

AGENDA

REGULAR MEETING OF THE COMMON COUNCIL FOR THE CITY OF BESSEMER
TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL,
ON MONDAY, AUGUST 6, 2018 AT 6:00 P.M.

CALL TO ORDER

COUNCIL MEMBERS: Zak, Kryshak, Nelson, Coleman, Archie

PLEDGE OF ALLEGIANCE – ROLL CALL

AGENDA APPROVAL

PUBLIC COMMENT ON AGENDA ITEMS

CONSENT AGENDA

- 1) Approval of Minutes – Regular Meeting of July 16, 2018

CLAIMS

- 1) General Fund
- 2) Major Street Fund
- 3) Local Street Fund
- 4) Water Utility Fund
- 5) Sewer Utility Fund
- 6) DDA Fund

DOCUMENTS AND CORRESPONDENCE

- 1) Police Contract Monthly Report – May 2018 and June 2018
- 2) Financial Statements – May 31, 2018

OLD BUSINESS

- 1) Rescind Legal Contract for USDA Project
- 2) Ordinance No. 367 – Medical Marijuana as a Home Occupation Ordinance
- 3) Rental Inspection Program
- 4) Parcel West of Yale – Eric Fitting
- 5) Offer from Corullo Forest Products

NEW BUSINESS

- 1) Housing Commission – Request for Appointment – Joseph Hellman
- 2) Request to Attend Brownfield Training
- 3) Fourth Avenue Property
- 4) Auditor's Contract
- 5) Petition – Shall the City of Bessemer, Michigan adopt an ordinance to authorize and regulate the establishment of certain types of medical marihuana facilities in the City of Bessemer, as allowed by the provisions set forth in the Medical Marihuana Facilities Licensing Act, MCL 333.2701, et seq.

REPORTS

- 1) City Manager Report
- 2) DPW Report

PUBLIC COMMENT

ADJOURN

NOTE: All matters listed under the heading **CONSENT AGENDA** are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the **CONSENT AGENDA** and considered separately under **NEW BUSINESS**.

**A REGULAR MEETING OF THE COMMON COUNCIL FOR THE CITY OF BESSEMER
WAS HELD IN THE CITY HALL COUNCIL CHAMBERS
ON MONDAY JULY 16, 2018 AT 6:00 P.M.**

Mayor Zak called the meeting to order.

ROLL CALL: Present – Archie, Zak, Nelson, Coleman.
Absent – Kryshak

THESE MEMBERS CONSTITUTE A QUORUM.

AGENDA It was moved by Nelson, supported by Nelson and **CARRIED** to approve the agenda with the following additions:

Under Documents and Correspondence – Add: Letter from Heidi Washington State of Michigan prison system, RE: Ojibway future
Under New Business – Add: Draw Request #15.

PUBLIC COMMENT ON AGENDA ITEMS None.

PUBLIC HEARING ORDINANCE NO. 357, MEDICAL MARIJUANA AS A HOME BUSINESS

It was moved by Nelson, supported by Archie and **CARRIED** to open the public hearing on proposed Ordinance No. 357.

Mr. John Hawes asked if this would affect grow operations in place at the current time. It was noted it would be for businesses starting after the ordinance goes in to effect.

It was moved by Archie, supported by Coleman and **CARRIED** to close the public hearing for proposed Ordinance No. 357.

PRESENTATION Ms. Anna Talaska, candidate for Probate Judge, gave a brief presentation about her experience and what she'd like to see out of a Probate Judge. No formal action was taken.

CONSENT AGENDA It was moved by Nelson and supported by Coleman that the consent agenda listed below be approved and correspondence be received and placed on file.

1. Approval of Minutes – Regular meeting of July 2, 2018.
2. Minutes – Planning Commission – June 5, 2018
3. Minutes – Downtown Development Authority – June 14, 2018
4. Minutes – Downtown Development Authority – July 5, 2018
5. Minutes – Parks and Recreation Committee – July 5, 2018.

A roll call vote was then taken – **AYES** – Nelson, Archie, Coleman, Zak.
NAYS – None. **ABSENT** – Kryshak. **MOTION CARRIED.**

CLAIMS The following claims were presented for consideration and payment:

GENERAL FUND		
	44 NORTH	\$ 281.16
	AIRGAS USA, LLC	138.63

AMERIPRIDE	68.08
AUTO VALUE PARTS STORES	37.99
BAKER & TAYLOR BOOKS	284.67
C & M OIL COMPANY	148.47
CITY OF BESSEMER WATER UTILITY	359.69
COUNTRY LIVING	7.97
G T C AUTO PARTS	324.67
GOGEBIC COUNTY CLERK	5,590.00
GOGEBIC RANGE SOLID WASTE MGMT.	922.50
HANNULA AGENCY	14,529.45
IRONWOOD DAILY GLOBE	1,286.00
J J BROADCASTING	35.00
LAKES DISTRIBUTING	183.82
LULICH IMPLEMENT, INC	591.82
MIDWEST COLLABORATIVE	2,533.00
O'DEA NORDEEN BURINK & PICKE	759.00
PNC BANK	43.18
QUILL CORPORATOIN	13.29
SAMS SALVAGE	5.00
STEIGERS HOME CENTER	565.28
SUPERIORLAND LIBRARY COOPERATIVE	255.74
THE COMPUTER DOCTORS	134.00
U.P. OFFICE EQUIPMENT SYSTEMS	165.05
U.P. REGION OF LIBRARY COOPERATIVE	2,654.76
V&H INC.	529.15
WANINK'S SALES AND SERVICE	42.00
WUPM/WHRY RADIO STATION	30.00
WUPPDR	2,0000.00

TOTAL GENERAL FUND \$ 34,879.27

MAJOR STREET FUND

CITY OF BESSEMER GENERAL FUND	\$ 3,986.52
HALLMAN-LINDSAY	1,117.00
STEIGERS HOME CENTER	65.06
UP ENGINEERS & ARCHITECTS	1,500.00

TOTAL MAJOR STREET \$ 6,668.58

LOCAL STREET FUND

CITY OF BESSEMER GENERAL FUND	\$ 5,122.34
HANDY ANDY EXPRESS	3,957.40

TOTAL LOCAL STREET FUND \$ 9,079.74

SEWER FUND

C2AE.	\$ 7,287.55
HANNULA AGENCY	1,637.12
TOTAL SEWER UTILITY FUND	\$ 8,924.67

WATER UTILITY FUND

CRANE ENGINEERING	\$ 520.04
HANNULA AGENCY	4,297.43
STEIGERS HOME CENTER	77.71
TOTAL WATER UTILITY FUND	\$ 4,945.18

DDA FUND

O'SULLIVAN, BRIDGET	\$ 400.00
SAARI, BRANDON	400.00
STEIGERS HOME CENTER	1.87
TOTAL DDA FUND	\$ 801.87

It was moved by Coleman, and supported by Archie that the claims, as presented, be approved for payment as funds become available.

A roll call vote was then taken: AYES – Archie, Coleman, Zak, Nelson.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

LETTER FROM HEIDI WASHINGTON

RE: OJIBWAY

It was moved by Archie, supported by Coleman and **CARRIED** to accept the letter from Heidi Washington from the State of Michigan Prison system and place on file.

**RESOLUTION NO. 2017-12 – A RESOLUTION TO SUPPORT
THE OJIBWAY CORRECTIONAL
FACILITY**

It was moved by Archie and supported by Coleman to adopt Resolution No. 2017-12, A Resolution to Support the Ojibway Correctional Facility.

A roll call vote was then taken: AYES – Archie, Coleman, Zak, Nelson.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

CITY OF BESSEMER

RESOLUTION NO. 2017-12

A RESOLUTION TO SUPPORT THE OJIBWAY CORRECTIONAL FACILITY

Whereas, Ojibway Correctional Facility is on the short list of facilities considered for closure; there is concrete value of this facility to the communities and the state. Not only would the closing of this facility affect the Marenisco population, it would severely damage countless neighboring cities and townships. Living in farthest outlying part of Michigan, Gogebic County values any and all positive activity in the region and our town relies heavily on local business and state operations for a surviving economy. As one of the largest employers of the area, Ojibwa Corrections Facility has huge influence. The facility is strategically located in a clean, supportive area where there are services offered that benefit the recovery of inmates and the development of their families.

Whereas, the Western Upper Peninsula has a small economy and the loss of 210 of our best paying jobs would devastate our fragile economy; it would not only deal the local areas a \$52 million circulation loss, it would also be devastating to our already underfunded public schools.

Whereas, Bessemer Area Schools would lose 28 students-the equivalent of an entire grade level and an equivalent of \$210,000 in funding. Wakefield-Marenisco would lose 42 students and \$315,462 in school funding. And that's not even mentioning the impact this would have on other cities like Watersmeet and Ironwood. Our schools are top rate local public schools despite our lack in funding and we need to support great opportunities for our students, especially in rural communities.

Whereas, the City of Bessemer is experiencing the first signs of positivity since the closing of our local and regional mines, keeping this open won't just provide for the us with the consistency is always has, but it would be a perfect location to take on inmates from whichever facility does close. It has the space, security, and programs to become even more efficient and prosperous. The areas around us grow every year and efforts across the board to expand recreation, tourism, and living conditions have already drawn people into the area. Our community and city work hard to keep our small-town running. Offering the best to our residents and visitor's is important to us. This facility is important to us.

Now therefore, be it resolved the City of Bessemer strongly urges the State of Michigan to keep Ojibway Correctional Facility open to continue the livelihood in our and neighboring communities. We seek to keep our communities strong, our population and economy prosperous, and to support those affiliated with the facility and their families. We work hard and have great pride in where we come from. We may be rural and extremely small, but what we do, we do for our people and to improve upon life here in the Upper Peninsula of Michigan.

Moved By: _____

Supported By: _____

AYES: _____

NAYS: _____

MOTION CARRIES/FAILS

I hereby certify the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Bessemer, County of Gogebic, State of Michigan, at a regular meeting held May 7, 2018, 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, and that the minutes of said meeting were kept and will be or have been made available as required by said Act

Jim Trudgeon, City Clerk

**ORDINANCE NO. 366
REPEAL ORDINANCE**

It was moved by Nelson and supported by Coleman to consider this meeting the first reading of proposed Ordinance No. 366 and schedule a public hearing.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

**ORDINANCE NO. 367 MEDICAL MARIJUANA AS A HOME
BUSINESS ORDINANCE**

It was moved by Coleman and supported by Nelson to table this item until we can get answers to some of the questions raised.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

**ESCANABA MEETING WITH
MDOT AND C2AE**

It was moved by Nelson and supported by Archie to authorize travel expense reimbursement in the amount of \$182.03 to allow City Manager Loper to attend a meeting in Escanaba with MDOT and C2AE.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

WATER PUMPS

It was moved by Coleman and supported by Archie to approve retroactively the emergency purchase of water pumps over the Manager’s spending limit.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

CONTRACT WITH WUPPDR

It was moved by Coleman and supported by Nelson to approve a contract with WUPPDR to allow the City DDA to receive a grant to work with Michigan State Extension to conduct a First Impression Tourism Assessment and to approve the authorized signatures.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

**CHANGE ORDER – AMENDMENT TO
OWNER-ENGINEER AGREEMENT
SAW PROJECT**

It was moved by Archie and supported by Coleman to approve a change order for the SAW Grant that reallocates how the remaining monies are spent.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

**CONDEMNATION HEARING FOR
212 SECOND AVENUE**

It was moved by Nelson, supported by Coleman and **CARRIED** to schedule a condemnation hearing for 212 Second Avenue for October 1, 2018.

TRAIL UP THE BLUFF

It was moved by Archie, supported by Nelson and **CARRIED** to allow Mr. Kelden Witt to continue to develop a trail up the bluff in Bluff Valley Park at no cost to the City and under the direction of the Parks and Recreation committee.

**OFFER TO PURCHASE PROPERTY FROM
CORULLO FOREST PRODUCTS**

It was moved by Nelson, supported by Coleman and **CARRIED** to have City Manager Loper reach out to Corullo’s to see what his plans are for the property he wants to purchase.

**OFFER TO PURCHASE
FROM ERIC FITTING**

It was moved by Zak and supported by Coleman to approve the sale of property on Kalla Road to Eric Fitting for \$5,000 pending legal input from the City Attorney due to old charter sale limitations.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

WATER OPERATOR TEST

It was moved by Coleman and supported by Nelson to approve up to \$750.00 to cover the cost of the next test for the water operator and a private tutor if needed.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie.
NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

PARKS AND RECRATION PLAN It was moved Archie, supported by Nelson and **CARRIED** to approve the updated Parks and Recreation Plan and forward to the Planning Commission for their review and input.

HOME OCCUPATIONS The Council was presented with some information regarding Home Occupations. No formal action was required.

LEGAL SERVICES AGREEMENT – WATER AND SEWER PROJECTS WITH CITY OF BESSEMER/O’DEA NORDEEN, BURINK AND PICKENS

It was moved by Coleman and supported by Nelson to approve the execution of legal services agreements for a future Water/Sewer project between the City of Bessemer and O’Dea, Nordeen, Burink and Pickens, and approve the authorized signatures.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie. NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

DRAW REQUEST NO. 15 It was moved by Nelson and supported by Coleman to approve Draw Request #15 for the Sewer Project and authorize payment to C2AE and Snow Country Contracting.

A roll call vote was then taken: AYES – Zak, Coleman, Nelson, Archie. NAYS – None. ABSENT – Kryshak. **MOTION CARRIED.**

CITY MANAGER’S REPORT It was moved by Nelson, supported by Coleman and **CARRIED** to receive the City Managers report and place on file.

DPW REPORT It was moved by Coleman, supported by Archie and **CARRIED** to receive the DPW report and place on file.

PUBLIC COMMENT Mr. Jerry Strelcheck asked why the public is not allowed to comment before votes of the Council.

ADJOURN 7:23 p.m. It was moved by Coleman, supported by Archie and **CARRIED** to adjourn.

Adam Zak, Mayor

James K. Trudgeon, City Clerk