution to finance the \$135,000.00 acquisition of 29.64 acre parcel of property from Tonne Construction Company with Superior National Bank." (complete copy on file)

Roll Call Vote:

Yes: Councilors McKenzie, Freeman, Laitila and Hainault.

No: Councilor Slivon

Motion Carried.

new business
march a/p

Moved by Councilor McKenzie and seconded by Councilor Freeman approving the March 2010 accounts payable in the amount of \$102,008.33 and authorize payment as follows as funds become available:

General	\$20,941.67
Major	3,663.71
Transit	3,231.49
Sewer	46,226.12
Water	14,693.98
Motor V	11,351.36
<u>DDA</u>	<u>1,900.00</u>
Total	\$102,008.33

Roll Call Vote:

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

No: None

Motion Carried.

add'l checks typed
in march

Moved by Councilor Hainault and seconded by Councilor McKenzie approving the additional checks typed in March, 2010 in the amount of \$879,442.72 and authorize payment as follows

Expenses	\$247,847.85
<u>Transfers</u>	<u>631,594.87</u>
Total	\$879,442.72

Roll Call Vote:

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

No: None

Motion Carried.

mml meeting
ishpeming

Moved by Councilor McKenzie and seconded by Councilor Freeman authorizing the City Manager and Council Members to attend the MML Regional meeting in Ishpeming on May 12-14th, 2010.

Yes: All

No: None

Motion Carried.

resolution #7-10

Moved by Councilor Hainault and seconded by Councilor Freeman approving Resolution #7-10 "That the request from Locos Amigos, Inc. to transfer ownership of escrowed 2009 Resort B-Hotel &SDM licensed business with Sunday Sales, Dance Permit, & Official Permit (Food), from Paddy's Pig, Inc.,: Transfer location (Governmental Unit MCL 436.153 (1) from Poyhonen & M26 Twin Lake Rte., Winona, Mi 49965, Elm River Twp. Houghton County; & request new Entertainment Permit, change license from B-Hotel to Class C and cancel Dance Permit. (complete copy on file)

Be considered for approval and recommended for issuance.

Yes: All

No: None

Motion Carried.

resolution #11-10
#2007-0219Z6 for
\$4543 of ARRA grant
#109377

Moved by Councilor Hainault and seconded by Councilor McKenzie approving Resolution #11-10 as follows:

RESOLUTION #11-10

PROJECT AUTHORIZATION RESOLUTION

WHEREAS, this resolution shall approve execution of the revised Project Authorization No. Z6 with the Michigan Department of Transportation which it issues under Agreement No. 2007-0219, Project No. 109377.

NOW, THEREFORE, be it resolved that Glenn Anderson, City Manager and Karen Haischer, City Clerk of the City of Hancock are authorized to enter into and execute on behalf of the City of Hancock, the revised Project Authorization No. Z6 with the Michigan Department of Transportation for Federal Operating Funds related to AARA Funds for FY 2010.

Yes: All

No: None

Motion Carried.

resolution #12-10
mdot construction
#2007-0219 Z3/R2
\$763,448
#103677

Moved by Councilor Hainault and seconded by Councilor Freeman approving Resolution #12-10 as follows:

CITY OF HANCOCK

RESOLUTION #12-10

PROJECT AUTHORIZATION RESOLUTION

WHEREAS, this resolution shall approve execution of the revised Project Authorization No. Z3/R2 with the Michigan Department of Transportation which it issues under Agreement No. 2007-0219, Project No. 103677.

NOW, THEREFORE, be it resolved that Glenn Anderson, City Manager and Karen Haischer, City Clerk of the City of Hancock are authorized to enter into and execute on behalf of the City of Hancock, the revised Project Authorization No. Z3/R2 with the Michigan Department of Transportation for Federal Capital Funds related to Section 5309 Funds for FY 2008.

Yes: All

No: None

Motion Carried.

bridgifest 2010
\$2000 donation

Moved by Councilor Freeman and seconded by Councilor Slivon approving a donation of \$2000.00 to Bridgifest 2010. This item was budgeted.

Roll Call Vote:

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

No: None

Motion Carried.

resolution #6-10
metlife 457 deff comp

Moved by Councilor McKenzie and seconded by Councilor Freeman approving Resolution #6-10 as follows:

Resolution #6-2010

**BOARD OF DIRECTORS' RESOLUTION
ADOPTING METLIFE SECTION 457 (b)
Deferred Compensation Plan**

The undersigned, Clerk of the City of Hancock, hereby certifies that the following Resolution was adopted by action of the Hancock City Council on April 21, 2010.

WHEREAS, the City of Hancock desires to adopt the City of Hancock 457 (b) Plan ("the Plan") for purposes of providing a tax-efficient retirement savings vehicle to certain of the City's eligible employees.

THEREFORE, BE IT RESOLVED, that the Plan be and hereby are adopted in the form presented to this Council, the Plan to be effective as provided therein and be it further

RESOLVED, that the proper Officers of the City hereby are authorized and directed to execute the Plan and to make such further actions and to execute such further documents as they may deem advisable or desirable for the purposes of adopting and implementing the Plan and announcing the Plan to affected employees.

Yes: All

No: None

Motion Carried.

proposed ordinance
birds

Moved by Councilor Hainault and seconded by Councilor Freeman approving the introduction of a proposed ordinance establishing rules and regulations on feeding birds and waterfowl in the City of Hancock and setting a public hearing for May 19, 2010 at 7:30 p.m. as follows:

**NOTICE TO CITY OF HANCOCK
RESIDENTS**

PROPOSED ORDINANCE

**CITY OF HANCOCK
CITY ORDINANCE #**

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.

(The foregoing proposed ordinance was introduced in writing at the regular meeting of the Hancock City Council held on Wednesday, April 21, 2010 at 7:30 p.m.

A Public Hearing is scheduled for Wednesday, May 19, 2010 in the Council Chambers at 7:30 p.m.

This Ordinance will be presented to the Hancock City Council for adoption or rejection at the regular meeting of the Hancock City Council to be held on Wednesday, May 19, 2010 following the Public Hearing.)

Yes: All

No: None

Motion Carried.

proposed ordinance
dogs

Moved by Councilor Freeman and seconded by Councilor Hainault approving the introduction of a proposed ordinance establishing rules and regulations on dog restraint and dog defecating in the City of Hancock and setting a public hearing for May 19, 2010 at 7:30 p.m. as follows:

**NOTICE TO CITY OF HANCOCK
RESIDENTS**

PROPOSED ORDINANCE

CITY OF HANCOCK
CITY ORDINANCE #

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. Invalidity

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.

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This Ordinance will be presented to the Hancock City Council for adoption or rejection at the regular meeting of the Hancock City Council to be held on Wednesday, May 19, 2010 following the Public Hearing.)

Yes: All

No: None

Motion Carried.

extended warranty
garb truck transmission

Moved by Councilor Hainault and seconded by Councilor McKenzie approving an additional 3 year warranty on the transmission of the Garbage Truck #54 Allison Transmission for \$1600.00. This would give us a 5 year Unlimited Mile Warranty for this unit.

Roll Call Vote:

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

No: None

Motion Carried.

resolution #9-10
Z7 No. 2007-0219
project 109912

Moved by Councilor Hainault and seconded by Councilor McKenzie approving Resolution #9-10 as follows:

CITY OF HANCOCK

Resolution #9-10

PROJECT AUTHORIZATIONESOLUTION

Whereas, this resolution shall approve execution of the revised project Authorization No. Z7 with the Michigan Department of Transportation which it issues under Agreement No. 2007-0219, Project No. 109912.

Now, therefore, be it resolved that Glenn Anderson, City Manager and Karen Haischer, City Clerk of the City of Hancock are authorized to enter into and execute on behalf of the City of Hancock, the revised Project Authorization No. Z7 with the Michigan Department of Transportation for Federal Operating Funds related to Section 5311 Funds for FY 2010.

Roll Call Vote:

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

No: None

Motion Carried.

Moved by Councilor Hainault and seconded by Councilor McKenzie that this regular meeting of the Hancock City Council be adjourned. Time: 9:33 p.m.

Yes: All

No: None

Motion Carried.

William Laitila, Mayor

Karen Haischer, CMC City Clerk