

CITY OF HANCOCK
COUNCIL MEETING MINUTES
WEDNESDAY, JULY 15, 2020
ZOOM MEETING HELD

5:05 P.M

Work Session

Attendance of Council Members

Council Rules and Procedures

- Agenda item topics must pertain to city business

Only got halfway through document, another work session before next meeting.

6:03 P.M.

Call to order and pledge of allegiance

Roll Call and verification of quorum

Present: Blau, Lytle, Slivon, LaBine, Seguin, Warstler, Haeussler

Also present: Beth Fredianelli and other members of the community.

Motion by Councilor Haeussler and supported by Councilor Slivon to approve agenda and add item to New Business. It was the stop sign on Lake Ave and Mill St.

Yes: All

No: None

Motion Carried

Public Comment- Anyone wishing to address the council will be recognized by the Mayor at this time.

Whitney Warstler- Discussion on the e-mail sent to Mary

Carla & Jim Aho -Lake Ave- sent email to Mary, in support of the stop sign.

Miriam Pickens & Bucky Beach-Crestwood- Keweenaw Faiths United, discussed with city council about an effort they are undertaking to work toward the cities of Hancock and Houghton becoming recognized as International Cities of Peace.

Communications

Margo & Joe Pizzi
Bonnie Holland
Karla & Jim Aho
Catherine Jordan
Houghton County Fair

Motion by Councilor Blau and supported by Councilor Seguin to accept and put on file the communication as presented.

Yes: All
No: None
Motion Carried

Review and Approval of Previous Meeting Minutes

Special Council Meeting June 3rd, 2020
Regular Council Meeting June 17th, 2020

Motion by Councilor Haeussler and supported by Councilor Slivon to approve the meeting minutes of June 3rd, 2020 and June 17th, 2020.

Yes: All
No: None
Motion Carried

Presentation

Chief Butler presented the Copper Country Association of School Board Award they received, also had the letter presented to them. He also reviewed their Biannual Report.

Administrative Report

- Executive order on face Masks, posted on doors
- MEDC- Restart grants for businesses for 50 employees and under. Money came in to help businesses in Hancock.
- FEMA- Portage Lake Construction is working on repairs..
- Hebert Construction is working on ditch repairs on Tomasi Dr. and Birch Grove. Various street repairs are next.
- Campus Drive West- Payne & Dolan starting in September. Funded through FEMA. Making progress on other sites, Massto Hiihto, Water tank roof, and culvert work.
- City Council Openings- Applications Due August 4th.
- Passport Grant-Beach and Campground bathrooms back on, maybe completion next year.
- Canal Run- has gone Virtual for this year
- Clock Tower- is now fixed thanks to Ed Labonte working on it
- Lions at Montezuma Park have been painted by Mary Jane Lowney and her family.
- Census- Hancock is at 69%, please respond.

- Starting movies in July at dusk at Quincy Green.
- MERS valuation received. Received 59% compare to 61% last year. Corrective action plan, issue with state.
- Assessor's contract- have a quick meeting to go over it.

Old Business

1. Consider Approval of the Council Rules & Procedures.
It was the Council's consensus to postpone until next months meeting.

New Business

Motion by Councilor Blau and supported by Councilor Warstler to approve current accounts payable in the amount of \$539,786.78.

Roll Call:

Yes: Haeussler, Warstler, Seguin, LaBine, Slivon, Lytle, Blau

No: None

Motion Carried

Motion by Councilor Warstler and supported by Councilor Haeussler to approve payment Application No.1 in the amount of \$39,857.23 to Hebert Construction for work completed on FEMA ditch repairs (PW90).

Roll Call:

Yes: Blau, Lytle, Slivon, LaBine, Seguin, Warstler, Haeussler

No: None

Motion Carried

Motion by Councilor Warstler and supported by Councilor Seguin to approve payment Application No.2 in the amount of \$ 87,793.16 to Portage Lake Construction for work completed on FEMA Road Repairs (PW 139).

Roll Call:

Yes: Haeussler, Warstler, Seguin, LaBine, Slivon, Lytle, Blau

No: None

Motion Carried

Motion by Councilor Warstler and supported by Councilor Slivon to approve payment Application No.2 in the amount of \$9,747.00 to Erico Electric for work completed on the Water Tank Controls.

Roll Call:

Yes: Blau, Lytle, Slivon, LaBine, Seguin, Warstler, Haeussler

No: None

Motion Carried

Motion by Councilor Blau and supported by Councilor Warstler to approve the Membership and Bylaws for the Houghton County Recreation Authority.

Roll Call:

Yes: Haeussler, Warstler, Seguin, LaBine, Slivon, Lytle, Blau

No: None

Motion Carried

Motion by Councilor Warstler and supported by Councilor Seguin to approve Ashley Freeman as City Clerk.

Roll Call:

Yes: Blau, Lytle, Slivon, LaBine, Seguin, Warstler, Haeussler

No: None

Motion Carried

Motion by Councilor Haeussler and supported by Councilor Blau to approve Linda Kalinec as the City Treasurer.

Roll Call:

Yes: Haeussler, Warstler, Seguin, LaBine, Slivon, Lytle, Blau

No: None

Motion Carried

Motion by Councilor Haeussler and supported by Councilor Lytle to approve the Resolution 20-12 Adoption of Guidelines for Poverty Exemptions.

Roll Call:

Yes: Blau, Lytle, Slivon, LaBine, Seguin, Warstler, Haeussler

No: None

Motion Carried

Motion by Councilor Haeussler and supported by Councilor Seguin to approve adding two stop signs, 1 EB and 1 WB to make the intersection of Lake and Mill a 3-way stop.

Roll Call:

Yes: Haeussler, Warstler, Seguin, LaBine, Slivon, Lytle, Blau

No: None

Motion Carried

Public Comment- Anyone wishing to address the council will be recognized by the Mayor at this time.

No Comments

John Haeussler- Will be on vacation for 4 days.

Mary- Thanked City Council for their support.

Paul LaBine- Thanked City Council, everyone engaged and working together, very proud to be your Mayor.

Motion by Councilor Blau and supported by Councilor Warstler to adjourn the meeting at 7:53 p.m.

Yes: All

No: None

Motion Carried



Paul LaBine, Mayor



Ashley Freeman, City Clerk

CITY OF HANCOCK
HOUGHTON COUNTY, MICHIGAN

POVERTY EXEMPTION RESOLUTION 20-12

At a regular City Council Meeting held on July 15, 2020 the following resolution was offered by Councilor Haevssler and supported by Councilor Lytle;

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City of Hancock;
and

WHEREAS, the Principal Residence of persons, who the City Manager and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City Council adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year. To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a Principal Residence the property for which an exemption is requested.
- 2) File a claim with the City Manager or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines as adopted by the City, provided that the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The "Application for Property Tax Exemption – Poverty" shall be filed after January 1 and before December 5th of the year being requested.

The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal. The Federal Poverty Income Guidelines, which are updated annually by the United States Department of Health and Human Services, are included as part of the application. The annual allowable income includes income for all persons residing at the principal residence.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Manager and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

The vote in favor of the resolution being as follows:

YEAS: 7

NAYS: 0

ABSENT: 0

Resolution declared adopted.



Paul LaBine, Mayor

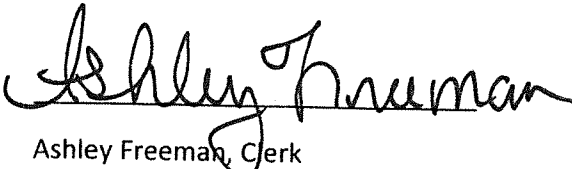


Ashley Freeman, Clerk

CERTIFICATION

As the City Clerk, for The City of Hancock, Houghton County, Michigan, I certify that this a true and complete copy of a resolution adopted by the City Council at its Regular City Council meeting.

Date: 7-15-2020


Ashley Freeman, Clerk

**ARTICLES OF INCORPORATION
FOR THE HOUGHTON COUNTY RECREATION AUTHORITY**

These Articles of Incorporation are adopted, signed, and acknowledged by the incorporating units for the purpose of forming a recreational authority under the provisions of Act No. 321, Public Acts of 2000 (the "Recreational Authorities Act").

**ARTICLE I
NAME**

This authority shall be known as the Houghton County Recreation Authority, hereinafter referred to as the Authority.

**ARTICLE II
PARTICIPATING MUNICIPALITIES AND TERRITORY**

The participating municipalities are the Charter Township of Calumet, the Township of Chassell, the Township of Franklin, the City of Hancock, the City of Houghton, the County of Houghton, the Township of Osceola, the Township of Schoolcraft, the Charter Township of Portage, and the Township of Torch Lake, each a municipal corporation of Michigan. They are hereafter referred to as the participating municipalities. The "territory of the Authority" shall be the corporate boundaries of each participating municipality.

**ARTICLE III
ADDITION OR WITHDRAWAL OF PARTICIPATING MUNICIPALITIES**

Section 1 A municipality may become a participating municipality in the Authority only upon an affirmative vote of the Recreation Authority and the proposed participating municipality.

Section 2 A participating municipality shall withdraw from the Authority, subject to the limitation in Section 1 of this Article, by resolution of the participating municipality's legislative body approving the withdrawal, a certified copy of the resolution shall be provided to the Board at least 60 days prior to the effective date of the withdrawal.

ARTICLE IV PURPOSES

The purposes for which the Authority is established are as follows:

- A. To acquire, construct, operate, maintain or improve a public park for recreational purposes, more specifically a permanent, year-round signed and surfaced trail system, which trail system shall be open to the public for use under such terms, conditions, and limitations as may be established by the Governing Board of the Authority. The trail system can include purchasing, leasing, or accepting donations of land or structures for trail, trailheads, parking areas, rest areas, or any other structure, facility or acquisition or holding that the Board deems necessary to further the interests of the trail system.
- B. To provide for a multi-use trail system that connects populated areas, subject to the limitations set forth in Paragraph A. above.
- C. To provide amenities along the trail including parking areas, bike racks, directional signage, interpretative signage, kiosks, trailhead facilities, etc., that add to the enjoyment of the trail experience.
- D. To encourage tourism development along the trail system.
- E. To encourage municipalities or other entities to tie compatible links into the trail system allowing for greater access to businesses, parks, and schools.
- F. To conduct such other activities as are permitted under the laws of the State of Michigan, particularly the Recreational Authorities Act, Act No. 321, Public Acts of 2000.

ARTICLE V POWERS AND DUTIES

The Authority shall possess all the powers specified in Act 321 subject to the limitations of the authority as provided by law and/or limitations as specified in these Articles of Incorporation.

Section 1 The Authority shall have the power to acquire and hold, by purchase, lease, option, grant, gift, devise, land contract, installment purchase contract, bequest, or other legal means not expressly excluded in these Articles of Incorporation, real and personal property inside or outside the territory of the Authority. The property may include easements or rights of way on, under, or above any property. The Authority may pay for the property, or pledge for the payment of the property, from revenue of the Authority. Acquisition and holding of property outside the territory of the Authority shall be limited to that which is consistent with the intent of the Authority to develop a particular contiguous trail system(s) connection two or more municipalities that are participating in the Authority at the time of acquisition.

Section 2 The Authority may donate, sell, lease or otherwise transfer its property or any part thereof or interest therein to one or more of the participating municipalities.

Section 3 The Authority may apply for and accept grants and contributions from individuals, the federal government or any of its agencies, the State of Michigan, a municipality, or other public or private agencies to be used for any of the purposes of the Authority.

Section 4 The Authority may borrow money and issue revenue bonds or notes to finance the acquisition, construction, and improvement of its recreational purposes. Bonds or notes issued by the Authority are a debt of the Authority and not of the participating municipalities.

Section 5 The Authority may hire full-time or part-time employees and retain professional services.

Section 6 The Authority may provide for the maintenance of all of the real and personal property of the Authority.

Section 7 The Authority may assess and collect user fees for services provided by and expenses incurred by the Authority.

Section 8 The Authority may receive revenue as appropriated by the legislature of the State of Michigan or a participating municipality.

Section 9 The Authority may enter into contracts incidental to or necessary for the accomplishment of the purposes of the Authority.

Section 10 The Authority's operation of public facilities shall be limited to only those public facilities and lands that it has acquired, that have been transferred to the Authority by a participating municipality or through contracts, leases, easements, gifts or other means that are provided for in the Recreation Authorities Act and not expressly excluded in these Articles of incorporation. Nothing in these Articles shall obligate a participating municipality to transfer any park, recreation center, or any land or interest therein to the Authority.

Section 11 The Authority shall not levy a tax.

Section 12 The Authority shall have neither power of condemnation nor the power of eminent domain.

ARTICLE VI FISCAL YEAR

The fiscal year of the Authority shall be the calendar year.

ARTICLE VII GOVERNING BOARD

Section 1 The business and affairs of the Authority shall be managed by a Board of Directors, herein referred to as the Board, which is the governing body of the Authority. The Board of Directors shall consist of an odd number of members, with

- One member to be appointed by the legislative body of each participating municipality;

- One member, selected by a majority vote of the legislatively appointed Board members, to represent winter motorized interests;
- One member, selected by a majority vote of the legislatively appointed Board members, to represent summer motorized interests;
- One member, selected by a majority vote of the legislatively appointed Board members, to represent winter non-motorized interests;
- One member, selected by a majority vote of the legislatively appointed Board members, to represent summer non-motorized interests;
- One member, selected by a majority vote of the legislatively appointed Board members, to represent economic development interests.
- One member, selected by a majority vote of the legislatively appointed Board members.

Should the Authority grow or shrink to represent an even number of participating municipalities, the legislative body of Houghton County will appoint a member to maintain an odd number of directors. The additional County appointed member must be a qualified elector of one of the participating municipalities of the Authority. The additional County appointed member will come off the Board should the number of participating municipalities become an odd number.

Section 2 All Authority decisions must be passed by a majority of the members of the Board before it can be enacted.

Section 3 Each municipal appointee to the Houghton County Recreation Authority must be a qualified elector residing in Houghton County.

Section 4 The terms of the initial Board shall be three (3) years. After the initial three years, the terms of the Board members shall be staggered so that the terms of approximately one-third (1/3) of the Board members expire each year. The Board shall select a random method to stagger the terms. Board members may be re-appointed.

Section 5 The Board shall adopt and amend bylaws including rules of procedure consistent with the provisions of the Recreational Authorities Act. The bylaws shall provide for regular meetings of the Board, not less frequent than quarterly.

Section 6 The Board shall select the following officers: Chairperson, Treasurer, and Secretary. There may also be such assistant officers as the Board of Directors deems appropriate. The duties of each office shall be as set forth in the bylaws.

Section 7 No member of the Board shall receive compensation for services as a member of the Board but members of the Board are entitled to reimbursement for reasonable expenses, including expenses for travel previously authorized by the Board, incurred in the discharge of his or her duties.

Section 8 A member of the Board may be removed from office as provided by and in accordance with the Recreational Authorities Act.

Section 9 In the event a vacancy occurs on the Board because of death, resignation, removal, change of residency, or other reason as set forth in MCL 201.3, the vacancy shall be filled within 30 days of the vacancy occurring in the same manner as the original appointment, and the member appointed shall serve for the remainder of the unexpired term.

Section 10 Officer vacancies shall be filled by a majority vote of the members of the Board of Directors present at any regular or special meeting of the Board which shall elect a successor to serve until the expiration of the normal term of such officer or until his or her successor shall be elected.

ARTICLE VIII DISSOLUTION OF AUTHORITY

The Authority may be dissolved by the concurring resolution of the governing body of each then participating municipalities of the Authority at the time of the dissolution. Prior to the dissolution of the Authority, any outstanding indebtedness of the Authority, including bonds issued under Section 21 and/or Section 23 of Act 321 shall be paid.

ARTICLE IX PUBLIC BODY

The Authority is a public body and shall comply with the requirements of the Michigan Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and the Freedom of Information Act, Act 442 of the Public Acts of 1976, as amended.

ARTICLE X AUDIT

The Board shall obtain an annual audit of the Authority pursuant to Section 27 of the act, being MCL 123.1157. The books and records of the Authority shall be open for inspection by any participating municipality at all reasonable times.

ARTICLE XI PUBLICATION AND ADOPTION

Section 1 A copy of these Articles of Incorporation shall be published once in the *Daily Mining Gazette* (Houghton, MI), being a newspaper generally circulated within the participating municipalities, prior to adoption as set forth in Section 2 below.

Section 2 These Articles of Incorporation shall be adopted by an affirmative vote of a majority of the members serving on the legislative body of each participating municipality.

ARTICLE XII
AMENDMENT

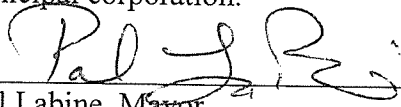
Amendment to these Articles of Incorporation shall be made only as authorized by the Recreational Authorities Act. Amendments shall be published once in the *Daily Mining Gazette* no less than fourteen (14) days before adoption.

ARTICLE XIII
EFFECTIVE DATE


These Articles of Incorporation shall become effective upon filing with the Secretary of State by the clerk of the last participating municipality to adopt the Articles.

IN WITNESS WHEREOF, the participating municipalities have adopted and authorized to be executed these Articles of Incorporation, on behalf of the Township of Adams, by the Supervisor and the Township Clerk, the Charter Township of Calumet, by the Supervisor and the Township Clerk, the Village of Calumet, by the President and the Village Clerk, the Township of Chassell, by the Supervisor and the Township Clerk, the Village of Copper City, by the President and the Village Clerk, the Township of Duncan, by the Supervisor and the Township Clerk, the Township of Elm River, by the Supervisor and the Township Clerk, the Township of Franklin, by the Supervisor and the Township Clerk, the City of Hancock, by the Mayor and the City Clerk, the Township of Hancock, by the Supervisor and the Township Clerk, the City of Houghton, by the Mayor and the City Clerk, the County of Houghton, by the Chairman and the County Clerk, the Township of Laird, by the Supervisor and the Township Clerk, the Village of Lake Linden, by the President and the Village Clerk, the Village of Laurium, by the President and the Village Clerk, the Township of Osceola, by the Supervisor and the Township Clerk, the Charter Township of Portage, by the Supervisor and the Township Clerk, the Village of South Range, by the President and the Village Clerk, the Township of Quincy, by the Supervisor and the Township Clerk, the Township of Schoolcraft by the Supervisor and the Township Clerk, the Township of Stanton, by the Supervisor and the Township Clerk and the Township of Torch Lake by the Supervisor and the Township Clerk.

CITY OF HANCOCK, a Michigan
municipal corporation.



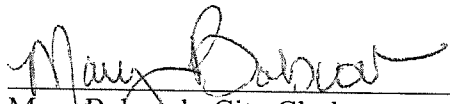
Paul Labine, Mayor



Mary Babcock, City Clerk

The foregoing Articles of Incorporation were adopted by the City of Hancock, Michigan
at a special meeting duly held on the 15 day of July, 2020.

Dated: 7-15-2020



Mary Babcock, City Clerk